

Darosh Darash Moshe

A Meta-Midrashic Analysis of Three Ascents in the
Torah

מנחם אב תשפ"ג / August 2023

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General Introduction

Chapter I: Givat Rephidim

General Introduction

גבעת רפידים

משה ♦ אהרן ♦ חור

יהושע ♦ כלב ♦ בצלאל

Givat Rephidim - גבעת רפידים

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General Introduction

וַיָּבֹא עֲמֹלֶק וַיִּלָּחֶם עִם יִשְׂרָאֵל בְּרֶפְדִּים: וַיֹּאמֶר מֹשֶׁה אֶל יְהוֹשֻׁעַ בְּחַר לָנוּ אַנְשִׁים וְצֵא הִלָּחֶם בְּעֲמֹלֶק מִחֹר אֲנֹכִי נֹצֵב עַל רֹאשׁ הַגְּבֻעָה וּמִטָּה הָאֱלֹהִים בְּיָדִי: וַיַּעַשׂ יְהוֹשֻׁעַ כְּאֲשֶׁר אָמַר לוֹ מֹשֶׁה לְהִלָּחֶם בְּעֲמֹלֶק וּמֹשֶׁה אָהֲרֹן וְחֹר וְעָלוּ רֹאשׁ הַגְּבֻעָה: וְהָיָה כְּאֲשֶׁר יָרִים מֹשֶׁה יָדוֹ וַגְּבַר יִשְׂרָאֵל וְכַאֲשֶׁר יִגְיַח יָדוֹ וַגְּבַר עֲמֹלֶק: וַיְדִי מֹשֶׁה כְּבָדִּים וַיִּקְחוּ אֲבָן וַיִּשְׁימוּ תַּחְתָּיו וַיִּשָּׁב עָלֶיהָ וְאָהֲרֹן וְחֹר תָּמְכוּ בְּיָדָיו מִנֶּגַע אֶחָד וּמִנֶּגַע אֶחָד וַיְהִי יָדָיו אֲמוּנָה עַד בֹּא הַשָּׁמֶשׁ: וַיַּחֲלֵשׁ יְהוֹשֻׁעַ אֶת עֲמֹלֶק וְאֶת עַמּוֹ לְפִי חֶרֶב: (שמות יז: ח-יג)

"Amalek came and fought against Yisrael in Rephidim. Moshe said to Yehoshua: Choose for us men, and go out to fight against Amalek; tomorrow I will stand at the top of the hill, with the staff of G-d in my hand. Yehoshua did as Moshe told him, to fight against Amalek, while Moshe, Aharon and Hur ascended to the top of the hill. Whenever Moshe raised his hand, Yisrael would gain the upper hand, but whenever Moshe lowered his hand, Amalek would gain the upper hand. Moshe's hands got heavy, so they took a rock and placed it under him and he sat on it. Aharon and Hur supported Moshe's hands, one on one side and one on the other side; and so his hands were steady until sunset. Yehoshua weakened Amalek and his nation by the sword." (Shmot 17: 8-13)

A fledgling nation, recently granted its freedom from centuries of oppression, treks through an unfriendly wilderness and into the unknown. Bnai Yisrael struggle with their newfound freedom, divided into various tribes and a large assortment of tagalongs, the *Ierev rav*. Moshe is undisputed and in charge, but who he commands is more akin to an amalgam of slaves than a proud and free people. Millions wandering in the desert demand clearly defined roles and responsibilities for various levels of leadership; governmental structures need to be put into place, a system of laws and courts must be established. Yet even a month after Bnai Yisrael's independence was realized, other than Moshe himself no formal positions have been designated.

It is with memories of slavery still fresh and present in their minds that Bnai Yisrael are suddenly attacked for the first time. War is the ultimate uniting force in times of uncertainty, and existential threat by a ruthless enemy is a strong motivator to set aside any internal strife and join together as one people. Yet no nation can survive such trying times without strong leadership and a robust army; a show of solidarity from Moshe and other heads of the people is necessary in order to defeat Amalek. But what areas of leadership do the unique

circumstances of this new nation demand, and what type of political structure is required to meet them?

In the haste to escape Egyptian bondage these questions have gone unaddressed; Amalek has forced Moshe's hand much earlier than expected. Amalek was eager to fight against the Jews, chomping at the bit like a rabid dog.^{^1^} The pesukim indicate that the ambush was sudden and unprovoked,^{^2^} catching Moshe and the nation off guard. A general must immediately be appointed to lead Bnai Yisrael into battle, and Moshe designates Yehoshua, described by the Torah as a *na'ar*,^{^3^} to command the nation's untrained forces.^{^4^} Moshe knows that Yehoshua alone will not be enough to unify the people, for Amalek is a powerful enemy and Bnai Yisrael are unaccustomed to fighting in war.^{^5^} Moshe realizes that he too must be a symbol of strength for the people, and elects to pray on their behalf in clear view of the day-old soldiers; any necessary spiritual and military preparations are implemented quickly and within 24 hours of the attack,^{^6^} establishing a thematically meaningful precedent for confrontation with Amalek in the future.^{^7^}

As Moshe's hands grow heavy, two other important figures step in to support him: Aharon and Hur. Aharon is certainly a familiar face to us, and a natural contender to help Moshe inspire the troops fighting below. He was, after all, introduced earlier in Sefer Shmot, and played a central role in *yetziat mitzrayim*. And while this is the first we hear of Yehoshua in the Torah, his worthiness for the role assigned to him here is bolstered by the righteousness, loyalty and bravery he displays later on in the Torah. In contrast, Hur is a complete enigma, a mysterious figure who appears and disappears without any explanation,^{^8^} and the clarity of his role within the nobility of Bnai Yisrael is diametrically opposed to that of the others.

The imagery provoked by this story is incredibly powerful, almost picturesque: Moshe sitting atop a hill perched on a rock, hands held high by Aharon on one side and Hur on the other, while Yehoshua leads an inexperienced army to victory over their more seasoned attackers in the valley below. The visual of Moshe, Aharon and Hur united in grim determination and connected with their hands stretched heavenward, grasping the miraculous staff of G-d, is - as the pesukim tell us - a symbol of "*faith until the sun set*"^{^9^} that surely boosted the peoples' morale. Why should this be so?

וְהָיָה כְּאִשֶּׁר יָרִים מֹשֶׁה יָדוֹ וְגִבֹּר יִשְׂרָאֵל וְגו' (שמות יז, יא), וְכִי יָדָיו שֶׁל מֹשֶׁה עוֹשׂוֹת מִלְחָמָה אוֹ שׁוֹבְרוֹת מִלְחָמָה. אֲלֵא לֹא לֹמֵר לָהּ, כָּל זְמַן שֶׁהָיוּ יִשְׂרָאֵל מְסַתְּקִים כָּלִפִּי מַעֲלָה וּמַשְׁעָבְדִּין אֶת לִבָּם לְאַבְיָהֶם שְׂבִשְׁמִים הָיוּ מִתְגַּבְּרִים. וְאִם

לְאֹר, הָיָה נֹפֶלֶת: ¹⁰

"When Moshe raised his hands, Yisrael had the upper hand' (Shmot 17:11). Did Moshe's hands determine victory or defeat? Rather, this teaches you that whenever Yisrael looked up and gave over their hearts to their Father in Heaven, they would have the upper hand, and if not, they would fall." ¹⁰

Another layer has been added to this symbolism: Hashem watching over the people in Heaven, dwelling above Moshe, Aharon and Hur who are pointing up with their hands towards Him, and who are standing above Yehoshua and the people, who are in turn directing their eyes up towards Him as they fight Amalek. This interconnectedness between the army, the leadership, and HaKadosh Baruch Hu Himself generated a profound sense of unity that allowed Yisrael to win and best the mighty antagonist; this achievement was so noteworthy that Hashem commanded it be written in a book and *"placed in Yehoshua's ear"*, perhaps as a testament to how one should successfully rally Bnai Yisrael in the future.

Moshe, Aharon and Yehoshua are all key players in the drama of Bnai Yisrael's journey to Eretz Canaan, so Hur is in esteemed company. But who was he? Surely the Torah does not hide essential information from us unless there is good reason. Can Hur's prominence in the battle against Bnai Yisrael's first enemy teach us something about why Bnai Yisrael were able to win, against at best improbable odds? Can it shed light on why Amalek, more than any other nation, is enshrined as the archnemesis of Yisrael, and whose very existence must paradoxically be consciously erased from the peoples' collective memory? And is the mystery of Hur's sudden appearance and disappearance perhaps the key to unlocking a greater understanding of what determines Bnai Yisrael's successes and failures, not just in the desert, but for all time? ¹¹

*

Pesikta DeRav Kahana 3:8

עמלק (דברים כה:יז). עם ילק, פרח כהדין זחלה. דבר אחר עם לק, אומה שבאת ללוק דמן של ישראל ככלב. ר' לוי בשם ר' שמעון בן חלפתא למה היה עמלק דומה, לזבוב שהוא להוט אחר המכה, כך היה עמלק להוט אחר ישראל ככלב. תני בשם ר' נתן ארבע מאות פרסה פסע עמלק ובא לעשות מלחמה עם ישראל ברפידים:

Amalek' (Devarim 25:17). A nation of locusts: It flew down to battle like a locust. Another idea: A licking" nation. A people that came to lick up the blood of Yisrael like a dog. Rabbi Levi says in the name of Rabbi Shimon Ben Chalafta, to whom is Amalek comparable? To a fly who is eagerly drawn to a wound; similarly, Amalek was eagerly drawn to Yisrael like a dog. It was taught in the name of Rabbi Natan, Amalek traveled 400 "parasangs in order to do battle with Yisrael in Rephidim

The distance of 400 parasangs mentioned here is alternatively given as the length from one end of Eretz Yisrael to the other, and as the length of from one end of the Land of Egypt to the other. So determined was Amalek to attack Bnai Yisrael that they traversed an incredible distance in order to do so

Menachot 64b

תנו רבנן כשצרו מלכי בית חשמונאי זה על זה והיה הורקנוס מבחוץ ואריסטובולוס מבפנים בכל יום ויום היו משלשלין להן דינרין בקופה ומעלין להן תמידין היה שם זקן אחד שהיה מכיר בחכמת יוונית לעז להם בחכמת יוונית אמר להן כל זמן שעסוקין בעבודה אין נמסרין בידכם למחר שלשלו להן דינרין בקופה והעלו להן חזיר כיון שהגיע לחצי חומה נעץ צפרניו בחומה ונודעזעה ארץ ישראל ארבע מאות פרסה על ארבע מאות פרסה באותה שעה אמרו ארור שיגדל חזיר וארור שילמד בנו חכמת יוונית:

The Rabbis taught: When the kings of the Hashmonaim were warring with each other, Hyrcanus was on the" outside and Aristobolus was on the inside. Each day the people on the inside would send a box of coins to the people on the outside, who would then send up animals for the daily sacrifices. There was an elderly man inside who knew Greek wisdom, and he communicated with the people outside using Greek wisdom, and said to them, as long as these on the inside are engaged in the Temple service, they will not be given over into your hands. The next day they lowered the coins in a box, and they sent back a pig which is not permissible as a sacrifice. Once the pig got halfway up the wall, it inserted its hooves into the wall, and Eretz Yisrael shook 400 by 400 parasanges. At that time they said: Cursed is he who raises pigs, and cursed is he who teaches his son Greek "wisdom

Megillah 3a

ואמר רבי ירמיה ואיתימא רבי חייא בר אבא: תרגום של תורה אנקלוס הגר אמרו מפי רבי אליעזר ורבי יהושע. תרגום של נביאים יונתן בן עוזיאל אמרו מפי חגי וזכריה ומלאכי, ונודעזעה ארץ ישראל ארבע מאות פרסה על ארבע מאות פרסה. יצתה בת קול ואמרה: מי הוא זה שגילה סתריי לבני אדם?

Rabbi Yirmiyah, and some say Rabbi Chiya Bar Abba, says, the translation of Torah into Aramaic - Onkelos the" proselyte said it before Rabbi Eliezer and Rabbi Yehoshua. The translation of Nevi'im - Yonatan Ben Uzziel said it before Haggai, Zechariah and Malachi, and Eretz Yisrael shook 400 by 400 parasangs. A heavenly voice went "out and said: Who is the one that dared to reveal My secrets to mankind

Pesachim 94a

תא שִׁמַּע: מִצְרַיִם הָיָה אַרְבַּע מֵאוֹת פָּרָסָה עַל אַרְבַּע מֵאוֹת פָּרָסָה, וּמִצְרַיִם אֶחָד מִשְׁשִׁים בְּכוֹשׁ, וְכוֹשׁ אֶחָד מִשְׁשִׁים בְּעוֹלָם, וְעוֹלָם אֶחָד מִשְׁשִׁים בְּגֵן, וְגֵן אֶחָד מִשְׁשִׁים בְּעֵדֶן, וְעֵדֶן אֶחָד מִשְׁשִׁים בְּגֵיהֶנֶם, נִמְצָא כָּל הָעוֹלָם כְּכוֹסֵי קַדִּירָה לְגֵיהֶנֶם:

Come and hear, Egypt is 400 by 400 parasangs, and Egypt is one-sixtieth of Cush, and Cush is one-sixtieth of the whole world, and the whole world is one-sixtieth of the Gan of Eden, and the Gan of Eden is one-sixtieth of the entirety of Eden, and the entirety of Eden is one-sixtieth of Gehinnom. It follows that the whole world is like a ".pot cover compared to Gehinnom

Breishit Rabbah 93:6

מִיד כַּעַס יְהוּדָה וְשָׂאג בְּקוֹל גָּדוֹל וְהִלֵּךְ קוֹלוֹ אַרְבַּע מֵאוֹת פָּרָסָה עַד שְׁשָׁמַע חוּשִׁים בֶּן דָּן וְקָפַץ מֵאֶרֶץ כְּנָעַן וּבָא אֶצֶל יְהוּדָה וְשָׂאגוּ שְׁנֵיהֶם וּבִקְשָׁה אֶרֶץ מִצְרַיִם לְהַפִּיד:

Yehudah got angry and roared with a great voice, and his voice carried 400 parasangs until Hushim Ben Dan" heard it and jumped from Eretz Canaan to Egypt and came next to Yehudah, and the two of them roared and the ".whole of the land of Egypt was in danger of being destroyed

2

Devarim 25:17-19

זְכוֹר אֵת אֲשֶׁר עָשָׂה לְךָ עַמְלֵק בְּדַרְךְ בְּצֵאתְךָ מִמִּצְרַיִם: אֲשֶׁר קָרָךְ בְּדַרְךְ וַיַּזְנוּב בְּךָ כָּל הַנְּחֻשִׁימִים אֲחֵיֶיךָ וְאַתָּה עִיף וְיָגַע וְלֹא יָרָא אֱלֹהִים: וְהָיָה בְּהִנָּיִחַ יְהוָה אֱלֹהֶיךָ לְךָ מִכָּל אֵיבֶיךָ מִסָּבִיב בְּאֶרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ נַחֲלָה לְרִשְׁתָּהּ תִּמְחָה אֵת זֶכֶר עַמְלֵק מִתַּחַת הַשָּׁמַיִם לֹא תִשְׁכַּח:

Remember what Amalek did to you on the way, as you were leaving Egypt. He surprised you on the way, and cut" down all of the weak ones in the rear, and you were tired and weary; he was not afraid of G-d. When Hashem your G-d will leave you free on all your enemies around you in the land that Hashem your G-d is giving you as a ".portion to inherit - you shall erase the memory of Amalek from under the heavens; do not forget

3

While *na'ar* is often translated as lad or youth, Yehoshua was already 56 years old during the battle with Amalek. This leads Ibn Ezra and Ramban to conclude that a more correct translation here would be deputy or attendant. Either way it seems clear that at the time he was an attendant to Moshe and not yet a holder of high office

Shmot 33:11

וַיְדַבֵּר יְהוָה אֶל מֹשֶׁה פָּנִים אֶל פָּנִים כַּאֲשֶׁר יְדַבֵּר אִישׁ אֶל רֵעֵהוּ וְשָׁב אֶל הַמַּחֲנֶה וּמִשְׁרָתוֹ יְהוֹשֻׁעַ בֶּן נֹון נָעַר לֹא יָמִישׁ מִתּוֹךְ הָאֹהֶל:

Hashem spoke with Moshe face to face, the way a man speaks to his fellow. Moshe would return to the camp;"
"but his attendant Yehoshua Bin Nun was a deputy who did not leave from inside the tent

Ramban to Shmot 33:11 d"h umesharto yehoshua bin nun na'ar

כתב ר"א (אבן עזרא על שמות ל"ג:א) חיה יהושע מאה ועשר שנים (יהושע כד כט), וחכמים אמרו (זבחים קיח:) כי שבע שנים כבש ושבע שנים חלק, א"כ היה בן חמשים ושיש שנה, ואיך יקראהו הכתוב נער, וככה פירושו, ומשרתו יהושע בן נון שירות נער. ועל דעתי דרך לשון הקדש שיקרא כל משרת נער, כי בעל השררה הנכבד הוא האיש, והמשרת לו יקרא נער:

Ibn Ezra wrote that we know Yehoshua lived for 110 years (Yehoshua 24:29), and our sages said (Zevachim 118b) that it took seven years to conquer Eretz Yisrael and seven years to divide it up. If so, since Bnai Yisrael wandered in the desert for 40 years, subtract 110 - 7 - 7 - 40 = 56, which means Yehoshua was 56 years old during this episode, so how could the text call him a na'ar? Ibn Ezra answered that Moshe's attendant Yehoshua Bin Nun' means his attendance was like that of a youth. And in my opinion it is the way of the Holy Tongue to call any attendant a na'ar regardless of age, for a person of authority is called ish and the one who attends to
"him is called na'ar

Yehoshua himself also felt unworthy to be chosen for this role, recognizing that Moshe saw in him potential that he then had to prove was correct

Pesikta DeRav Kahana 3:1

אמר יהושע כמה גדולים יש כאן בדור הזה, אהרן וחור וע' זקנים, ולא צוה משה אלא לי, לא על חינום צווני אלא שראה שנופל בידי, ויעש יהושע כאשר אמר לו משה להלחם בעמלק וגו' (שם יז:י):

Yehoshua said, there are so many great people in this generation: Aharon, Hur, the seventy elders. And yet,"
Moshe did not command anyone other than me to lead the battle against Amalek. He did not command me for naught but rather must have seen that Amalek will fall into my hands. Therefore: 'Yehoshua did as Moshe told
"him, to fight against Amalek' (Shmot 17:10)

4

An allusion to this idea may come from the fact that this is the first time we hear of Yehoshua in the Torah and he is referred to as such, yet the Torah informs us in Bemidbar 13:16 that Yehoshua's original name was actually Hoshea; Moshe had renamed him by inserting a *yud* at the beginning of his name. The midrash explains that this was meant to strengthen Yehoshua and give him the courage and fortitude to stand up against the rest of the spies:

Sotah 34b

ויקרא משה להושע בן נון יהושע י-ה יושיעך מעצת מרגלים והיינו דכתיב ועבדי כלב עקב היתה רוח אחרת עמו וגו':

Moshe called Hoshea Bin Nun Yehoshua'. This means may Yah save you from the advice of the spies. This is "'why it says: 'My servant Kalev, because he had a different spirit with him, etc

Perhaps Yehoshua is referred to with the *yud* in the battle of Amalek as well because at this point too he was an inexperienced warrior and needed the prayer of "*May Yah save you*", that HaKadosh Baruch Hu should grant him victory in the campaign against Amalek. More than a year later, before dispatching the spies, Moshe then reconfirmed the name change in prayer that Yehoshua should be saved from their negative influence.

5

This follows from observing that Moshe did not merely assign Yehoshua to command the people in battle, but also felt it necessary to take action of his own:

Ramban to Shmot 33:9 d"h vayomer moshe el yehoshua

והיה כל הענין הזה שעשה משה רבינו, מפני שהיה עמלק גוי איתן וחזק מאד, וישראל אינם מלומדי מלחמה ולא ראו אותה מעולם, כאשר אמר פן ינחם העם בראותם מלחמה (שמות י"ג:ז), והוא עיף ויגע ככתוב במשנה תורה (דברים כה יח), על כן פחד מהם והוצרך לכל התפלה והתחנה הזאת:

And this whole thing which Moshe Rabbeinu did, was because Amalek was a very powerful and strong nation," and additionally Yisrael were not taught in the ways of war and had never seen it before, as it says: 'Lest the nation will regret when they see war' (Shmot 13:17). Additionally, the nation was tired and weak, as it says in Mishneh Torah i.e. Sefer Devarim (Devarim 25:18). Therefore, Moshe was afraid for Bnai Yisrael and felt it was necessary to also pray and supplicate as much as possible

6

The word *machar*, usually translated as 'tomorrow', can also connote a sense of immediacy and urgency, and here seems appropriate given the hurried response to sudden war

Pesikta Zutarta Shmot 13:14 d"h vehaya ki yishalcha bincha machar

יש מחר לאחר זמן כגון זה, ודומה ומחר (על) אל כל עדת ישראל יקצוף (יהושע כב יח) ויש מחר שהוא עכשיו, כגון מחר אנכי נצב (שמות יז ט), למחר יהיה האות הזה (שם ח יט), וכל דומיהן:

There is 'tomorrow' which means after a long time such as here in Shmot 13:14, and similarly: 'Tomorrow He' will get angry at the entire congregation of Yisrael' (Yehoshua 22:18), and there is 'tomorrow' which means now, as it says: 'Tomorrow I will stand' (Shmot 17:9), and similarly 'Tomorrow this sign will appear' (Shmot 8:19), and all those who are to be interpreted similarly

Whether *machar* is referring to Yehoshua meeting Amalek in battle - so that Moshe could ascend the hill and pray beforehand - or referring to Moshe ascending to pray - so that Yehoshua could set up for battle right away - is grammatically ambiguous

Yoma 52a-b

וְהַתְנִיחַ, אִיסִי בֶן יְהוּדָה אָמַר: תִּמְלֹךְ מִקְרָאוֹת בְּתוֹרָה אֵין לָהּ הֶכְרֵעַ: "שָׁאֵת". "מְשׁוּקָדִים". "מָחָר". "אָרֹר". "וְקָם":

Was it not taught, Issi Ben Yehudah said: There are five pesukim in the Torah which cannot be decided from a "grammatical perspective: 'lifted up', 'with almond blossoms', 'tomorrow', 'cursed', 'and will get up

Tosafot to Yoma 52b d"h se'et meshukadim machar arur vekam

וכן מחר אי קאי אמלחמה ואנכי נצב על ראש הגבעה היום להתפלל קודם המלחמה כדכתיב היערוך שועך לא בצר (איוב לו, יט) או קאי אאנכי נצב מחר להתפלל:

And similarly 'tomorrow': Is it referring to the battle, and then 'I will stand at the top of the hill' - today, to pray" before the battle, as it says: 'Will your limitless wealth help you' (Iyov 36:19)? Or is it referring to 'I will stand' - "tomorrow, to pray

7

The concept of facing off against Amalek *machar* also appears in the Purim story. Queen Esther invites King Achashverosh and Haman to an intimate feast, during which she invites them again to a second feast the following day. It is not clear from the Megillah itself why Esther feels the need to do this; she accused Haman of attempting genocide against her people at the second feast, but she could have just as easily done that at the first one. Clearly something motivated Esther to drag her plan out, and for the midrash this was a realization that when Amalek presents a sudden and unexpected danger - as Haman's decree clearly did - the only way to defeat him is by fighting back 'tomorrow'

Yalkut Shimoni on Nach Remez 1056

ומחר אעשה כדבר המלך (אסתר ה:ח). מה ראתה לומר מחר, אלא שכל זרעה של עמלק למדים ליפול למחר, וכן הוא אומר מחר אנכי נצב על ראש הגבעה (שמות יז:ט):

Tomorrow I will do as the king commands' (Esther 5:8). Why did she feel it appropriate to say 'tomorrow'?"
Rather, it is learned that all the offspring of Amalek are destined to fall 'tomorrow', as it says: 'Tomorrow I will
"stand at the top of the hill' (Shmot 17:9)

It follows that *machar* is used in the context of the battle with Amalek both in the immediate, 'now' sense, and in the abstract, distant future sense

8 This point will be more fully developed in **Part I**.

:The simple, *peshat* translation of the word *emunah* is steadiness and permanence

Chizkuni to Shmot 17:12 d"h vider moshe kevedim

כל דבר העומד בחזקו ובעמדו ואינו מחליש ואינו נחסר מכמות שהיה קרוי אמונה כמו ותקעתיו יתד במקום נאמן (ישעיהו כב:כג), שתרגמו באתר קיים. ועוד הרבה אף כאן ויהי ידיו אמונה קיימות ועומדות ומרימות מטה האלוקים עד בא השמש ודבר זה גרם להחליש יהושע את עמלק ואת עמו שהיו ישראל רואים את ידיו של משה מרימות המטה ומתגברים:

Every thing which stands in its strength and uprightness and does not weaken or lose from the quantity which it had is called 'emunah', like: 'And I will fasten him like a peg to a steady place' (Yishayahu 22:23), whose translation is 'A lasting place'. And there are many other examples. So too here, 'Moshe's hands were steady, lasting and upright and lifting the staff of G-d until the sun set. And it is this which directly caused Yehoshua to "weaken Amalek and his nation, since Yisrael would see Moshe's hands lifting up the staff, and prevail

Nevertheless, the aggadic interpretation understands *emunah* as stemming from the concept of faith, and see in it :a reference to Avraham's faith in Hashem during *brit bein habetarim*

Tanchuma Yelamdenu Beshalach 10

אז ישר, ויאמינו בה'. לפיכך זכו לירש את הארץ. אתה מוצא בשלח אמונה שהאמין אברהם אבינו בה', ירש העולם הזה והעולם הבא, שנאמר: והאמן בה' ויחשבה לו צדקה (בראשית טו, ו). וכן ויאמן העם (שמות ד, לא). וכתוב: אמונים נצר ה' ומשלים על יתר עשה גאונה (תהלים לא, כד). וכן במשה: ויהי ידיו אמונה עד בא השמש (שמות יז, יב):

Then Moshe and Bnai Yisrael sang, 'They had faith in Hashem'. Because of this faith, they merited to inherit" the land. Similarly, you find that in return for the faith that Avraham Avinu had in Hashem, he merited to inherit this world and the world to come, as it says: 'He had faith in Hashem, and He considered it to him for righteousness' (Breishit 15:6). Similarly: 'The nation had faith' (Shmot 4:31), and it says: 'Hashem preserves the faithful, and repays with extra those who are haughty' (Tehillim 31:24). And so too with Moshe: 'His hands were "a symbol of faith until the sun set' (Shmot 17:12)

The Targum understands *emunah* as a reference to Moshe's faith in Hashem, and interprets the spreading of :hands as a beseechment during prayer

Targum Onkelos to Shmot 17:12

וידי משה יקרן ויסיבו אבנא ושיאוי תחותיה ויתב עליה ואהרן וחור סעדון בידוהי מכא חד ומכא חד וקנה ידוהי פריסן בצלו עד דעל שמשא:

Moshe's hands were heavy, so they brought a rock and placed it under him, and he sat on it. Aharon and Hur "supported his hands, one on each side, and his hands were spread outward in prayer until the sun set

10 Mishnah Rosh HaShanah 3:8.

10 Mishnah Rosh HaShanah 3:8.

11 In particular, the relationship between Hur on the one hand vs Moshe and Aharon on the other will be a critical component of our analysis. Understanding who Hur was and what his role is this story represents is essential to the larger question of how Bnai Yisrael's leadership is meant to operate.

Part 1: Destined to Rule

Introduction

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Introduction

What makes Hur such a textbook subject for aggadic exegesis is not simply that he is first portrayed by the Torah as a valued member of the nation's elite while at the same time being introduced without any background, history, or origin story; it is that the name Hur appears in several other places in Tanach, and most of those references are similarly ambiguous and obscure. On a *peshat* level, at least some of these other references to a Hur must be talking about a different Hur than Moshe's trustworthy supporter from the battle with Amalek. The midrash, however, sees in the character of Hur a perfect opportunity: it notes multiple anomalies in the text's language and grammar, resolves them through a poetic conservation and unification of different Biblical personalities, and reveals both important hashkafic cornerstones of Chazal as well as valuable lessons on proper conduct and belief.

The second time the name Hur is mentioned it apparently refers to the same person:

וַיָּקָם מֹשֶׁה וַיְהוֹשֻׁעַ מִן־הַיָּדָיו וַיַּעַל מֹשֶׁה אֶל הַר הָאֱלֹהִים: וְאֵל הַזִּקְנִים אָמַר שִׁבוּ לִנִּי כִּי־זֶה עַד אֲשֶׁר נִשְׁוֹב אֲלֵיכֶם וְהָיָה אֶהְיֶה וְחֹרֶן עִמָּכֶם מִי בַעַל דְּבָרִים יִגֹּשׁ אֲלֵהֶם: ¹²

"Moshe and Yehoshua, his attendant, rose up, and Moshe ascended the mountain of G-d. He said to the elders, wait here for us until we return. Aharon and Hur are here with you; anyone who has some legal matter can come before them."¹²

Here too we find Hur as a counterpart to Aharon; here too the context is as a support for Moshe; and here too we also find Yehoshua making an appearance, albeit again with a distinct function from Aharon and Hur. Shmot 17 presents Hur and Aharon as Moshe's right-hand men in a literal sense, while Shmot 24 deems them as Moshe's representatives in his absence. They are Moshe's main artery of support, chosen to adjudicate any crises in his stead while he is away, and again we get the impression that Hur is already well established in his role as a leader. Moshe assumes that everyone knows who Hur is, yet we the readers are left in the dark.

If one stopped reading at this point and erased any prior knowledge of how the Torah narrative unfolds, and instead tried to predict its continuation solely based on what the text reveals up to and including Shmot 24, one would expect Hur to continue as Aharon's peer going forward. One would not be surprised if both of them played a vital role in the remainder of Bnai Yisrael's sojourns in the desert and eventual arrival in Eretz Canaan. Although Aharon is Moshe's brother and has a pivotal role to play during *yetziat mitzrayim*, once Bnai Yisrael become a nation free of Egypt's subjugation in Shmot 14, Aharon and Hur are portrayed as complete equals both before and including *Matan Torah*.

However, the fates of Aharon and Hur do not remain intertwined, and cease to continue in parallel. Aharon becomes Kohen Gadol and has a prominent leadership role in both a religious and political capacity later on. But what of Hur? Shmot 17 and Shmot 24 are the only two mentions of Hur in this capacity, namely as a top-level official and supporter of Moshe's; after Moshe's ascent to Har Sinai he completely disappears. The question becomes sharper: who was Hur? Why for a brief period was he on the same level as Aharon and second only to Moshe Rabbeinu, and why does he conspicuously disappear? Perhaps we can - and should - use other mentions of Hur, even ones that on the surface refer to someone else entirely, to help bridge our gap in understanding and create a more holistic picture of who Hur actually was.

12 Shmot 24:13-14.

12 Shmot 24:13-14.

Righteous Martyr

Moshe spends forty days and nights atop Har Sinai while Aharon and Hur are left to manage the nation in his stead. The allotted period elapses and Moshe fails to return; the restless people turn to Aharon with their infamous demands:

וַיֵּרָא הָעָם כִּי בִשְׁשׁ מֵשָׁה לֵרְדֹת מִן הָהָר וַיִּקְהֹל הָעָם עַל אַהֲרֹן וַיֹּאמְרוּ אֵלָיו קוּם עֲשֵׂה לָנוּ אֱלֹהִים אֲשֶׁר יִלְכְּדוּ לְפָנֵינוּ כִּי זֶה מֹשֶׁה הָאִישׁ אֲשֶׁר הָעֵלֵנוּ מֵאֶרֶץ מִצְרַיִם לֹא יָדָעְנוּ מָה הָיָה לוֹ: וַיֹּאמֶר אֶלֶהֱם אַהֲרֹן פֶּרְקוּ נִזְמֵי הַזָּהָב אֲשֶׁר בְּאָזְנֵי וְשִׁיכֶם בְּנֵיכֶם וּבְנֹתֵיכֶם וְהָבִיאוּ אֵלָי: וַיִּתְּפְּרוּ כָל הָעָם אֶת נִזְמֵי הַזָּהָב אֲשֶׁר בְּאָזְנֵיהֶם וַיָּבִיאוּ אֶל אַהֲרֹן: וַיִּקַּח מֵיָדָם וַיִּצַּר אוֹתוֹ בַּחֶרֶט וַיַּעֲשֶׂהוּ עֲגֹל מִסַּכָּה וַיֹּאמְרוּ אֵלֶּה אֱלֹהֵינוּ יִשְׂרָאֵל אֲשֶׁר הֵעֲלוּנוּ מִצְרַיִם: וַיֵּרָא אַהֲרֹן וַיָּבֹן מִזְבֵּחַ לְפָנָיו וַיִּקְרָא אַהֲרֹן וַיֹּאמֶר תֵּג לַיהוָה מָחָר: וַיִּשְׁכְּמוּ מִמַּחֲרָת וַיַּעֲלֻ עֹלֹת וַיִּגִּשּׁוּ שְׁלָמִים וַיָּשִׁב הָעָם לְאֹכַל וְשִׁתּוֹ וַיִּקְמוּ לְצַחֲקָם: ¹³

"The nation saw that Moshe was delayed in coming down from the mountain, so the nation gathered around Aharon and said to him: Get up, make us a god that will go before us, for this man Moshe who took us out of Egypt - we do not know what happened to him. Aharon said to him: Remove your golden rings that are on the ears of your wives, sons and daughters, and bring them to me. The whole nation removed the golden rings in their ears and brought them to Aharon. He took the rings from their hands, and cast it into a mold, and made from it a molten calf. The nation said: This is your god, Yisrael, who took you out of Egypt. Aharon saw, and built an altar before it, and Aharon called out and said: A holiday for Hashem tomorrow. The nation rose the next morning, and they brought burnt offerings and brought sacrifices of well-being; the nation sat to eat and drink, and got up to play."¹³

The people see that for some reason - Rabbi Yehoshua Ben Levi blames Satan for the confusion¹⁴ - Moshe is delayed and has not returned at the expected time. But Moshe had set up a contingency plan, and explicitly put both Hur and Aharon in charge before he ascended the mountain. To explore why Hur is absent while this terrible debacle unfolds and from all subsequent narratives in the Torah, the midrash notes that this is the first story told since Hur was last mentioned as alive and well;¹⁵ it is also sensitive to the fact that Aharon alone is consulted, while Hur, who was similarly appointed by Moshe, is not. Midrash aggadah abhors a vacuum, and this story of the golden calf is a turning point in the narrative as far as Hur is concerned - something must be missing here, we are not being told the whole story.

Given Hur's authoritative presence at the onset of 40 days, and the total lack of backstory as to why he was chosen for that position, the midrash explains where he disappeared to, while simultaneously retroactively justifying his original position:

רבי ברכיה בשם רבי אבא בר כהנא פתח קריא באהרן, בשעה שעשו ישראל אותו מעשה, בתחלה הלכו אצל חור, אמרו לו (שמות לב, א): קום עשה לנו אלהים, כיון שלא שמע להן עמדו עליו והרגוהו, הלא הוא דכתיב (ירמיה ב, לד): גם בכנפיך נמצאו דם וגו', וזהו דמו של חור, (ירמיה ב, לד): לא במחתרת מצאתים כי על כל אלה, על אשר עשו (שמות לב, ד): אלה אלהיך ישראל. ואחר כך הלכו אצל אהרן, אמרו לו: קום עשה לנו אלהים, כיון ששמע אהרן בן מיד נתיירא, הלא הוא דכתיב (שמות לב, ה): וירא אהרן ויבן מזבח לפניו, נתיירא מהנזבים לפניו, אמר אהרן מה אעשה הרי הרגו את חור שהיה נביא, עכשיו אם הורגים אותי שאני כהן מתקנים עליהם המקרא שכתוב (איכה ב, כ): אם יהרג במקדש ה' כהן ונביא, ומיד הם גולין: ¹⁶

"Rabbi Berachiyah said in the name of Rabbi Abba Bar Kahana, expounding on the pasuk about Aharon. When Yisrael was about to commit that act i.e. make the golden calf they first came to Hur, and they said to him: 'Get up, make us a god' (Shmot 32:1). Since he did not listen to them, they rose up and killed him. This is why it says: 'Also in your wings we find the blood of the souls of the innocent and the poor' (Yirmiyahu 2:34) - this refers to the blood of Hur, because they did: 'This is your god, Yisrael' (Shmot 32:4). Afterwards, they went to Aharon and said to him: 'Get up, make us a god'. When Aharon heard about what they did to Hur, he became afraid, as it says: 'Aharon saw, and built an altar before it' (Shmot 32:5) - interpret it not as saw, but was afraid: Aharon was frightened by the one slaughtered before him i.e. Hur. Aharon said, what should I do? They have already killed Hur, and he was a prophet. Now if they kill me, and I am a Kohen, they will fulfill what it says: 'Should a Kohen and prophet be slain in the sanctuary of Hashem (Eicha 2:20)', and immediately will be exiled." ¹⁶

Hur was not only present when the golden calf was conceived of; he was approached by the people before Aharon. Perhaps the nation felt that Hur would be more amenable to acquiescing to their request than Aharon, though in order to understand why we need to further understand who exactly Hur was. Yet regardless of the people's motivation to approach him first, Hur refused to listen to them, and in a rage the violent mob took his life. This missing section of narrative conveniently ties another loose knot in the story of the golden calf, namely a justification for Aharon's actions: how could the future Kohen Gadol so willingly agree to such outrageous and blasphemous demands? It would take seeing Hur's

slain body before him - and nothing less - to convince a terrified Aharon he needed to meet the people's demands.

A later midrashic tradition¹⁷ provides some more color to Hur's response:

רַבֵּנוֹ אֶמְרֵי הַשֹּׁטֶן מָצָא אֶת יָדָיו אוֹתָהּ שָׁעָה, שֶׁהָיָה מֹשֶׁה נִרְאָה תְּלוּי בֵּין הַשָּׁמַיִם וְהָאָרֶץ וְהָיוּ מֵרָאִי אֹתוֹ בְּאַצְבָּע וְאוֹמֵר: כִּי זֶה מֹשֶׁה הָאִישׁ. אוֹתָהּ שָׁעָה עָמַד עֲלֵיהֶם חוּר וְאָמַר לָהֶם קִצְיָעִי צְוֹאֲרֵא, אֵין אַתֶּם נֹזְקִים מִה נָּסִים עָשָׂה לָכֶם הַקְדוֹשׁ בָּרוּךְ הוּא, מִיָּד עָמְדוּ עָלָיו וְהִרְגוּהוּ. נִכְנְסוּ עַל אֶהָרֹן, שֶׁנֶּאֱמַר: וַיִּקְהַל הָעָם עַל אֶהָרֹן (שְׁמוֹת ל"ב, א), וְאָמְרוּ לוֹ כְּשֶׁם שָׁעֲשִׂינוּ לָזֶה כִּךְ אָנוּ עוֹשִׂים לָךְ, כִּיֹּן שֶׁרָאָה אֶהָרֹן כִּךְ נִתְיָרָא, שֶׁנֶּאֱמַר (שְׁמוֹת ל"ב, ה): וַיֵּרָא אֶהָרֹן וַיִּכֶן מִזִּבְחֵהוּ לִפְנָיו, מִהוּ מִזִּבְחֵהוּ, מִן הַזִּבְחֵה שֶׁלִּפְנָיו: ¹⁸

"The Rabbis say, Satan found his hands at that time, for Moshe was shown suspended between the heavens and the earth, and he was showing Moshe with his finger and saying: 'For this man Moshe' (Shmot 32:1). At that time Hur stood up against them and said, stiff-necked ones, do you not remember the miracles that HaKadosh Baruch Hu did for you? Immediately they attacked him and killed him. They gathered against Aharon, as it says: 'The nation gathered against Aharon' (Shmot 32:1) and said to him, as we did to Hur, so we will do to you if you do not agree with our demands. When Aharon saw this, he was afraid, as it says: 'Aharon saw, and built an altar before it' (Shmot 32:5) interpret it not as saw, but was afraid. Which altar? The one which was slaughtered before him i.e. Hur." ¹⁸

While Vayikra Rabbah simply states that Hur *"did not listen to them"*, here we are told that *"Hur stood up against them"*. Hur rebukes the people, calling them stiff-necked and even asking rhetorically if they forgot the incredible, supernatural wonders G-d had performed on their behalf not even 100 days earlier. This paints Hur in a light which addresses one of our questions, at least partially. Why was Hur chosen as Aharon's peer, as ostensibly the third most powerful member of Bnai Yisrael? Because of his merit: he was a true leader who believed in HaKadosh Baruch Hu and held firm in his convictions, challenging the people to remain strong in their beliefs even when they were met with opposition.

This midrash is aiming to add some depth to the question of how to be an effective leader in times of crisis. What is the proper balance between leading based on one's personal beliefs and losing sight of what's best for the people? Put differently, what is the proper balance between being sensitive to - and addressing the needs of - the common man, without going to the extreme, becoming a sycophant and puppet without any personal morals to guide one's

decision-making? Aharon and Hur, two leaders appointed by Moshe, are being set up as two different models of leadership, and their subsequent reactions highlight the choices such leaders can make.

Perhaps one message of this midrash, then, is to convey the importance of sticking to one's guns, even in the face of a rising populist tide and imminent personal danger. Or, perhaps the message is exactly the opposite, namely that a well-rounded leader should have a lucid yet subtle understanding of his people's needs in all situations, and know when it is necessary to compromise. A third possibility is that the midrash need not pass judgment on who was correct - Hur or Aharon - but merely aims to highlight the tension between these two options. There is, regardless, a clear message that comes from this comparison: a leader of Bnai Yisrael needs to think carefully and be very deliberate in the choices he makes, lest he be met with disaster.¹⁹

While Vayikra Rabbah and Shmot Rabbah tell the same story, there are two key differences in how they each portray the archetypal defender of faith. In Vayikra Rabbah Hur does not say anything to the people; he is simply described as having not listened to them, a passive approach which nonetheless led to his death. Hur comes off as somewhat restrained, does not make any inflammatory remarks or counter Bnai Yisrael in their moment of passion. Shmot Rabbah, in contrast, describes Hur as a zealot and an iconoclast, someone whose fiery and unsolicited words provoked the people into action. Hur stood over the people and rebuked them harshly, an active protestor instead of an unsympathetic ear.²⁰

Still, we are left troubled. Even faced with the prospect of his own death, should Aharon have caved to pressure, or stood strong and refused to condone idolatry? *Avodah Zarah* was later deemed by Rabbinic decree as one of three cardinal sins that a person should die for rather than violate;²¹ how much more so when one's actions would cause many other Jewish people to sin as well?

ומה ראה שיגדל לאהרן ובניו לקדש אותם? אמר רבי מני דשׂאב ורבי יהושׁע דסכנין בשם רבי לוי: בשעה שׂבקשו ישראל לעשות אותו מעשה, אמרו לאהרן, קום עשה לנו אלהים (שמות לב, א) ... תדע לך שׂהרגו לחור, שׂבשׂעה שׂעלה משה להר מה אמר להם: הנה אהרן וחור עמכם מי בעל דברים יגש אליהם (שמות כד, יד). בשׂירד, אין אתה מוצא שׂהזכיר לחור לא בתיים ולא במנות. ומהו אומר: ויאמר משה אל אהרן מה עשה לך העם הנה כי הבאת וגו' (שמות לב, כא) הרי, שׂהרגו לחור.

וַיֵּרָא אֶהָרֹן וַיָּבִין מִזִּבְחַת (שמות לב, ה). מִיָּד נִטַּל שָׁם טַס נָזֶם שֶׁל זָהָב וְהִשְׁלִיכוּ לָאוּר, שֶׁנֶּאֱמַר: וְאִשְׁלִיכֵהוּ בְּאֵשׁ וַיֵּצֵא הַעֲגֹל הַזֶּה (שמות לב, כד). וְהִנֵּה אֶהָרֹן מִתְיָרָא שְׂמָא יֵשׁ בְּלִבּוֹ שֶׁל הַקְּדוֹשׁ בְּרוּךְ הוּא עָלָיו כָּלֹם. לְפִיכָךְ אָמַר הַקְּדוֹשׁ בְּרוּךְ הוּא לְמִשְׁחָה: וְזֶה הַדָּבָר אֲשֶׁר תַּעֲשֶׂה לָהֶם לְקֹדֶשׁ אֹתָם לְכַהֵן לִי, לְרוּמָם וּלְגִדּוֹל לְאַהֲרֹן וּלְבָנָיו בְּכֹהֵנָה גְּדוֹלָה, לְפִי שְׂגָלוֹי וַיְדוּעַ לְפָנָיו שֶׁלֹּא עָשָׂה אֶהָרֹן אֵלָּא מִיָּרָאָה, וּלְפִיכָךְ הוֹדִיעָם שֶׁאֵין בְּלִבּוֹ שֶׁל הַקְּדוֹשׁ בְּרוּךְ הוּא עָלָיו כָּלֹם: ²²

"Why did HaKadosh Baruch Hu elevate Aharon and his sons to the station of Kehunah? Rabbi Mani of She'av and Rabbi Yehoshua of Sichnin said in the name of Rabbi Levi, when Yisrael sought to commit that act i.e. make the golden calf they said to Aharon: 'Get up, make us a god' (Shmot 32:1) ... Know that the nation killed Hur, for Moshe told them before he ascended the mountain: 'Aharon and Hur are here with you; anyone who has some legal matter can come before them' (Shmot 24:14), but after Moshe descended, you find that Hur is not referred to as either living or dead. What does it say: 'And Moshe said to Aharon, what did this people do to you, that you have brought a great sin upon them' (ibid. 32:21) - therefore, conclude that they must have killed Hur.

'Aharon saw, and built an altar before it' (Shmot 32:5). Immediately he took a good ornament and threw it into the fire, as it says: 'I threw it into the fire and this calf came out' (Shmot 32:24). Aharon was afraid that HaKadosh Baruch Hu's heart held something against him for making the golden calf. Therefore HaKadosh Baruch Hu said to Moshe: 'This is the thing that you should do for them, to sanctify them as priests before Me', in order to raise up and make great Aharon and his sons for the Kehunah Gedolah, since it was known before Him that Aharon had acted only out of fear, and therefore He let them know that HaKadosh Baruch Hu's heart holds nothing against him." ²²

This midrash succinctly and explicitly summarizes some of the questions raised earlier regarding Hur's sudden appearance and disappearance, but its primary motivation is vindication of Aharon as evidenced by its opening and closing framework. Not only does Aharon not get killed, but his sin - and Moshe's apparent anger - seem to go punished. Quite the opposite: Aharon is Kohen Gadol, a great honor and one which at first glance is difficult to understand given his actions. And yet, the conclusion is unmistakable: Hur, idealistic and loyal to G-d, lies slaughtered on the ground, while Aharon, realistic and unwilling to fall on his sword, is promoted to the high priesthood. ²³

Aharon's decision to cave and listen to the people, while less heroic in a certain respect, was the proper course of action according to this midrash. Hur died for his trouble, while Aharon escaped with both the people's love and Hashem's approval. Is this really what we are meant to take away from this episode, that bowing to pressure from an unruly group is the wiser course of action while opposing them goes unnoticed and unappreciated by history? The midrash has also painted itself into a corner, since as it stands this conclusion has troubling *hashkafic* implications: while the forgiveness shown towards Aharon is understandable and expected from a G-d of mercy and love, HaKadosh Baruch Hu is surely also a G-d of justice who rewards His righteous servants and avenges the spilling of innocent blood. Hur's death rings empty, and he seems to have died in vain - where do we find his due reward, the recognition for his fidelity and courage?

13 Shmot 32:1-6.

13 Shmot 32:1-6.

14

Shabbat 89a; see Rashi Shmot 32:1 d"h ki zeh moshe ha'ish

אמר רבי יהושע בן לוי: מאי דכתיב: "וַיֵּרָא הָעָם כִּי בָשָׁשׁ מֹשֶׁה אֶל תְּקַרִי "בוֹשֵׁשׁ", אָלֵא "בָּאוּ שֵׁשׁ". בְּשֵׁשׁ שָׁעָה שְׁעָלָה מֹשֶׁה לְמָרוֹם אָמַר לָהֶן לְיִשְׂרָאֵל: לְסוֹף אַרְבָּעִים יוֹם בְּתַחֲלֵת שֵׁשׁ אֲנִי בָא. לְסוֹף אַרְבָּעִים יוֹם בָּא שָׁטָן וְעִירַבֵּב אֶת הָעוֹלָם. אָמַר לָהֶן: מֹשֶׁה רַבְּכֶם הֵיכֵן הוּא? אָמְרוּ לוֹ: עָלָה לְמָרוֹם. אָמַר לָהֶן: בָּאוּ שֵׁשׁ, וְלֹא הִשְׁגִּיחוּ עָלָיו. מֵת, וְלֹא הִשְׁגִּיחוּ עָלָיו. הִרְאָה לָהֶן דְּמוּת מִטָּתוֹ, וְהִיגִנוּ דְּקֶאֱמָרִי לִיהָ לְאַהֲרֹן: "כִּי זֶה מֹשֶׁה הָאִישׁ וְגו'":

Rabbi Yehoshua Ben Levi said, why does it say: 'The nation saw that Moshe delayed' (Shmot 32:1)? Don't read it as delayed, but rather as 'six passed'. When Moshe went up to the Heavens he said to Yisrael, I will come back at the end of forty days, at the beginning of the sixth hour. At the end of forty days Satan came and confused the world. He said to Bnai Yisrael: Where is Moshe your Rabbi? They said to him: He went up to heaven. He said to them: The sixth hour has come, but they ignored him. He said to them: He has died, but they ignored him. He showed them a vision of Moshe's bier, and this is what it means when they say to Aharon: 'For this man Moshe' ". (Shmot 32:1)

15 Between Shmot 24:14 when Hur is last explicitly mentioned, and Shmot 32:1-6 when he is inexplicably absent, are Parshiyot Terumah, Tetzaveh and the beginning of Ki Tisa, all of which detail various halachot about the Mishkan and other matters. There are no narratives recording what happened at the bottom of Har Sinai during those 40 days when Moshe was receiving those mitzvot.

16 Vayikra Rabbah 10:3.

16 Vayikra Rabbah 10:3.

17 The Encyclopedia Judaica places Vayikra Rabbah's composition and redaction sometime between the 5th and 7th centuries C.E. while arguing that Shmot Rabbah was not finalized until at least the 11th century C.E.

18 Shmot Rabbah 41:7.

18 Shmot Rabbah 41:7.

19

Shir HaShirim Rabbah 6:11

דָּבָר אַחֵר אֶל גֶּנֶת אֲגוֹז, אָמַר רִישׁ לָקִישׁ מִה אֲגוֹז זֶה חֵלֶק, דִּתְנִינוּ רַבִּי שִׁמְעוֹן אוֹמֵר אֶף בְּחִלְקֵי אֲגוֹזִים, וְכָל מִי שֶׁעוֹלָה לְרֹאשׁוֹ וְאֵינוֹ נוֹתֵן דַּעְתּוֹ הַיָּאֵף יַעֲלֶה הוּא נוֹפֵל וּמָת, וְנוֹטֵל שְׁלוֹ מִן הָאֲגוֹז, כִּף כָּל מִי שֶׁהוּא מְנַהִיג שְׂרָרָה עַל הַצִּבּוֹר בְּיִשְׂרָאֵל וְאֵינוֹ נוֹתֵן דַּעְתּוֹ הַיָּאֵף הוּא מְנַהִיג אֶת יִשְׂרָאֵל, סוֹף שֶׁהוּא נוֹפֵל וְנוֹטֵל שְׁלוֹ מִתַּחַת יְדֵיהֶם, הֵדָא הוּא דְכֻתִּיב (ירמיה ב, ג): קִדָּשׁ יִשְׂרָאֵל לַה' רִאשִׁית תְּבוּאָתָהּ כָּל אֲכָלִיו יֵאָשְׁמוּ וּגְרָ:

Another idea: 'To the nut garden'. Reish Lakish said, just as a nut is smooth, as it was taught: Rabbi Shimon" says, just like with the trees of nuts, that whoever goes up to its head and does not think about how he is going up, will fall and die and get his portion from the nut, so too whoever leads the community of Yisrael and does not think about how he should be leading Yisrael, will end up falling and getting his portion from them, as it says: "Yisrael is holy to Hashem, the first crop, whoever eats from it will be held guilty' (Yirmiyahu 2:3)

20 As noted above in **Note 17** Vayikra Rabbah was composed centuries earlier than Shmot Rabbah, which itself rewrote and reworked earlier midrashic traditions. Vayikra Rabbah is shorter, more cryptic; it aims to address the linguistic challenges of Shmot 32:1-6 and fill in the thematic gaps in the narrative. Shmot Rabbah is significantly more vivid, elaborating and sharpening the focus on Hur as a foil to Aharon in order to emphasize the message about what it means to be a leader in times of crisis.

21

Sanhedrin 74a

א"ר יוחנן משום ר"ש בן יהוצדק נימנו וגמרו בעליית בית נתזה בלוד כל עבירות שבתורה אם אומרין לאדם עבור ואל תהרג יעבור ואל יהרג חוץ מעבודת כוכבים וגילוי עריות ושפיכות דמים:

Rabbi Yochanan said in the name of Rabbi Shimon Ben Yehotzadak, they counted and concluded in the attic of" Beit Nitza in Lod: We do not tell a person to violate and die any sin in the Torah, except for idolatry, adultery and murder

22 Tanchuma Yelamdenu Tetzaveh 10.

22 Tanchuma Yelamdenu Tetzaveh 10.

23

Although Aharon's capacity as Kohen Gadol and the special clothes he merits to wear are mentioned before the sin of the golden calf in Shmot 28, many midrashim and mefarshim interpret that in a non-chronological order as a response to the sin, commanded only once the golden calf had already occurred. See **Note 90** later in the .chpater

There are other explanations in the midrashic literature as to why Aharon merited the Kehunah Gedolah that has nothing to do with his leadership during the sin of the Golden Calf. In particular, one midrash argues that it was Moshe Rabbeinu who was originally supposed to lead as both the Kohen Gadol and the King of Yisrael, but due to his strong resistance at the burning bush the priesthood was taken from him and given to his brother

Zevachim 102a

(שמות ד, יד) ויחר אף ה' במשה רבי יהושע בן קרחא אומר כל חרון אף שבתורה נאמר בו רושם וזה לא נאמר בו רושם ר"ש בן יוחאי אומר אף זה נאמר בו רושם שנאמר (שמות ד, יד) הלא אהרן אחיך הלוי והלא כהן הוא הכי קאמר אני אמרתי אתה כהן והוא לוי עכשיו הוא כהן ואתה לוי:

Hashem's anger flared against Moshe' (Shmot 4:14). Rabbi Yehoshua Ben Korcha says, every flaring of anger''' in the Torah is said with a lasting impression, except for here. Rabbi Shimon Bar Yochai says, even here there is a lasting impression, as it says: 'Is Aharon your brother the Levi' (Shmot 4:14) - was he not a Kohen? This is "what it means to say: I said you are a Kohen and he is a Levi, but now he is a Kohen and you are a Levi

Vayikra Rabbah 11:6

רבי תנחום בשם רבי יודן תני כל שבעת ימי המלוואים היה משה משמש בכהונה גדולה ולא שרתה שכינה על ידו, הָדָא הוּא דְכְתִיב (ויקרא ט, כד): וַיֵּרָא כָל הָעָם וַיִּרְאוּ וַיִּפְּלוּ עַל פְּנֵיהֶם, אָמַר רַב שְׁמוּאֵל בְּרַחֲמִינוּ, כָּל שִׁבְעַת יְמֵי הַסֵּנָה הָיָה הַקָּדוֹשׁ בְּרוּךְ הוּא מַפְתֵּחַ אֶת מֹשֶׁה שְׁלֵף בְּשִׁלְיָהוּתוֹ לְמִצְרַיִם, הָדָא הוּא דְכְתִיב (שמות ד, י): גַּם מִתְּמוֹל גַּם מִשְׁלָשִׁים גַּם מֵאָז דִּבַּרְךָ אֵל עֲבָדֶךָ, הָרִי שִׁשָּׁה, וּבִשְׁבִיעִי אָמַר לוֹ (שמות ד, יג): שְׁלַח נָא בְיָד תְּשַׁלַּח, אָמַר לוֹ הַקָּדוֹשׁ בְּרוּךְ הוּא, מֹשֶׁה, אֵת אֹמֶר שְׁלַח נָא בְיָד תְּשַׁלַּח, חֲיִיד שְׁאֵנִי צוֹרֶרֶה לָךְ בְּכַנְפֶיךָ, אֵימָתִי פָּרַע לוֹ, רַבִּי בְּרַכְיָה אָמַר רַבִּי לִוִּי וְרַבִּי חֶלְבּוֹ, רַבִּי לִוִּי אָמַר כָּל שִׁבְעַת יְמֵי אָדָר הָיָה מֹשֶׁה מְבַקֵּשׁ תְּפִלָּה וְתַחֲנוּנִים שִׁיכָּנַס לְאַרְצָא יִשְׂרָאֵל, וּבִשְׁבִיעִי אָמַר לוֹ (דברים ג, כז): כִּי לֹא תַעֲבֹר אֶת הַיַּרְדֵּן הַזֶּה. רַבִּי חֶלְבּוֹ אָמַר כָּל שִׁבְעַת יְמֵי הַמְּלוּאִים הָיָה מֹשֶׁה בְּכַהֲנָה גְדוּלָּה וְכַסְבוֹר שְׁלוֹ הָיָא, בִּשְׁבִיעִי אָמַר לוֹ, לֹא שְׁלָךְ הָיָא אֵלָא שֶׁל אַהֲרֹן אַחִיד הָיָא, הָדָא הוּא דְכְתִיב: וַיְהִי בַיּוֹם הַשְּׁמִינִי:

Rabbi Tanchum in the name of Rabbi Yudan taught, all seven days of the inauguration of the Mishkan Moshe" acted as Kohen Gadol, but the Shechinah did not rest through his hand, as it says: 'The entire nation saw, and were happy, and fell on their faces' (Vayikra 9:24). Rav Shmuel Bar Nachman said, all seven days at the burning bush HaKadosh Baruch Hu was enticing Moshe to go on his mission to Egypt, as it says: 'Even yesterday even two days ago, even when you began speaking to your servant' (Shmot 4:10); this is six days, and on the seventh Moshe said to HaKadosh Baruch Hu: 'Please send someone else' (Shmot 4:13). HaKadosh Baruch Hu said to him, Moshe, you say 'please send someone else', by your life I will clip your wings. When did He pay him back? Rabbi Berechiah said, Rabbi Levi and Rabbi Chelbo argue. Rabbi Levi said, all seven days of Adar Moshe was praying and beseeching that he should get to enter Eretz Yisrael, and on the seventh day He said to him: 'You shall not cross this Yarden' (Devarim 3:27). Rabbi Chelbo said, all seven days of the inauguration Moshe acted as Kohen Gadol and thought that it belonged to him, and on the seventh day He said to him, it is not yours but "rather your brother Aharon's, as it says: 'Behold, on the eighth day

A variant on this tradition gives Aharon more credit, attributing Aharon receiving the Kehunah as not just a

negative result of Moshe's punishment for his recalcitrance, but also as a positive reward for Aharon's selflessness

Shmot Rabbah 3:17

מה חרון אף היה שם, שנשטלה כהנה ממשה ונתנה לאהרן. אמרו רבותינו זכרונם לברכה: הלא אהרן אחיך הלוי, וכי מאחר שאמר: אחיך, איני יודע שהוא לוי, אלא אמר לו ראוי היית להיות כהן והוא לוי, ולפי שאתה מסרב על דברי, תהיה אתה לוי והוא כהן, ידעתי כי דבר דבר הוא, לפי שאמרתי: לא איש דברים אנכי, לכך דבר דבר הוא, ומה שאתה סבור שהוא מצר לא כן אלא שמת, שנאמר: וראד ושמה בלבבו. אמר רבי שמעון בן רבי יוסי הלב ששמה בגדלת אחיו לקבש אורים ותמים, שנאמר: והיו על לב אהרן:

What flaring anger was there? The Kehunah was taken from Moshe and given to Aharon. The Rabbis of blessed" memory say, 'Aharon your brother the Levi' - from the fact that it says 'your brother', don't I know that he was a Levi? Rather, this means that you Moshe were worthy to be a Kohen and he Aharon a Levi, but because you refuse My words, you will be Levi and he will be Kohen. 'I know that he can speak', for you said: 'I am not a man of words'; therefore he will speak on your behalf, and that which you reasoned that he is distressed about you, it is not so, for he is happy, as it says: 'He will see you and be happy in his heart'. Rabbi Shimon Ben Rabbi Yosi said, the heart which was happy in the greatness of his brother shall merit to wear the Urim VeTumim, as it says: "They will be on Aharon's heart

Adam's Book

The next time a person named Hur appears in the Torah is as a paternal ancestor of Betzalel:

וידבר יהוה אל משה לאמר: ראה קראתי בשם בצלאל בן אורי בן חור למטה יהודה: ואמלא אתו רוח אלהים בתכמה ובתבונה ובדעת ובכל מלאכה: לחשוב מחשבות לעשות בזהב ובכסף ובנחשת: ובחרשת אבן למלאות ובחרשת עץ לעשות בכל מלאכה: ²⁴

"Hashem spoke to Moshe, see that I have called by name Betzalel son of Uri son of Hur from the tribe of Yehudah. I have endowed him with a spirit of G-d, with wisdom, insight and knowledge in every type of craft. To make designs for work from gold, silver and copper, to cut stones for setting and to carve wood, to work in every type of craft." ²⁴

There are two main schools of thought in the midrashic tradition as to why Betzalel was singled out and chosen as the Mishkan's main artisan in such a prodigious manner. The first approach is struck by the flowery language used to single out Betzalel: HaKadosh Baruch Hu "calls him by name", a concept not often used by the Torah, and he is filled with the Divine spirit along with an abundance of "wisdom, insight and knowledge", the very traits used by G-d to create the world as well as the *Beit HaMikdash*. ²⁵ Emphasis is even placed on the

need for G-d Himself to appoint Betzalel instead of some emissary or agent.²⁶ Such unusually lofty designations and gifts hardly seem commensurate with any theoretical actions Betzalel could have taken to prove himself deserving of them. Instead they indicate a deeper truth, that Betzalel had been predestined for this role, indeed born in order to fulfill it. His soul had been created for this very task since the beginning of creation; this is why Betzalel knew how to harness the powers of creation themselves.²⁷

In particular, this midrashic tradition is puzzled by the phrase "*See, I have called by name Betzalel*" (Shmot 31:2). Although seeing can also mean taking to heart and internalizing, the word is still extraneous. It therefore must refer to literal seeing, and teach us that HaKadosh Baruch Hu actually has a way to demonstrate that Betzalel had been called by name. But how is this possible?²⁸ There was a genealogical record of all mankind, written by G-d Himself in the days of Adam HaRishon and detailing all people destined to exist - from Adam himself until the end of days - and listed there among every other person with his respective task in this world was Betzalel as architect of the Mishkan.²⁹

The implications of this teaching are tremendous. Although it is Betzalel specifically that was called by name, it is not unique to him. On the contrary: every single person who ever lived or will live has been similarly called by name since the earliest days of creation, his mission in this world already known and ordained since the days of Adam HaRishon. If G-d is the omniscient Master of all creation, He must know - in the Divine sense, in a way that does not contradict that fundamental cornerstone of human uniqueness, free will³⁰ - how all of history will unfold at the outset, as various pesukim brought by the midrash attest. In this sense, every single person was already designated from the womb - to borrow Yishayahu's poetic language - for the life he leads and the role he plays in the drama of human existence. The message is an affirmation of purpose and meaning: every person is called by name, one should view his life in this light. He has a place in this world, a destiny that is specific for him and that has been written in the Book from the beginning of time; the strange wording by Betzalel is meant to provide the proof-text for this broader *hashkafic* principle.

As much as this idea explains the textual difficulty, it simultaneously raises another problem: if Betzalel was not unique in this respect - as the midrash readily admits - why is he the one with whom the concept of being called by name is associated? Perhaps in response to this dilemma, a variant of the midrashic tradition found in Midrash Shocher Tov and Tanchuma Yelamdenu localizes the context of this principle to the specific narrative of Moshe receiving

instruction on how to build the Mishkan. Moshe believed he was meant to construct it; why else would HaKadosh Baruch Hu give him such detailed instructions and without an indication of someone else to lead the effort? It is to dispel this idea that G-d informs Moshe that Betzalel is called by name.^{^31^} This resolves the quandary by explaining why Betzalel is the one specifically whose name calling is explicit in the text: it was required to alleviate any concern or confusion on Moshe's part regarding who was meant for this holy task.^{^32^} This explanation also draws a thematic parallel and support to other, distinct midrashim which explore similar themes regarding supernatural experiences that Moshe was privy to.^{^33^}

There is, however, an entirely different way to approach this description of Betzalel. Betzalel was called by name, chosen as the architect of the Mishkan, not because he was fated to do so from the beginning of time, but in order to make amends for a terrible wrong committed during the episode of the golden calf that had hitherto gone unavenged: the tragic death of Hur. But this assumes some connection between Hur's disappearance in Shmot 24 and the calling of Betzalel - grandson of Hur - in Shmot 31. Could the fact that both stories involve someone named Hur perhaps be the missing link between these stories?

24 Shmot 31:1-5.

24 Shmot 31:1-5.

25

Tanchuma Yelamdenu Vayakhel 5

ראו מה עשה בצלאל, שנתן הקדוש ברוך הוא בלבו חכמה, שנאמר: ואמלא אותו רוח אלהים בחכמה ובתבונה ובדעת. (שמות לא, ג). בשלשה דברים אלו ברא הקדוש ברוך הוא עולמו, שנאמר: ה' בחכמה יסד ארץ, פונן שמים בתבונה, בדעתו תהומות נבקעו (משלי ג, יט-כ). ובשלשתו עשה בצלאל את המשכן. וכן בית המקדש בשלשתו נבנה, שנאמר: בן אישה אלמנה הוא ממטה נפתלי ואביו איש צרי חרש נחשת וימלא את החכמה ואת התבונה ואת הדעת (מלכים א ז, יד). וכן לעתיד יבנה בית המקדש בשלשתו, שנאמר: בחכמה יבנה בית ובתבונה יתכונן, ובדעת תדרים ימלאו כל הון יקר ונעים (משלי כד ג, ד). הוי, ואמלא אותו רוח אלהים:

See what Betzalel did, that HaKadosh Baruch Hu gave his heart wisdom, as it says: 'I have endowed him with a' spirit of G-d, with wisdom, insight and knowledge' (Shmot 31:3). With these three things HaKadosh Baruch Hu created His world, as it says: 'Hashem established the earth with wisdom, set the heavens with insight, and split open the depths with His knowledge' (Mishlei 3:19-20). With these three Betzalel made the Mishkan. And the Beit HaMikdash was built with these three as well, as it says: 'The son of a widow from the tribe of Naftali, and his father was a man from Tzor, a carver of copper, and he was filled with wisdom, insight and knowledge' (Melachim Aleph 7:14). And so too in the future the Beit HaMikdash will be built with these three, as it says: 'The house will be built with wisdom and set with insight, and the rooms will be filled with all types of pleasing "wealth with knowledge' (Mishlei 24:3-4). This is why it says: 'I filled Betzalel with the spirit of G-d

26

Berachot 55a

אמר רבי יוחנן: שלשה דברים מכריז עליהם הקדוש ברוך הוא בעצמו ואלו הן: רעב, ושובע, ופרנס טוב. רעב דכתיב: "כי קרא ה' לרעב וגו'" (מלכים ב ח, א). שובע דכתיב: "וקראתי אל הדגן והרביתי אותו" (יחזקאל לו, כט). פרנס טוב דכתיב: "ויאמר ה' אל משה לאמר. ראה קראתי בשם בצלאל וגו'" (שמות לא, א-ב):

Rabbi Yochanan said, HaKadosh Baruch Hu announced three things Himself, and they are: famine, plenty, and" a good benefactor. Famine, as it says: 'For Hashem has declared a famine' (Melachim Bet 8:1). Plenty, as it says: 'I have declared regarding the grain, and I have made it plentiful' (Yehezkel 36:29). A good benefactor, as it says: 'Hashem spoke to Moshe, see that I have called by name Betzalel (Shmot 31:1-2)

Midrash Aggadah to Shmot 31:2

מכאן אמרו רבותינו ז"ל אין ממנין פרנס על הציבור אלא אם כן הכריזו עליו לפני מלך המלכים מן השמים:

From here our Rabbis said, benefactors are not appointed over the community unless it first has been" announced before the King of Kings in Heaven

27

Berachot 55a

אמר רב יהודה אמר רב: יודע ה'ה בצלאל לצרף אותיות שנבראו בהן שמים וארץ. כתיב הכא: "וימלא אתו רוח אלהים בהקמה ובתבונה ובדעת", וכתיב התם: "ה' בהקמה יסד ארץ כוון שמים בתבונה". וכתיב: "בדעתו תהומות נבקעו":

Rav Yehudah said in the name of Rav, Betzalel knew how to combine the letters which were used to create the heavens and the earth. It says here: 'He filled him with the spirit of G-d, with wisdom, insight and knowledge', and it says there: 'Hashem established the earth with wisdom, set the heavens with insight, and split open the depths with His knowledge'

28

One solution to this question is to claim that Betzalel has been praised both above in Heaven and below on earth, symbolizing his ability to bridge between the earthly and spiritual realms. This praise is also evidence of his :having been called by name from time immemorial

Tanchuma Yelamdenu Vayera 5

ואף בצלאל נשתבח לפני הקדוש ברוך הוא ונשתבח בעליונים ובתחתונים, שנאמר: ראה קראתי בשם בצלאל (שמות לה, ל). ראה בעליונים, ראו בתחתונים. הוי אומר, ומצא חן ושקל טוב בעיני אלהים ואדם (משלי ג, ד):

Betzalel is praised before HaKadosh Baruch Hu, and he is praised above and below, as it says: 'See, I have' called Betzalel by name' (Shmot 35:5). See above, and see below. This is why it says: 'He i.e. Betzalel found favor and good sense in the eyes of G-d and man' (Mishlei 3:4)

Midrash Shocher Tov 139:5

מיום שברא הקב"ה לאדם הראשון כתב לו בספרו מה שהוא עתיד להעמיד ממנו עד שיחיו המתים. וכה קורא לפניו דור דור ודורשיו דור דור ופרנסיו דור דור וחכמיו דור דור ונביאיו דור דור וסופריו ותלמידיו עד שיחיו המתים. וכן הוא אומר (בראשית ה א) זה ספר תולדות אדם. וכן אמר ישעיה (ישעיה מט א) ה' מבטן קראני ממעי אמי הזכיר שמי. וכן הוא אומר (שם מא ד) מי פעל ועשה קורא הדורות מראש. רצה לומר מאדם הראשון:

From the day that HaKadosh Baruch Hu created Adam HaRishon, He wrote in his book everyone who is" destined to descend from him under the resurrection of the dead. He also read before Adam each generation and its seekers, benefactors, wise men, prophets, scribes and students until the resurrection of the dead. And similarly it says: 'This is the book of the genealogy of Adam' (Breishit 5:1), and Yishayahu said: 'Hashem called me from the stomach, from the intestines of my mother my name was recalled' (Yishayahu 49:1). Similarly it says: 'Who acted and did, who called the generations from the beginning' (Yishayahu 41:4), meaning from Adam "HaRishon

Tanchuma Yelamdenu Ki Tisa 12

ויזכר ה' אל משה לאמר, ראה קראתי בשם בצלאל (שמות לא, ב). אמר שלמה: מה שהיה כבר נקרא שמו ונודע אשר הוא אדם (קהלת ו, י). זה שאמר הכתוב: מי פעל ועשה קרא הדורות מראש (ישעיה מא, ד). אמר הקדוש ברוך הוא: משהתקנתי מראש לעשות את המשכן, כבר קראתי לו שם ונודע אשר הוא אדם. שאדם הראשון מטל גלם, הראה לו הקדוש ברוך הוא כל צדיק וצדיק שעומד מזרעו, יש שתלוי בראשו, ויש תלוי בשעריו, ויש בצנארו, ויש בשתי עיניו, ויש בחטמו, ויש בפיו, ויש באזניו, ויש בזרועו ... ואף הראה הקדוש ברוך הוא לאדם, שאברהם מעמיד ממנו, ובניו יורדיו למצרים ומשתעבדים שם ... בצלאל עושה את המשכן. ראה קראתי בשם בצלאל, כבר נזכר שמו ונקרא מימות אדם. הוי: מי פעל ועשה קרא הדורות מראש:

Hashem spoke to Moshe, see that I have called by name Betzalel' (Shmot 31:2). Shlomo said: 'That which was," its name was already called and it was known that he was Man' (Kohelet 6;10). This is as it says: 'Who acted and did, who called the generations from the beginning' (Yishayahu 41:4). HaKadosh Baruch Hu said, from the time I set to make the Mishkan, I had already called Betzalel's name and made known that he was Man i.e. Adam. For Adam HaRishon was hung as a golem, and HaKadosh Baruch Hu showed him every tzaddik destined to arise from his descendants. Some hung from Adam's head, some from his hair, some from his neck, some from his two eyes, some from his nostrils, some from his mouth, some from his ears, and some from his arms ... And HaKadosh Baruch Hu even showed Adam that Avraham would descend from him, and Avraham's children would go down to Egypt and be enslaved there ... and that Betzalel would make the Mishkan. 'See, I have called by name Betzalel' - his name was already mentioned and called from days of old. This is why it says: 'Who acted and did, who called the generations from the beginning

30

The tension between Divine foreknowledge and human freedom of choice is a topic whose full breadth is far beyond the scope of what is discussed here. Suffice it to say that Rabbinic theology seems to embrace the contradiction without attempting to resolve it in any philosophically meaningful sense

Pirkei Avot 3:15

רבי עקיבא אומר ... הכל צפוי, והרשות נתונה, ובטוב העולם נדון. והכל לפי רב המעשה:

Rabbi Akiva said ... Everything is foreknown, yet freedom of choice is granted. The world is judged with "goodness, yet everything is in accordance with the majority of one's deeds"

Many Rishonim who lived in a world steeped in philosophical and logical inquiry were compelled to address this paradox, and arrive at various resolutions. Rambam, following in the spirit of Rabbi Akiva in Avot, takes the compatibilist approach, arguing that since knowledge for the Divine must involve the unity of the knowledge itself, the knower and the known, it is entirely beyond the sphere of human comprehension and does not pose any contradiction to our limited perception of free will

Morah Nevuchim Part I Chapter 68

כבר ידעת פרסום זה המאמר אשר אמרוהו הפילוסופים באלוה ית' והוא אמרם שהוא השכל והמשכיל והמושכל ושאלו השלשה ענינים בו ית' הם ענין אחד אין רבוי בו. וכבר זכרנו אנחנו זה גם כן בחבורנו הגדול משנה תורה שזה פנת דתנו כמו שבארנו שם רצוני לומר היותו אחד לבד ולא יצורף אליו דבר אחר - רצוני לומר שאין דבר קדמון זולתו:

You already are familiar with the well-known principle of the philosophers regarding G-d may He be blessed, namely that He is the knowledge, the knower, and the known. These three things are unified as one in Him, and there is no plurality to it. We have also mentioned this in our larger work, Mishneh Torah, and we have explained there that it is a fundamental principle of our religion, namely, that He is absolutely one, that nothing combines with Him, that is to say, there is no Eternal thing besides Him

Shmot Rabbah 40:2

קראתי בשם בצלאל, אין כתיב כאן, אלא ראה קראתי, אתה מוצא בשעלה משה למרום הראה לו הקדוש ברוך הוא כל כלי המשכן ואמר לו כף וכף עשה (שמות כה, לא): ועשית מנרת, (שמות כה, כג): ועשית שלחן, (שמות ל, א): ועשית מזבח, כף כל מעשה המשכן. בא משה לירד סבור שהיה עושה אותו, קרא לו הקדוש ברוך הוא ואמר לו משה מלך עשיתך אין דרך המלך לעשות דבר, אלא גזר ואחרים עושים, אף אתה אין לך רשות לעשות דבר אלא אמר להם והם עושין, ולא אמר לו למי יאמר, אמר משה למי אמר, אמר לו אני מראה לך, ומה עשה הקדוש ברוך הוא הביא לו ספרו של אדם הראשון והראה לו כל הדורות שהיו עתידין לעמד מבראשית עד תחית המתים, דור ודור ומלכו, דור ודור ומנהיגיו, דור ודור ונביאיו. אמר לו כל אחד ואחד התקנתיו מאותה שעה, וכן בצלאל מאותה שעה התקנתיו, הרי: ראה קראתי בשם בצלאל:

It does not say 'I have called by name Betzalel' but rather 'See, I have called'. You find that when Moshe went" up to Heaven HaKadosh Baruch Hu shows him all the utensils of the Mishkan, and said to him do the following: 'Make a Menorah' (Shmot 25:31), 'Make a Shulchan' (Shmot 25:23), 'Make an altar' (Shmot 30:1), and similarly with all the components of the Mishkan. When Moshe was ready to descend he thought he was supposed to make the Mishkan. HaKadosh Baruch Hu called him and said to him; Moshe, I made you a king and it is not the way for a king to do anything himself, rather he decrees and others do for him. So too you do not have permission to do anything, rather say to them and they will do. But HaKadosh Baruch Hu did not tell Moshe who to tell, so Moshe said: Who should I tell? HaKadosh Baruch Hu said to Moshe: I will show you. What did HaKadosh Baruch Hu do? He brought Moshe the Book of Adam HaRishon and showed him all the generations that were destined to exist from creation until the resurrection of the dead; each generation with its kings, rulers and prophets. He said to him: Each of these I set to rule at that time i.e. creation, and so too Betzalel I set at that time. This is why it says; 'See, I have called by name Betzalel

Pesikta Zutreta Shmot 35:30

ויאמר משה אל בני ישראל ראו קרא ה' בשם בצלאל. אמר להם, הקב"ה קראו ולא מדעתי מניתיו:

Moshe said to Bnai Yisrael: 'See, Hashem called by name Betzalel'. He said to them, HaKadosh Baruch Hu" ".called Betzalel, and he was appointed without my knowledge

The version of this tradition recorded in Shmot Rabbah also contains a radical difference not found in the others: whereas Shocher Tov and Tanchuma Yelamdenu teach that HaKadosh Baruch Hu shares the Book with Adam HaRishon, this version has it being shared with Moshe Rabbeinu. This means that G-d revealed to Moshe the full story of human history at Har Sinai, each and every person who would be born and how everything would play out until the end of days. This takes the already-challenging Divine foreknowledge of such events and goes even further, arguing that a mortal man was given access to all the choices men would make for all time. Taking this aspect of Shmot Rabbah at face value potentially makes the question of human freedom of choice - at least all humans born after Moshe Rabbeinu was granted this knowledge at Har Sinai - more difficult, since the Maimonidean approach of Divine unity as a way to avoid the problem cannot be similarly applied to Moshe Rabbeinu.

A similar question can be posed regarding the tradition that the Amora Shmuel had access to the same book, and through reading it knew that Ravina and Rav Ashi would compile the Talmud Bavli, even though that was only :destined to occur several generations after Shmuel died

Bava Metzia 85b-86a

הוה קא מצטער רבי למסמכיה ולא הוה מסתייעא מילתא א"ל לא לצטער מר לדידי חזי לי סיפרא דאדם הראשון וכתוב ביה שמואל ירחינא חכים יתקרי ורבי לא יתקרי ואסו דרבי על ידו תהא רבי ור' נתן סוף משנה רב אשי ורבינא סוף הוראה וסימנך (תהלים עג, יז) עד אבוא אל מקדשי אל אבינה לאחריתם:

Rabbi Yehuda HaNasi made efforts to ordain Shmuel but was unsuccessful. Shmuel said to him: The Master" should not be upset about my refusal, as I know that I am not destined to be ordained. I myself saw the Book of Adam HaRishon, which says that Shmuel Yarchina'ah shall be called wise, but he shall not be called rabbi, and Rabbi Yehuda HaNasi shall be healed through him. I also saw written there: Rabbi Yehuda HaNasi and Rabbi Natan are the end of the Mishna i.e. the redactors of the Mishna, while Rav Ashi and Ravina are the end of instruction i.e. redactors of the Talmud. The sign for this: 'Until I entered into the sanctuary mikdashai of God, ".and considered avina their end' (Tehillim 73:17)

HaKadosh Baruch Hu showing Moshe the past and future by displaying before him a physical manifestation of Adam HaRishon's Book of genealogy contained within it two miracles: (1) G-d pointing something out to Moshe - in this case, Betzalel's name - in the physical, worldly plane; and (2) G-d transmitting knowledge to Moshe that is outside the normal realm of human possibility to know

Another example of the first miracle is used to explain parallel textual difficulties regarding the construction of the Mishkan as a whole and the Menorah in particular

Menachot 29a

תניא רבי יוסי ברבי יהודה אומר ארון של אש ושלחן של אש ומנורה של אש ירדו מן השמים וראה משה ועשה כמותם שנאמר (שמות כה, מ) וראה ועשה כתבניתם אשר אתה מראה בהר אלא מעתה (שמות כו, ל) והקמת את המשכן כמשפטו אשר הראית בהר הכי נמי הכא כתיב כמשפטו התם כתיב כתבניתם א"ר חייא בר אבא אמר ר' יוחנן גבריאל חגור כמין פסיקא היה והראה לו למשה מעשה מנורה דכתיב וזה מעשה המנורה תנא דבי רבי ישמעאל שלשה דברים היו קשין לו למשה עד שהראה לו הקב"ה באצבעו ואלו הן מנורה וראש חדש ושרצים מנורה דכתיב (במדבר ח, ד) וזה מעשה המנורה וכו':

It was taught, Rabbi Yosi said in the name of Rabbi Yehudah, an Aron of fire, a Shulchan of fire, and a Menorah of fire descended from Heaven, and Moshe saw them and did like them, as it says: 'See, and do according to their forms, as you were shown on the mountain' (Shmot 25:40). But then what about this: 'Set up the Mishkan according to its laws, as you were shown on the mountain' (Shmot 26:30) - does this mean to say that here too Moshe was shown a Mishkan of fire? No, because here it says 'according to its laws', while there it says 'according to their forms' implying an exact replica. Rabbi Chiya Bar Abba said in the name of Rabbi Yochanan, Gavriel the angel was girded with a belt and he showed Moshe the design of the Menorah, as it says: 'This is the design of the Menorah'. It was taught in the house of Rabbi Yishmael, three things were difficult for Moshe until HaKadosh Baruch Hu showed him them with His finger, and they are: Menora, Rosh Chodesh, and impure "creeping animals. Menorah, as it says: 'And this is the design of the Menorah' (Bemidbar 8:4), etc

Shir HaShirim Rabbah 3:11; Bemidbar Rabbah 12:8; Pesikta DeRav Kahana 1:3

רבי יהושע דסכנין בשם רבי לוי אמר את מוצא בשעוה שאמר הקדוש ברוך הוא למשה עשה לי משכן יהיה לו להעמיד ארבעה קונדסין ולקמתם המשכן עליהם והרי הוא משכן, אבל הקדוש ברוך הוא לא עשה כן, אלא העלה אותו למעלה והראה אש אדמה ירקה שחורה לבנה, ואמר לו עשה לי כזה, אמר לפניו רבוננו של עולם וכי מנין יש לי אש שחורה אדמה ירקה ולבנה, אמר לו (שמות כה, מ): כתבניתם אשר אתה מראה בהר ... רבי ברכיה בשם רבי בצלאל למלך שנגלה לכן ביתו בלבוש נאה של מרגליתון ואמר לו עשה לי כמותו, אמר לו אדני המלך וכי יכול אני לעשות כמותו. כך אמר לו הקדוש ברוך הוא למשה: עשה לי משכן, אמר לפניו רבוננו של עולם יכול אני לעשות כמותו, אמר לו: וראה ועשה, אמר לו יכול אני לעשות כמותו, אמר ליה: כתבניתם, בשם שאתה רואה למעלה עשה למטה. עצי שטים העמד אין פתיב פאן, אלא עומדים, כנתונים באיסטריטא של מעלה, ואם את עושה לזה של מעלה למטה אני מניח סגליתון שלי של מעלה ויורד ומצמצם שכינתי ביניכם למטה, כיצד, מה למעלה שרפים עומדים, אף למטה עצי שטים עומדים. מה למעלה כוכבים, אף למטה כוכבים. אמר רבי חייא בר אבא מלמד שהיו קרסי זהב נראים במשכן ככוכבים הנראים בקרקע:

Rabbi Yehoshua from Sichnin said in the name of Rabbi Levi, you find that when HaKadosh Baruch Hu said to "Moshe: Make for Me a Mishkan, Moshe should have just set up four pillars and spread out the Mishkan on them, and that would have been a Tabernacle. But HaKadosh Baruch Hu did not do this; rather He brought Moshe up high and showed him red, green, black and white fire, and said to Moshe: Make for Me like these. Moshe said to Him: Master of the Universe, do I have red, green, black and white fire that I can make it? He said to him: 'See, and do according to their forms, as you were shown on the mountain' (Shmot 25:40) ... Rabbi Berechiah said in

the name of Rabbi Betzalel, to what is this comparable? To a king who was revealed to the son of his house in a beautiful garment of jewels, and said to him: Make for me like this. He said to him: My master the king, can I make one like it? Similarly when HaKadosh Baruch Hu said to Moshe: Make for Me a Mishkan, Moshe said to him: Master of the Universe, can I make one like it? He said to him: 'See, and do'. He said to him: Can I make one like it? He said to him: 'According to their design' - just as you saw above, make below. It does not say here 'Stand up cedar trees' but rather: 'Standing cedar wood', as though they are placed amongst the hosts up above. If you do like that which is above, below, I will leave My heavenly council above and descend and restrict My Shechinah amongst you, below. How? Just as above Seraphim are standing, so too below: 'Standing cedar wood'; just as above there are stars, so too below there are stars. Rabbi Chiya Bar Abba said, this teaches that "there were gold hooks in the Mishkan that looked like stars in the sky

Another example of the second miracle is repeated, albeit in a different context, when Moshe is at death's door at the entrance of Eretz Canaan. Just as Moshe was granted access to the generations before and after him at Har Sinai, so too HaKadosh Baruch Hu showed him all the events that transpired in the past as well as events that would transpire in the future

Sifre Vezot HaBracha 357

עד הים האחרון - מלמד שהראהו פני כל המערב יושב על שלוותו, וחזר והראהו מציקים המחזיקים בו. ד"א אל תקרי עד הים האחרון אלא עד היום האחרון: מלמד שהראהו את כל העולם כולו, מיום שנברא עד יום שיחיו המתים ...

בקעת יריחו - מלמד שהראהו גוג וכל המונו, שעתידיים ליפול בבקעת יריחו. ד"א מה בקעה זו כמות שהיא, ושדה זרועה שעורים כמות שהיא - כך הראהו כל העולם כולו בבקעת יריחו:

To the Mediterranean Sea - this teaches that HaKadosh Baruch Hu showed Moshe the entire west dwelling in" serenity, and then He showed him the entire west under duress and being conquered. Another idea: Do not read it 'the Mediterranean Sea', but rather 'the last day' - this teaches that HaKadosh Baruch Hu showed Moshe the ... entire world, from the days it was created until the resurrection of the dead

The valley of Yericho - this teaches that HaKadosh Baruch Hu showed Moshe Gog and his hordes, who in the future will fall in the valley of Yericho. Another idea: Just as in this valley one can see a field sown with wheat "and a field sown with barley, so too He showed him the entire world, shrunken into the valley of Yericho

Family Tree

The terse description of Betzalel's paternal lineage provided in Sefer Shmot is greatly expanded upon in Divrei HaYamim:

וְכָל־בֶּן־חֲצִרֹן הוֹלִיד אֶת עֲזוֹבָה אִשָּׁה וְאֵת יִרְעִיָּה וְאֶלֶּה בְנֵיהָ יִשָּׁר וְשׁוּבָב וְאַרְדֹּון וְתַמָּת עֲזוֹבָה וַיִּקַּח לָהּ כָּלֶב אֶת אֶפְרַת וַתֵּלֶד לָהּ אֶת חֹר: וְחֹר הוֹלִיד אֶת אוּרִי וְאוּרִי הוֹלִיד אֶת בְּצַלְאֵל:

בְּנֵי יְהוֹנָדָה פָּרִז חֲצִרֹן וְכַרְמִי וְחֹר וְשׁוּבָל: וְרֵאִיָּה בֶן שׁוּבָל הִלִּיד אֶת יִחִת וַיִּחִת הִלִּיד אֶת אַחֲוִי וְאֵת לֵהָד אֶלֶּה מִשְׁפְּחוֹת הַצָּרְעָתִי: וְאֶלֶּה אֲבֵי עֵיטָם וְזַרְעָאֵל וַיִּשְׁמָא וַיִּדְבָּשׁ וְשָׁם אַחֲוִתָם הַצִּלְפֹּנִי: וּפְנוּאֵל אֲבִי גִדֵּר וְעֶזֶר אֲבִי חוּשָׁה

אֵלֶּה בְּנֵי חוּר בְּכוֹר אֶפְרָתָה אִבִּי בֵּית לֶחֶם: ^{^34^}

"Kalev Ben Hetzron gave birth with his wife Azuvah, and with Yeriot. These were her sons: Yesher, Shovav and Ardon. Azuvah died, and Kalev took Efrat as a wife, and she gave birth to Hur. Hur gave birth to Uri, and Uri gave birth to Betzalel.

The sons of Yehudah: Peretz, Hetzron, Karmi, Hur and Shoval. Ra'aya son of Shoval gave birth to Yachat, Yachat gave birth to Achumai and Lahad - these are the Tzar'ati families. And these are the fathers of Eitam: Yizre'el, Yishma and Yidbash, and their sister's name was Hatzlelponi. Penuel the father of Gedor, and Ezer the father of Hushah - these are the sons of Hur the first born of Efrat, the father of Beit Lechem." ^{^34^}

We already noted that the name of Betzalel's grandfather is Hur, and now we are told that his father's name was Kalev, son of Hetzron. Hetzron was the son of Peretz, who was one of the sons of Yehudah, son of Yaakov Avinu. We are told that this Kalev had a wife named Azuvah, and when she died he remarried a woman named Efrat who was Hur's mother; Hur was Efrat's first born son. ^{^35^} Betzalel was the great-grandson of Kalev and Efrat, and Kalev himself was the great-grandson of Yehudah and Tamar. ^{^36^}

It appears that the Hur mentioned in Shmot 31 and Divrei HaYamim Aleph was a generation after Moshe and Aharon, which makes it very possible that they were contemporaries. Given that Moshe and Betzalel were contemporaries - and that they were three generations removed - surely it is not implausible to suggest that Betzalel's grandfather Hur, who was only one generation removed, also overlapped with Moshe and Aharon. This, however, is the limit of where the *peshat* can take us; beyond a reasonable assumption that they lived at the same time, there is no explicit indication that this Hur is related to the enigmatic Hur from the battle of Amalek.

Aggadah cannot tolerate names or characters which are lacking in background information, and it often attempts to lump multiple people together and claim they are actually one and the same. ^{^37^} In particular, when one person is given many names - or more commonly, when there are many unidentified names that could be understood to belong to a single person - the midrash sees this as an opportunity to highlight something relevant about that person. ^{^38^} Our case of two people named Hur, both mentioned in the same Sefer and without much backstory, yet both connected to prominent members of Bnai Yisrael and to Moshe in

particular, is a paradigmatic example of when this strategy should be employed. The case to equate the two "Hurs" as one and the same is so compelling that it feels almost trivial, as if the midrash's hands are tied; it couldn't not make the association even if it wanted to, so strong is the evidence alluding to this identification, so beautifully are many open questions, textual anomalies, and - perhaps most crucially - thematic and ethical considerations elucidated as a result.

To fully appreciate the many loose threads tied together by making this single identification, we need to first dive into the midrashic complexity of Betzalel's family tree, and focus in particular on another name that appears multiple times: Kalev. Divrei HaYamim Aleph is unequivocal in assigning a man named Kalev as Hur's father. We are intimately familiar with someone named Kalev from later in the Torah, though like with Hur the simple *peshat* does not equate the two:

וַיְהוֹשֻׁעַ בֶּן נֹון וְכָלֵב בֶּן יִפְנֶה מִן הַתְּרִים אֶת הָאָרֶץ קִרְעוּ בְּגָדֵיהֶם: וַיֹּאמְרוּ אֵל כָּל עַדַּת בְּנֵי יִשְׂרָאֵל לֵאמֹר הָאָרֶץ אֲשֶׁר עָבְרָנוּ בָּהּ לְתוֹר אֱלֹהֵהּ טוֹבָה הָאָרֶץ מְאֹד מְאֹד: אִם חִפְצְךָ בְּנֵי יִהְיֶה וְהָבִיא אֶתְנֹנִי אֶל הָאָרֶץ הַזֹּאת וַנִּתְּנָה לָנוּ אֶרֶץ אֲשֶׁר הִוא זַבֵּת חֶלֶב וְדָבָשׁ: אֲךָ בִּיהְיוֹה־אֵל תִּמְרְדּוּ וְאַתֶּם אֵל תִּירְאוּ אֶת עַם הָאָרֶץ כִּי לְחַמְנוּ הֵם סָר צִלָּם מֵעַלֵּיהֶם וַיְהִי אֶתְנֹנִי אֶל תִּירָאֵם: וַיֹּאמְרוּ כָּל הָעֵדָה לְרֹגֹם אֹתָם בְּאַבְנִים וּכְבוֹד יְהוָה נִרְאָה בְּאַהֲל מוֹעֵד אֵל כָּל בְּנֵי יִשְׂרָאֵל:

וַעֲבָדֵי כָלֵב עָקַב הָיִיתָה רוּחַ אֶחָדָה עִמּוֹ וַיִּמְלֵא אֶתְרֵי וְהָבִיאֵתִי אֶל הָאָרֶץ אֲשֶׁר בָּא שְׁמָה וְנִרְעוּ יוֹרְשֶׁנָּה: ³⁹

"Yehoshua Bin Nun and Kalev Ben Yefuneh from among those who scouted out the land tore their clothes. They said to the entire congregation of Bnai Yisrael: The land we passed through to scout out was very very good. If Hashem desires us He will bring us into this land and give it to us, a land which is flowing with milk and honey. Only do not rebel against Hashem; do not be afraid of the locals of the land, for they are our bread, their shadows have departed from them. Hashem is with us, do not be afraid. The entire congregation sought to stone them with rocks; and the glory of Hashem appeared by the Ohel Moed before all of Bnai Yisrael.

My servant Kalev - because he had a different spirit with him, and remained loyal to Me - I shall bring him into the land which he entered, and his offspring shall inherit it." ³⁹

Sefer Yehoshua provides some interesting biographical details about Kalev Ben Yefuneh as well:

וַיִּגְשׁוּ בְנֵי יְהוּדָה אֶל יְהוֹשֻׁעַ בְּגִלְגָל וַיֹּאמְרוּ אֵלָיו כָּלֵב בֶּן יִפְנֶה הַקְּנִיזִי אֶתָּה יָדַעְתָּ אֶת הַדְּבָרֹת אֲשֶׁר דִּבֶּר יְהוָה אֶל מֹשֶׁה אִישׁ הָאֱלֹהִים עַל אֲדֹתַי וְעַל אֲדֹתֶיךָ בְּקֶנֶשׁ בְּרַגְעָה: כֹּן אַרְבָּעִים שָׁנָה אָנֹכִי בִּשְׁלֹחַ מִשְׁכָּה עִבְדְּךָ יְהוָה אֹתִי מִקֶּנֶשׁ בְּרַגְעָה לְרַגֵּל אֶת הָאֶרֶץ וְאָשִׁיב אֹתָךְ דְּבָר כַּאֲשֶׁר עָם לִבִּי:

וַיְבָרְכֵהוּ יְהוֹשֻׁעַ וַיִּתֵּן אֶת חֶבְרוֹן לְכָלֵב בֶּן יִפְנֶה לְנַחֲלָה: עַל כֵּן הָיְתָה חֶבְרוֹן לְכָלֵב בֶּן יִפְנֶה הַקְּנִיזִי לְנַחֲלָה עַד הַיּוֹם הַזֶּה: יַעַן אֲשֶׁר מָלָא אֶחָדִי יְהוָה אֱלֹהֵי יִשְׂרָאֵל: וְלֹשֶׁם חֶבְרוֹן לְפָנִים קִרְיַת אַרְבָּע הָאֲדָמִים הַגְּדֹל בְּעֶנְקָאִים הוּא וְהָאֶרֶץ שְׁקֵטָה מִמִּלְחָמָה: ⁴⁰

"The sons of Yehudah approached Yehoshua in Gilgal, and Kalev Ben Yefuneh HaKenizi said to him: You know the thing which Hashem spoke to Moshe the man of G-d about me and you at Kadesh Barnea. I was forty years old when Moshe the servant of Hashem sent me from Kadesh Barnea to spy out the land, and I returned a report to him that was from my heart.

Yehoshua blessed Kalev, and gave him Kalev Ben Yefuneh Hevron as an inheritance. Hevron was an inheritance for Kalev Ben Yefuneh HaKenizi from then until this day, because he had remained loyal to Hashem the G-d of Yisrael. And the name of Hevron beforehand was Kiryat Arba; the man Arba was great among the giants. And the land rested from war." ⁴⁰

Who was Kalev Ben Yefuneh? It is true that he was both a representative of the tribe of Yehudah and a contemporary of Moshe and Aharon, both of which can also be said of Kalev Ben Hetzron. ⁴¹ Yet from a *peshat* perspective it is much easier to justify equating the Hur from Shmot 24 with the Hur from Shmot 31, than it is to suggest equating Kalev Ben Yefuneh with Kalev Ben Hetzron on the other. This is because, as Ibn Ezra biting notes, there is indisputable evidence that they are different people, as anyone with intellect would understand. ⁴² Presumably, the evidence he refers to is Kalev Ben Yefuneh's testament to being forty years old when the scouts were dispatched to spy out Eretz Canaan. That incident must have happened after Betzalel was called by name and after the Mishkan was built, since the sin of the spies occurred after Bnai Yisrael left Har Sinai and had begun traveling in the desert. If we claim that Kalev Ben Yefuneh is identical with Kalev Ben Hetzron, that would mean he was Betzalel's great-grandfather. But, we just saw he could not have been older than forty when Betzalel constructed the Mishkan. This puts an immense strain on the logical possibility of Betzalel being of age to lead such a project, for his great-grandfather was not even forty at the time.

Surprisingly, despite the above we find the Jerusalem Talmud making this very assertion:

רבי יהודה בן פזי בשם רבי יהושע בן לוי. מאחז למד רבי יוסי בירבי וודה. דתני. אחז הוליד בן תשע וחרן בן שש וכלב בן עשר. כמאן דמר. הוא כלב בן חצרון הוא כלב בן יפונה: ⁴³

"Rabbi Yehudah Ben Pazi said in the name of Rabbi Yehoshua Ben Levi. Rabbi Yosi BeRabbi Yehudah learned it from Achaz, as it was taught: Achaz gave birth at age nine; Haran gave birth at age six; and Kalev gave birth at age ten. This is in accordance with the one who taught: Kalev Ben Hetzron is identical with Kalev Ben Yefuneh" ⁴³

Midrashic license allows one to bend and exaggerate the traditional boundaries in ways that *peshat* does not; nevertheless, midrash cannot simply ignore logical impossibility. How can it tolerate the "indisputable evidence" against such an interpretation?

אמר רבי חייא בריה דרבה בר נחמני אמר רב חסדא ואמרי לה אמר רב חסדא אמר זעירי הכל מודים בבן תשע שנים ויום אחד שביאתו ביאה פחות מבן שמנה שאין ביאתו ביאה לא נחלקו אלא בבן שמנה דב"ש סברי גמרינן מדורות הראשונים ובית הלל סברי לא גמרינן מדורות הראשונים.

ודורות הראשונים מנלן דאוליד ... מהכא (שמות לח, כב) ובצלאל בן אורי בן חור למטה יהודה וכתוב (דברי הימים א ב, יט) ותמת עזובה (אשת כלב) ויקח לו כלב את אפרת ותלד לו את חור וכי עבד בצלאל משכן בר כמה הוי בר תליסר דכתיב (שמות לו, ד) איש איש ממלאכתו אשר המה עושים ותניא שנה ראשונה עשה משה משכן שניה הקים משכן ושלח מרגלים וכתוב (יהושע יד, ז) בן ארבעים שנה אנכי בשלח משה עבד ה' וגו' ועתה הנה אנכי היום בן חמש ושנים שנה כמה הויא להו ארבעין דל ארביסר דהוה בצלאל פשא להו עשרים ושית דל תרתי שני דתלתא עיבורי אשתכח דכל חד וחד בתמני אוליד: ⁴⁴

"Rabbi Chiya son of Rabbah Bar Nachmani said in the name of Rav Chisda, and some will say Rav Chisda said in the name of Ze'iri, everyone agrees by a male who is nine years and a day that his intercourse is valid, and everyone agrees by a male who is under eight years that his intercourse is not valid. They only argued regarding an eight year old: Beit Shammai reasoned that we can learn from earlier generations, while Beit Hillel reasoned that we cannot learn from earlier generations.

How do we know that the earlier generations gave birth at eight years of age? ... From here: 'Betzael Ben Uri Ben Hur from the tribe of Yehudah' (Shmot 38:22), and it says: 'Azuvah died, and Kalev took Efrat as a wife, and she birthed Hur' (Divrei HaYamim Aleph 2:19). When Betzael made the Mishkan, how old was he? At least thirteen, as it says: 'Every man from the work that they did' (Shmot 36:4), and it was taught: The first year, Moshe made the Mishkan; in the second year, he sent the spies, and it says: 'I Kalev was forty years only when

Moshe the servant of Hashem sent me, etc.' (Yehoshua 14:7), and now behold I am eighty-five years old. So Kalev was forty, subtract fourteen because of Betzalel since he must have been at least thirteen the year before the spies were sent: This leaves twenty-six years. Subtract two years for three pregnancies one preceding the birth of Hur, son of Kalev, one preceding the birth of Uri, son of Hur, and one preceding the birth of Bezalel, son of Uri, and you find that each one gave birth at eight years."⁴⁴

This discussion is fascinating and somewhat unique in that it blurs the line between midrashic fantasticism and legitimate halachic inquiry. For Beit Shammai, the aggadic tradition that Kalev Ben Hetzron is identical with Kalev Ben Yefunah / Kenaz is proof that the intercourse of an eight year old boy in earlier generations was physically - and halachically - viable. What was limited to a midrashic discussion has been expanded into an entirely different realm, one with halachic ramifications and very real implications for *hilchot kiddushin*. In addition to whatever other ethical lessons, theological truths or moral adages these aggadot will bear out in the end, we also conclude according to Beit Shammai that even though a male becomes a man at thirteen years old, the intercourse of an eight year old male is binding for marriage in halachah.

Kalev Ben Yefuneh is granted an additional honorific in Yehoshua 14 not found in the Torah: HaKenizi. This should remind us of the first judge Otniel whose father's name was also Kenaz; indeed, Kalev Ben Yefuneh HaKenizi and Otniel Ben Kenaz are explicitly described by Sefer Shoftim as brothers.⁴⁵ So if Kalev was the son of Kenaz, why is he referred to as "*Ben Yefuneh*"? We already get a sense of where this is likely headed: this is just the opportunity the midrash needs to homiletically interpret the name of Kalev's father, because the pesukim have an inherent contradiction between Kenaz and Yefuneh, and we know it is in reference to the same person:

וכלב בן קנז הוא והלא כלב בן יפונה הוא מאי יפונה שפנה מעצת מרגלים ואכתי בן קנז הוא בן חצרון הוא דכתיב (דברי הימים א ב, יח) וכלב בן חצרון הוליד את עזובה אמר רבא חורגיה דקנז הוא:⁴⁶

"Was Kalev really the son of Kenaz - was he not the son of Yefuneh? Rather, he was actually the son of someone named Kenaz, in which case what does Yefuneh mean? That he turned from the advice of the spies. But still, was Kalev really the son of Kenaz - was he not the son of Hetzron, as it says: 'Kalev Ben Hetzron gave birth to Azuvah' (Divrei HaYamim Aleph 2:18)? Rava said, Kalev was the stepson of Kenaz but is still referred to as HaKenizi."⁴⁶

While this passage explains the tension between Kenaz and Yefuneh - a tension that demands addressing, as the pesukim are explicit in referring to the same man using both monikers - it also equates him with Kalev Ben Hetzron, as the Jerusalem Talmud taught and in sharp conflict with the *peshat* according to Ibn Ezra. Where do these midrashim get this idea from, how do they justify it, and what is the primary motivating factor pushing them to make this assertion?

וַיְהִי כִּי יָרְאוּ הַמִּיֻּלְדוֹת אֶת הָאֱלֹהִים וַיַּעַשׂ לָהֶם בָּתִּים (שמות א, כא) רב ושמואל חד אמר בתי כהונה ולויה וחד אמר בתי מלכות מאן דאמר בתי כהונה ולויה אהרן ומשה ומאן דאמר בתי מלכות דוד נמי ממרים קאתי דכתיב ותמת עזובה אשת כלב ויקח לו כלב את אפרת ותלד לו את חור (דברי הימים א ב, יט) וכתיב ודוד בן איש אפרתי וגו' (שמואל א יז, יב). וכלב בן חצרון הוליד את עזובה אשה ואת יריעות ואלה בניה ישר ושוֹבָב ואֶרְדֹן (דברי הימים א ב, יח) בן חצרון בן יפנה הוא בן שפנה מעצת מרגלים ואבתי בן קנז הוא דכתיב וילכדה עתניאל בן קנז אחי כלב אמר רבא חורגו דקנז הוה דיקא נמי דכתיב הקנזי שמע מינה: ⁴⁷

"Since the midwives feared G-d, He made houses for them' (Shmot 1:21). Rav and Shmuel: one said they received the houses of Kehunah and Levayah, and the other said they received the houses of Malchut. The one who said Kehunah and Levayah, this is a reference to Aharon and Moshe, and the one who said Malchut - David was also descended from Miriam, as it says: 'Azuvah died, and Kalev took Efrat as a wife, and she gave birth to Hur' (Divrei HaYamim Aleph 2:19), and it says: 'David was an Efratite' (Shmuel Aleph 17:12). 'Kalev Ben Hetzron gave birth with his wife Azuvah, and with Yeriote. These were her sons: Yesher, Shovav and Ardon' (Divrei HaYamim Aleph 2:18). Was he the son of Hetzron - was he not the son of Yefuneh? Rather, he was actually the son of someone named Hetzron, in which case what does Yefuneh mean? That he turned from the advice of the spies. But still, was Kalev really the son of Hetzron - was he not the son of Kenaz, as it says: 'Otniel Ben Kenaz conquered it - he was Kalev's younger brother' (Shoftim 1:13)? Rava said, Kalev was the stepson of Kenaz but is still referred to as HaKenizi. You can see this is the case from the fact that the text calls Kalev HaKenizi and not Ben Kenaz, which indicates he was raised by him but not his son by blood." ⁴⁷

The Talmud in Masechet Sotah's springboard is a comment made in the first perek of Shmot in regards to the righteous midwives that defied Pharaoh's decree and delivered male Jewish babies. Cryptically, we are told that because of this "*He made houses for them*", though it is not clear who made the houses - in particular, Hashem or Pharaoh - or what those houses actually were. The Talmud assumes that the object of this clause is Hashem, but the identity of

these houses is subject to dispute. One opinion^{^48^} argues that the houses He awarded the midwives with were the houses of Malchut, and is a reference to the Davidic line. Yet how could these midwives be connected to David? The answer is an astonishing one: David came from Miriam. Yet Miriam was from the tribe of Levi, while David was from the tribe of Yehudah, so how could this be?

Kalev Ben Hetzron is described as having married a woman named Azuvah who died; he then married a woman named Efrat, who gave birth to Hur. David is referred to as coming from Efrat, which on a *peshat* level is a geographical reference but according to the midrash means he was descended from Kalev Ben Hetzron's wife Efrat. This Efrat was none other than Miriam, thus called because she caused Yisrael to increase and multiply.^{^49^} The midrash draws many other similar exegetical conclusions from the plethora of names found in Divrei HaYamim, but the main thrust of this midrash teaches that Miriam, sister of Aharon and Moshe, married Kalev Ben Hetzron, and as a result was the maternal ancestor of David HaMelech.^{^50^}

This astonishing midrashic leap redefines the relationship between Moshe and Betzalel as being meaningfully closer than we previously assumed. Instead of third cousins thrice removed as the *peshat* would have led us to believe, Betzalel's grandfather Hur has been transformed into Moshe and Aharon's nephew, making Betzalel their great-grandnephew; Pinchas was Betzalel's second cousin once removed.^{^51^} In other words, Hur is the son of Miriam and Kalev Ben Yefuneh, and therefore the nephew of Moshe and Aharon.^{^52^}

Among other incredible achievements accomplished by this midrash which we will explore shortly, this tradition provides information on Miriam's family, filling in where the text is silent. We know a fair amount about Moshe's immediate family, and of course have volumes of genealogical records for Aharon's priestly descendants, yet of Miriam's family we know nothing. By wedding her to Kalev and providing her with a child who has a major role to play in the pivotal stories of Har Sinai and *cheit haeigel*, the midrash is giving her a fuller and richer backstory in the process.

34 Divrei HaYamim Aleph 2:18-20; 4:1-4.

34 Divrei HaYamim Aleph 2:18-20; 4:1-4.

35 While he was the oldest son from his mother Efrat's side, he was not the oldest from his father's side; Kalev had been previously married to Azuvah who had birthed him sons before his marriage to Efrat, and Divrei HaYamim Aleph 2 tell us of many other children born from Kalev's concubines as well.

36 It follows that Aharon and Moshe were the same generation as Kalev and Efrat:

!(images/media/image2.png){width="6.375in" height="3.589377734033246in"}

The relationship between Moshe and Kalev Ben Hetzron was that of third cousins; Moshe and Betzalel were third cousins thrice removed.

Moshe was 80 years old when the command to build the Mishkan was given, so having someone three generations below him in a separate branch of the family tree still be old enough to oversee the Mishkan's construction is certainly plausible on a *peshat* level. The Talmud will address this particular constraint by relying on a radical set of assumptions (see **Note 43**).

"This technique is colloquially referred to as the "Law of Conservation of Biblical Characters

In his comprehensive introduction to the Talmud, Rabbi Tzvi Hersch Chajes details the underlying motivation behind this common aggadic methodological tool

Mevo HaTalmud 21

ומפני הסיבה אשר הקדמנו למעלה. שהיה אצלם יסוד מוסד בדרכי הדרוש לשבח מעשה הצדיקים בכל עוז, ולגנות ג"כ הרשעים בכל אופן האפשר. היה גם כן מדרכי הנהוג אצלם. להכניס אנשים מתחלפים תחת שם אחד, אם מצאו שדומים זה לזה, רק באיזה תכונת הנפש ובכשרון המעשה, או שמצאו איזהו פעולות משני אנשים אשר דומים זה לזה, או אם יש דמיון קרוב בשמות בין אנשים מתחלפים, אזי היה הנקל להם, לעשות משני אלו איש אחד ...

והכל נסתבב מן הכלל הראשי אשר היה להם ליסוד ולאבן פינה בענין הדרשות. דעל צדיק וחסיד הרשות להדורש לשבח ולפארו בכל אופן האפשר, ובכל מקום שנתפרש במקרא קודש שבחו של צדיק אחד. היה להם לחוב לדרוש דרך אסמכתא ורמז להוסיף עליו גם מעלותיו של צדיק אחר, וליתן את האמור כזה, גם על זה. ועל ידי זה אנו מוצאים הצדיקים מקושטים בכל מעלה ומדה נכונה, ועל הרשע דרשו לרעה בכל מה שהיו יכולים לדרוש ולמדו סתום כאן מן המפורש לרשע אחר במקום אחר להראות כי איש רע עלול לכל ...

דהנה בכ"מ יש תועלת עצום להכניס צדיקים שונים תחת שם אחד למען ליתן האמור בזה על זה, וא"כ היא תועלת עצום בהרבות בשבח מעשה הצדיקים ...

עכ"פ הנך רואה דהדורש היה לו בכל עת כוונה מיוחדת לפעול על העם, ולעורר את לבבם הן ע"י הריבוי בשבח הצדיקים. או ע"י גנות הרשעים, או שאר ענין מוסרי או הנהגה טובה, היו המטרה לדרשותיו:

And because of the reason we prefaced above, namely that the Rabbis had a set principle in the ways of" exegesis to praise the deeds of tzaddikim with all of their strength and to disparage the wicked with all tools at their disposal, it was also common practice for them to gather multiple people under one name, if they found that these people were similar to one another, even if just by some spiritual characteristic or some admirable deed, or if the Rabbis found two actions done by two people that were similar to each other; or if there was some close ... similarity between the names of multiple people - then it was easy for them, to make two people into one man

All this surround the general rule that the Rabbis had a core principle, a foundation rock, regarding aggadah, that permission is granted to the exegete to praise and glorify in every possible way a tzaddik or a chassid, and in every place where the holy text states the praise of some tzaddik there was an obligation to explain through reference and allusion, to add onto it more praiseworthy qualities of another tzaddik, and to give that which is said regarding one onto another; and because of this we find tzaddikim bedecked with every positive and proper character trait. For the wicked they interpreted to his detriment in every possible way, and they learned that which was hidden here from that which was made explicit there regarding somebody wicked, to show that a bad ... person is bad for all

See that in many places there is a great advantage to gather different tzaddikim under a different name in order to give that which is said regarding one onto another, and if so it is a great benefit in increasing the praise of the ... deeds of the righteous

In any case you see that the exegete had at all times the specific intent to influence the nation, to stir their hearts

*whether through increasing the praise of tzaddikim or through increasing the disparagement of the wicked, or
".any other ethical or moral idea - this was the purpose of their interpretations*

38

Betzalel himself is a perfect example of this phenomenon: the midrash attributes six separate names to him, completely disregarding the simple meaning of the lineages in Divrei HaYamim and using the names listed there as indicative of Betzalel's role in bringing Bnai Yisrael and HaKadosh Baruch Hu together

Tanchuma Yelamdenu Ki Tisa 13

בְּצַלְאֵל נִקְרָא לוֹ שֵׁשׁ, וְאַתָּה מֵיַחֵס וּבֵא מִשְׁבָּטוֹ שֶׁל יְהוּדָה בְּדִבְרֵי הַיָּמִים, שֶׁנֶּאֱמַר: וּבְנֵי יְהוּדָה פָּרֵץ חֲצֹרֹן וְכַרְמִי וְחוּר וְשׁוּבָל (דה"א ד, א) ... וְרָאִיָּה בֶן שׁוּבָל הֵלִיד אֶת יַחַת, וְיַחַת הֵלִיד אֶת אַחֻמַּי וְאֶת לָהָד, אֵלֶּה מִשְׁפָּחוֹת הַצִּרְעָנִי (דה"א ד, ב). בְּצַלְאֵל, שֵׁם שֶׁקִּרְאָה לוֹ אִמּוֹ אֲמָתוֹ. וְהַקְדוּשׁ בְּרוּךְ הוּא קָרָא לוֹ חֲמִשָּׁה, עַל שְׁמוֹ שֶׁל מִשְׁכָּנוֹ שֶׁל אֶהְיָה. רָאִיָּה, שֶׁקִּרְאָה הַקְדוּשׁ בְּרוּךְ הוּא לְכָל יִשְׂרָאֵל שֶׁהוּא מְתַקֵּן מִכְרָאשִׁית לַעֲשׂוֹת אֶת הַמִּשְׁכָּן. בֶּן שׁוּבָל, שֶׁהוּא בָּא לְהַעֲמִידוֹ. יַחַת, שֶׁנֶּחֱנַת חֲתִיתוֹ שֶׁל הַקְדוּשׁ בְּרוּךְ הוּא עַל יִשְׂרָאֵל. אַחֻמַּי, שֶׁאַחַה אֶת יִשְׂרָאֵל לְהַקְדוּשׁ בְּרוּךְ הוּא. לָהָד, שֶׁהַעֲמִיד הוּד וְהִדָּר בְּמִשְׁכָּנוֹ שֶׁהִנֵּה הִדָּרוֹ שֶׁל יִשְׂרָאֵל. וְרַבִּי אֲדָא בַר חִיָּא אָמַר: לָהָד, שֶׁהִדָּל שְׂבָשְׁבָטִים מִדְּבַק לוֹ בְּמִשְׁכָּנוֹ. וְרָאִיָּה? וְאַתָּה אֶהְיָא בֶן אַחִיסָמַךְ לְמִטָּה דָן (שמות לח, כג):

Betzalel had six different names. He came from the tribe of Yehudah as his lineage in Divrei HaYamim confirms," as it says: 'The sons of Yehudah: Peretz, Hetzron, Karmi, Hur and Shoval' (Divrei HaYamim Aleph 4:1). 'Ra'aya son of Shoval gave birth to Yachat, Yachat gave birth to Achumai and Lahad - these are the Tzar'ati families' (Divrei HaYamim Aleph 4:2). Betzalel was the name that his mother originally gave him. In addition, HaKadosh Baruch Hu called him another five names, based on the name of His Mishkan, out of love. (1) Ra'aya, because HaKadosh Baruch Hu showed all of Yisrael that Betzalel was predestined from creation to make the Mishkan. (2) Son of Shoval, because he came to establish the Mishkan. (3) Yacht, because he gave a cleansing of HaKadosh Baruch Hu before all of Yisrael. (4) Achumai, because he united Yisrael with HaKadosh Baruch Hu. (5) Lahad, because he established glory and beauty in the Mishkan, which was the beauty of Yisrael. Rabbi Ada Bar Chiya said, Lahad, because the poorest of the tribes cleaved to him in building the Mishkan. Which was this? 'With him ".was Oholiav son of Achisamach from the tribe of Dan' (Shmot 38:23)

Divrei HaYamim contains ample material for this style of analysis, to the point where the Rabbis felt that *"Divrei HaYamim was only given in order to expound"*. The exhaustive, and oftentimes confusing, lineages delineated in Divrei HaYamim are not meant to be taken at face value, but rather are supposed to be interpreted exegetically. Unlike most books in Tanach where in Rabbinic parlance there are multiple layers of understanding, in particular both *peshat* and *derash* which can and should coexist, Divrei HaYamim is not a work that lends itself to a *peshat* level of understanding.

:One of the more striking examples of this can be found in a discussion of Moshe Rabbeinu's ten names

רַבִּי סִימּוֹן בֶּשֶׁם רַבִּי יְהוֹשֻׁעַ בֶּן לֵוִי וְרַבִּי חֲמַא אָבוּהָ דְרַבִּי הוֹשַׁעִיָּא בֶּשֶׁם רַבִּי, אֲמַרִי, לֹא נִתַּן דְּבָרֵי הַיָּמִים אֶלָּא לְדָרַשׁ, (דברי הימים א ד, יח): וְאַשְׁתּוֹ הַיְּהוּדִיָּה יָלְדָה אֶת יֵרֵד אָבִי גִדּוֹר וְגו', וְאַשְׁתּוֹ הַיְּהוּדִיָּה, זֶה יוֹכָבֵד, וְכִי מִשְׁבָּטוֹ שֶׁל יְהוּדָה הָיְתָה וְהָלֹא מִשְׁבָּטוֹ שֶׁל לֵוִי הָיְתָה וְלָמָּה נִקְרָא שְׁמָהּ יְהוּדִיָּה, עַל שֵׁם שֶׁהַעֲמִידָה יְהוּדִים בְּעוֹלָם. יָלְדָה אֶת יֵרֵד, זֶה מֹשֶׁה ...

וְאַלֶּה בְּנֵי בִתְנִיָּה בֵּת פֶּרֶעָה (דברי הימים א ד, יח), רַבִּי יְהוֹשֻׁעַ דְּסַנְיִן בֶּשֶׁם רַבִּי לֵוִי אָמַר לֵה הַקְדוּשׁ בְּרוּךְ הוּא לְבִתְנִיָּה בֵּת פֶּרֶעָה, מֹשֶׁה לֹא הָיָה בְּנֵהּ וּקְרָאָתוֹ בְּנֵהּ, אִם אֶת לֹא אֶת בִּתִּי וְאִם קוֹרָא אוֹתָהּ בִּתִּי, שֶׁנֶּאֱמַר: אֵלֶּה בְּנֵי בִתְנִיָּה, בֵּת יְהוָה. (דברי הימים א ד, יח): אֲשֶׁר לָקַח לוֹ מֶרְדִּי, זֶה כָּלֵב. רַבִּי אֲבָא בַר כְּהֵנָא וְרַבִּי יְהוּדָה בַּר סִימּוֹן חֵד אָמַר זֶה מֶרְדִּי בַּעֲצַת מֶרְגְּלִים וְזֶה מֶרְדִּי בַּעֲצַת אֲבִיָּה, יְבוֹא מוֹרֵד וְיִקַּח אֶת הַמּוֹרֶדֶת. וְחֵד אָמַר זֶה הִצִּיל אֶת הַצֹּאן וְזֶה הִצִּילָה אֶת הָרֹעֶה. עֲשָׂרָה שְׁמוֹת נִקְרָאוּ לוֹ לְמֹשֶׁה....

Rabbi Simon in the name of Rabbi Yehoshua Ben Levi, and Rabbi Chama the father of Rabbi Hoshaya in the name of Rav, said, Divrei HaYamim was only given in order to expound. 'His wife the Jewess gave birth to Yered

Avigdor, etc.' (Divrei HaYamim Aleph 4:18). *'His wife the Jewess' - this is Yocheved. But was she from the tribe of Yehudah? Was she not from the tribe of Levi; why is she called a Jewess i.e. from the tribe of Yehudah? Because ... she brought Jews into the world. How so? She gave birth to Yered - this is Moshe*

These are the children of Bitya, daughter of Pharaoh (Divrei HaYamim Aleph 4:18). Rabbi Yehoshua from' Sichnin said in the name of Rabbi Levi, HaKadosh Baruch Hu said to Bitya, daughter of Pharaoh: Moshe was not your son, yet you called him your son; so too you are not My daughter, yet I shall call you My daughter, as it says: 'These are the children of Bitya' - the daughter of Yah. 'Who Mered took as a wife' (Divrei HaYamim Aleph 4:18) - this is Kalev. Rabbi Abba Bar Kahana and Rabbi Yehudah Bar Simon. One said Kalev is called Mered because he rebelled against the advice of the spies and she rebelled against her father's decree; let the rebel come and marry the rebel. The other said Kalev is called Mered because he saved the flock Yisrael and she saved ".... the shepherd Moshe. Moshe had ten different names

39 Bemidbar 14:6-10, 24.

39 Bemidbar 14:6-10, 24.

40 Yehoshua 14:6-7, 13-15.

40 Yehoshua 14:6-7, 13-15.

41 As Yehudah's great-grandson, Kalev Ben Hetzron was indisputably from the tribe of Yehudah, and given that he was the same generation as Moshe and Aharon it is entirely reasonable that he was alive and a leader in his own right at the same time.

42

Ibn Ezra to Shmot 31:2 d"eh re'eh

ועל דרך הפשט כלב בן יפונה איננו כלב בן חצרון בראיות גמורות. והמשכילים יבינו:

By way of peshat, Kalev Ben Yefuneh and Kalev Ben Hetzron are not the same; there is indisputable evidence" "that this is so. Those with intellect will understand

43 Yerushalmi Yevamot 10:7.

43 Yerushalmi Yevamot 10:7.

44 Sanhedrin 69b; Yalkut Shimoni on Torah Remez 413.

44 Sanhedrin 69b; Yalkut Shimoni on Torah Remez 413.

45

Shoftim 1:12-13

וַיֹּאמֶר כָּלֵב אֲשֶׁר יָבֵה אֶת קִרְיַת סֶפֶר וַיִּלְכְּדָהּ וַיִּנָּתְנִי לִי אֶת עֶבְדָּהּ בְּתִי לְאִשָּׁה: וַיִּלְכְּדָהּ עֲתַנְיָאֵל בֶּן קַנְזִי אֶחָיו כָּלֵב הַקָּטָן מִמֶּנּוּ וַיִּתֵּן לָהּ אֶת עֶבְדָּהּ בְּתוּ לְאִשָּׁה:

Kalev said, whoever strikes Kiryat Sefer and conquers it - I will give him my daughter Achsah in marriage." Otniel Ben Kenaz conquered it - he was Kalev's younger brother - and Kalev gave Achsah his daughter to Otniel "as a wife

46

.Temurah 16a

Kalev was the son of Hetzron, but once Hetzron died his widow remarried a man named Kenaz who then became Kalev's stepfather. It follows that Kalev and Otniel, who was Kenaz's son from a different woman, were maternal half-brothers

Rashi to Temurah 16a d"h horgei dekenaz

ועתניאל אחיו מן האם:

"Otniel was Kalev's blood brother from his mother"

This explanation fits nicely with the inconsistencies between sources. Kalev was raised by Kenaz but was not his actual son, so mentioning him in the context of the spies was less relevant than referring to Kalev using an appellation that teaches something about his righteousness

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47 Sotah 11b-12a.

47 Sotah 11b-12a.

Shmot Rabbah 1:13

מי היו המיילדות, רב אמר פלה וחסומה, יוכבד ואלישבע בת עמינדב. רבי שמואל בר נחמן אמר, אשה ובתה, יוכבד ומרים.

Who were the midwives? Rav said, a mother-in-law and daughter-in-law, Yocheved and Elisheva Bat Aminadav."
"Rabbi Shmuel Bar Nachman said, a woman and her daughter, Yocheved and Miriam

The question of which Amora held which opinion in the previous passage from Sotah is further complicated based on this (see above **Note 47**). The dispute there is between Rav and Shmuel; one held the houses were a reference to Aharon and Moshe while the other held they were a reference to David and his descendants. Here Rav holds that the midwives Shifra and Pu'ah were in fact Yocheved and Elisheva. Elisheva has strong ties to Aharon: according to Shmot 6:23 she was his wife, though ostensibly only after this episode, as Aharon was a mere three years old when Moshe was born, which is after Pharaoh's decree was declared and the midwives were active. But, she also has strong ties to the royal Davidic monarchy: her father Aminadav and brother Nahshon were David's direct paternal ancestors. Therefore, Rav's opinion in this midrash could theoretically work with either explanation for what the houses provided to the midwives were.

However, it seems more reasonable to claim that Rav should be matched with the opinion that the houses were *Kehunah* and *Levayah* i.e. Aharon and Moshe. This is because the second opinion attributed to Rabbi Shmuel Bar Nachman argues that the second midwife was Miriam and not Elisheva; this naturally matches the opinion from Sotah that the houses were a reference to the Davidic dynasty, since - as the Talmud explains - David came from Miriam. Since Rav argues against this identification of the second midwife here, presumably he is the one who held the midwives received houses of *Kehunah* and *Levayah*, as Elisheva birthed the first generation of Kohanim while Yocheved was herself Levi's daughter and birthed Moshe the Levite.

It is worth noting a slightly different version of the midrashic tradition found in Sotah recorded in Shmot Rabbah. It ascribes kingship to Moshe in addition to David, and gives Miriam the house of wisdom instead of kingship directly:

Shmot Rabbah 48:4

(שמות א, כא): ויעש להם בתים, ומה היו הבתים, בית הכהנה ובית המלכות. יוכבד נטלה כהנה ומלכות, אהרן כהן גדול, משה מלך, שנאמר (דברים לג, ה): ויהי בישרון מלך. ומרים נטלה חכמה, שהעמידה בצלאל, ויצא ממנו דוד שהיה מלך, שנאמר (דברי הימים א ב, יט): ותלד לו אפרת את חור, ובתיב (שמואל א יז, יב): ודוד בן איש אפרתי, שבא מן מרים שנקראת אפרת:

"He made houses for them' (Shmot 1:21). What were these houses? Kehunah and Malchut. Yocheved took'" Kehunah and Malchut: Aharon was the Kohen Gadol, and Moshe was the king, as it says: 'There was a king in Yeshurun' (Devarim 33:5). Miriam took wisdom, and produced Betzalel, and David the king came from him, as it says: 'Efrat gave birth to Hur' (Divrei HaYamim Aleph 2:19), and it says: 'David was an Efrati' (Shmuel Aleph 17:12), because he came from Miriam who was called Efrat

Tanchuma HaKadum Vayakhel 5

נטלה מרים שכרה, חכמה, שנאמר הן יראת ה' היא חכמה (איוב כה, כח), העמיד ממנה בצלאל שהיה חכם, ואמלא אותו רוח א-לקים (שמות לא, ב):

Miriam took her reward: wisdom, as it says: 'See, fear of Hashem is wisdom' (Iyov 28:28). She produced "Betzalel who was wise as it says: 'I filled him with the spirit of G-d' (Shmot 31:2)

49

Shmot Rabbah 1:17

וַיְהִי כִּי יָרְאוּ הַמִּינִלְדֹּת וְגו', רַב לְלוֹי, חָד אָמַר בְּתִי כְהֵנָה וּבְתִי לְוִיָּה. וְחָד אָמַר בְּתִי מַלְכוּת. בְּתִי כְהֵנָה וּלְוִיָּה מִמִּשְׁה וְאַהֲרֹן, בְּתִי מַלְכוּת מִמֶּרֶם, לְפִי שְׂדוּד בָּא מִמֶּרֶם ... וַיִּשָּׁח לוֹ כָּלֵב אֶת אֶפְרַת (דְּבָרֵי הַיָּמִים א ב, יט), זֶה מֶרֶם, לָמָּה נִקְרָא שְׁמָהּ אֶפְרַת, שֶׁפָּרוּ וְרַבּוּ יִשְׂרָאֵל עַל יָדֶיהָ:

Because the midwives feared'. Rav and Levi, one said houses of Kehunah and Levayah, while one said houses of Malchut. Kehunah and Levayah from Moshe and Aharon; houses of Malchut from Miriam, because David came from Miriam ... 'Kalev took Efrat' (Divrei HaYamim Aleph 2:19) - this is Miriam, and why was she called "Efrat? Because Yisrael increased and multiplied through her for as midwife she saved the male babies

50

There is a glaring issue with the midrash's assertion that David descended from Efrat, wife of Kalev and mother of Hur. Hetzron had three sons: Yerachmiel, Ram and Kalev (Divrei HaYamim Aleph 2:9), and David was a direct descendant of Ram

Rut 4:18-22

וְאַלְהֵי תוֹלְדוֹת פֶּרֶץ פָּרֵץ הוֹלִיד אֶת חֲצֹרֹן: וְחֲצֹרֹן הוֹלִיד אֶת רָם וְרָם הוֹלִיד אֶת עֲמִינָדָב: וְעֲמִינָדָב הוֹלִיד אֶת נַחֲשֹׁן וְנַחֲשֹׁן הוֹלִיד אֶת שְׁלֹמֹה: וְשְׁלֹמֹן הוֹלִיד אֶת בָּעֶז וּבָעֶז הוֹלִיד אֶת עֹבֵד: וְעֹבֵד הוֹלִיד אֶת יִשָּׁי וְיִשָּׁי הוֹלִיד אֶת דָּוִד:

This is the line of Peretz: Peretz birthed Hetzron. Hetzron birthed Ram, and Ram birthed Aminadav. Aminadav birthed Nahshon, and Nahshon birthed Salmon. Salmon birthed Boaz, and Boaz birthed Oved. Oved birthed Yishai, and Yishai birthed David

David came from Ram son of Hetzron, not Kalev son of Hetzron. So how could the midrash claim that David came from Miriam? She may have been related as a cousin, but could not have been a direct ancestor. Maharsha struggles with this question as well, and offers a far-fetched suggestion

Chidushei Aggadot to Sotah 11b d"h vaya'as lahem batim

אך מה שאמר דכלב היה איש מרים ומהם יצא דוד צ"ע דהא יחוסו של דוד מרם בן חצרון בספר רות וד"ה ומתוך הכתובים נראה דכלב לאו היינו רם דג' בנים היו לו לחצרון ירחמיאל ורם וכלוב דהיינו כלב כדמוכחי קראי דד"ה ויש ליישב דאחד מיוצאי בני רם נשא אשה מיוצאי בני כלב ולא היה דוד ממשפחת כלב אלא מצד אם אלא שחשיבות מרים עשה זאת שנקראו אפרתים וק"ל:

That which is said, that Kalev was Miriam's husband and David descended from them - this requires further analysis, for David's lineage came from Ram Ben Hetzron based on Rut and Divrei HaYamim, and from the pesukim it seems that Kalev and Ram were not the same person, for Hetzron had three children: Yerachmiel, Ram and Keluvai, who is Kalev as the pesukim in Divrei HaYamim demonstrate. And it is possible to reply that one of the descendants of Ram married one of the descendants of Kalev, and that David was therefore not from the family of Kalev except on his mother's side. But even so, because of Miriam's importance it led to them being "called Efratites

51 We can expand the family tree from **Note 36** to include relationships uncovered and elucidated by the midrash:

!(images/media/image3.png){width="6.44204615048119in" height="3.6302088801399823in"}

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Tanchuma Yelamdenu Ki Tisa 13

וְהָרִי אִין חֲצֵרוֹן אֶלְא בֶן פִּנּוּ שֶׁל יְהוּדָה הָיָה, דְּכַתִּיב: וַיְהִי בְנֵי פֶרֶץ חֲצֵרוֹן וְחַמּוּל (בראשית מו, יב) ... מִשְׁמֵת חֲצֵרוֹן, בָּא כָּלֵב אֶל אֶפְרַת, זֶה מֵרִים, שִׁפְרוּ וְרָבוּ יִשְׂרָאֵל עַל יְדֵיהָ. וְכַתִּיב: וַתֵּמֶת עֲזוּבָה וַיִּקַּח לָהּ כָּלֵב אֶת אֶפְרַת וַתֵּלֶד לוֹ אֶת חוּר, וְחוּר הוֹלִיד אֶת אוּרִי הוֹלִיד אֶת בֶּצְלָאֵל (דה"א ב, יט, כ):

Hetzron was Yehudah's grandson, as it says: 'The children of Peretz were Hetzron and Hamul' (Breishit 46:12)" ... When Hetzron died, Kalev came to Efrat - this is Miriam, since Yisrael increased and multiplied through her. And it says: 'Azuvah died, and Kalev took Efrat i.e. Miriam and she gave birth to Hur; and Hur gave birth to Uri, ".and Uri gave birth to Betzalel' (Divrei HaYamim Aleph 2:19-20)

Seeds of Royalty

Armed with this knowledge, we can finally understand what is motivating the midrash to equate Kalev Ben Hetzron with Kalev Ben Yefuneh, aside from a general desire to equate Biblical characters when feasible (see above **Note 37**): a solution to the mystery of who the Hur from the war of Amalek and the covenant at Har Sinai really was. If we still had any doubts as to how all the pieces of the puzzle fit together, the following midrash ties the disparate traditions together as one harmonious whole:

הִלְכוּ לָהֶם אֲצֵל עוֹשֵׂי דְבָרוֹ שֶׁל מֹשֶׁה, אֶהְרֹן וְחוּר בֶּן אַחֲוָתוֹ. וּמִנִּיין שֶׁהִיָּה חוּר בֶּן אַחֲוָתוֹ, שֶׁנ' וִיקַח לוֹ כָּלֵב אֶת אֶפְרַת וַתֵּלֶד לוֹ אֶת חוּר וְלָמָּה נִקְרָא שְׁמָהּ שֶׁל מֵרִים אֶפְרַת אֵלָּא פִּלְטָנִי שֶׁל בַּת מַלְכִּים גְּדוּלֵי הַדּוֹר שְׁכָל נְשִׂיא וְגְדוּל שְׁעִמָּד בִּישְׂרָאֵל נִקְרָא שְׁמוֹ אֶפְרַתִּי שְׁנֵאמַר וִירְבַּעֶם בֶּן נִבְט אִישׁ אֶפְרַתִּי וְכֵן וְדוּד בֶּן אִישׁ אֶפְרַתִּי וְכִי אֶפְרַתִּי הִיָּה וְהָלָא מִשְׁבַּט יְהוּדָה הִיָּה אֵלָּא פִּלְטָנִי בֶּן מַלְכִּים גְּדוּלֵי הַדּוֹר.

וּלְפִי שֶׁהִיָּה חוּר מִשְׁבַּט יְהוּדָה מְגִדּוּלֵי הַדּוֹר הַתַּחֲלִיל מוֹכִיחַ אֶת יִשְׂרָאֵל בְּדִבְרֵיהֶם קְשִׁים כּוֹזְבִים שֶׁבִּישְׂרָאֵל עֲמָדוֹ עָלָיו וְהִרְגוּהוּ. וְרָאָה אֶהְרֹן לְחוּר שֶׁנִּהְרַג וּבִנָּה מִזְבֵּחַ לָהֶם, שֶׁנ' וִירָא אֶהְרֹן וַיִּבֶן מִזְבֵּחַ לִפְנֵי מֶה רָאָה רָאָה שֶׁנִּהְרַג חוּר בֶּן אֶהְרֹן וּבִנָּה לָהֶם מִזְבֵּחַ שֶׁנ' וַיִּבֶן מִזְבֵּחַ: ⁵³

"Yisrael went to those who carried out the words of Moshe, i.e. Aharon and Hur, the son of his sister Miriam. How do we know that Hur was the son of Moshe's sister? Because it says: 'Kalev married Efrat, who gave birth to Hur' (Divrei HaYamim Aleph 2:19). Why was

Miriam called Efrat? Because she was a daughter of the palace, a daughter of kings, one of the magnates of the generation; for every prince and great man who arose in Israel had himself called an Efratite, as it says: 'Yeravam Ben Nevat, an Efratite' (Melachim Aleph 11:26); and it says, 'David was the son of an Efratite' (Shmuel Aleph 17:12). Was he then an Efratite? Was he not from the tribe of Yehudah? Rather, David was a nobleman, a son of kings, one of the magnates of the generation.

*But since Hur was from the tribe of Yehudah, and one of the magnates of the generation, he began to reprove Israel with harsh words, and the plunderers of Yisrael rose against him and killed him. Aharon rose and saw that Hur, the son of his sister, had been slaughtered. He built for Yisrael an altar, as it says: 'Aharon saw, and built an altar before it' (Shmot 32:5)."*⁵³

For the first time we see the Hur from Shmot 17 and Shmot 24 referred to as the son of Miriam, but it goes much further than that. He was one of the greatest men in his generation, from the tribe of royalty: Yehudah. Implicitly this midrash not only assumes that Kalev Ben Hetzron and Kalev Ben Yefuneh are identical; it also assumes that Hur Ben Hetzron is the same as the Hur appointed by Moshe - his uncle - alongside Aharon during the battle against Amalek and the miraculous events at Har Sinai.

Now we can understand why according to Vayikra Rabbah Yisrael went to Hur first, without even consulting Aharon. Hur was also of prestigious stock, and a great man in his own right; perhaps, being a generation younger than Aharon - who was already pushing 84 by this time - the impatient masses felt he would be easier to sway or more sympathetic to their cause.

A beautiful larger thematic connection is being drawn here as well. Hur is not only the son of Miriam, but also of Kalev Ben Yefuneh, and both of his parents' legacies are in defiantly standing up for what they believed was right. Miriam refused to succumb to Pharaoh's genocidal demands and acted in a way she felt was difficult and dangerous, but morally obligatory; remarkably, during the spies incident Kalev stood up to the popular, negative opinion of Bnai Yisrael with unshakeable conviction and an unwavering support in HaKadosh Baruch Hu. The Torah even tells us that Kalev would have been killed had Hashem not appeared and protected him and Yehoshua with a cloud of Glory (Bemidbar 14:10). Hur as portrayed in Shmot Rabbah does nearly exactly the same thing: namely, he stands up to a wicked mob intent on evil and defends HaKadosh Baruch Hu from their blasphemous claims. Yet unlike Kalev, Hur does not receive Divine protection and does end up dead because of his

actions. One can't help but wonder if the midrash was inspired by Kalev - Hur's father - as an influence used to shape the midrash description of Hur's actions. Like father, like son - zealous on behalf of G-d and His honor; willing to do whatever it takes to be the first one to remonstrate any act aimed at undermining belief in HaKadosh Baruch Hu. ^54^

53 Pirkei DeRabbi Eliezer 45.

53 Pirkei DeRabbi Eliezer 45.

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Bemidbar Rabbah 16:2

וַיָּבֹאוּ עַד נַחַל אֶשְׁכּוֹל (במדבר יג, כג), לֹא רָצוּ לִטֹּל מִפְּרֻת אֶרֶץ יִשְׂרָאֵל אֱלֹדִי כָּלֵב שִׁשְׁלִיף אֶת הַזֶּיֶן וַיֵּרֶץ לַפְּנִיָּהֶם וַאֲמַר לָהֶם אִם אֵין אַתֶּם נוֹטְלִים אוֹ אַתֶּם הוֹרְגִים אוֹתִי אוֹ אֲנִי הוֹרֵג אֶתְכֶם לֹא הָיוּ נוֹטְלִים, לַפִּיכֹף (יהושע יד, ט): אִם לֹא הָאֶרֶץ אֲשֶׁר דָּרְכָה רַגְלְךָ בָּהּ לֹךְ תִּהְיֶה:

They came to Nachal Eshkol' (Bemidbar 13:23). They didn't want to take from the fruits of Eretz Yisrael, and''' had Kalev not pulled his sword and ran before them and said: If you don't take it, either you will have to kill me or I will kill you - they would not have taken it. This is why;' If not the land which your foot tread on shall be yours' (Yehoshua 14:9)

Part 2: The Three Crowns

Introduction

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Introduction

Midrashic ingenuity and creativity has taken Hur and catapulted him from a nobody to one of the most illustrious men of his generation: prince of the tribe of Yehudah, nephew of Moshe and Aharon, son of Kalev Ben Yefuneh and Miriam, progenitor of Betzalel the gifted artisan and the eternal monarchy of David HaMelech. And Hur was noble not only by birth, ^55^ but by deed: he refused to bow to mob rule seeking to overthrow Hashem and supplant Him with an idol, or perhaps even proactively confronting and attacking them, risking and sacrificing

his own life in the process. His righteousness mirrored - and perhaps even inspired - the actions of his father Kalev just over a year later; Kalev was protected by G-d from meeting the same fate as his son, and as a result of his actions he merited to outlive his entire generation and enter Eretz Canaan. Why Hur was appointed alongside Aharon by Moshe is now apparent: he was their nephew, the son of Miriam, and a great leader alongside his illustrious uncles. ^{^56^}

Revisiting that iconic scene atop the hill during the battle with Amalek, we realize there is an added significance to the imagery of Moshe, Aharon and Hur intertwined and supporting one another. They were not merely three of the highest ranking members of Bnai Yisrael, but they were siblings as well: Moshe, Aharon and Miriam, who as a woman perhaps was not able to lead in that capacity and was instead represented by her son Hur, the three children of Amram. Bitter rivalry between brothers is what caused the exile down to Egypt and the degradation of the Jewish people; unity between brothers is the secret to their salvation. ^{^57^}

At the same time, however, this war with Bnai Yisrael's archnemesis is by its very nature not merely a battle localized by its time and context, but rather a meta-historic precedent for the very definition of what makes the Jewish people the chosen people of G-d, and as such the presence of Hur and his uncles hand-in-hand represents something fundamental to the Jewish character on a national, macro-historical scale as well. In order to understand exactly what that point is, we turn to an astute observation found in Pirkei Avot and found in several variations scattered throughout the vast library of aggadic material.

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By way of comparison, the Talmud notes that Elisheva was particularly well-connected and had five noble relatives which gave her reason to be joyous

Zevachim 102a

חמש שמחות היתה אלישבע יתירה על בנות ישראל, יבמה מלך אישה כהן גדול בנה סגן בן בנה משוח מלחמה ואחיה נשיא שבט:

Elisheva had five happinesses over the rest of the daughters of Yisrael: (1) Her brother-in-law Moshe was a king, (2) Her husband Aharon was a Kohen Gadol, (3) Her son Elazar was a deputy Kohen, (4) Her grandson ".Pinchas was an army general, (5) Her brother Nahshon was a prince of a tribe i.e. Yehudah

A similar list could be construction for Hur: (1) His uncle Moshe was a king, (2) His other uncle Aharon was a Kohen Gadol, (3) His grandson was Betzalel architect of the Mishkan, (4) His mother Miriam was a prophetess, (5) His father Kalev was a prince of a tribe

Bemidbar 34:18-19

וְנָשִׂיא אֶחָד נָשִׂיא אֶחָד מִמִּטָּה תִּקְחוּ לְנָחֵל אֶת הָאָרֶץ: וְאֵלֶּה שְׁמוֹת הָאֲנָשִׁים לַמִּטָּה יְהוּדָה כָּלֵב בֶּן יִפְנֶה:

One prince for each tribe shall be taken to inherit the Land. These are their names: from the tribe of Yehudah, "Kalev Ben Yefuneh

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Bava Batra 110a

אמר רבא: הנושא אשה צריך שיבדוק באחיה שנאמר ויקח אהרן את אלישבע בת עמינדב אחות נחשון (שמות ו כ"ג). ממשמע שנאמר בת עמינדב איני יודע שאחות נחשון היא, מה תלמוד לומר אחות נחשון, מכאן שהנושא אשה צריך שיבדוק באחיה. תנא: רוב בנים דומין לאחי האם:

Rava said, whoever marries a woman must check her brothers first, as it says: 'Aharon took Elisheva daughter' of Aminadav, sister of Nahshon as a wife' (Shmot 6:23). From the fact that it tells us 'daughter of Aminadav', don't I know that she was Nahshon's sister - why does it say 'sister of Nahshon'? Learn from here that whoever ".marries a woman must check her brothers first. It was taught: Most sons are similar to their mother's brothers

Kalev married Miriam, sister to Aharon and Moshe. If Kalev had checked the brothers of his potential wife before marrying her, he would not have been disappointed: Aharon and Moshe are, after all, model brothers-in-law to have. Since "most sons are similar to their mother's brothers", odds were that Hur was destined to be similar to Aharon and Moshe. Therefore, when Kalev married Miriam he was ensuring that his son would be similar to his two uncles

57 This concept is explored in depth in **Parts II and III**.

Torah is Primary

When discussing the many utensils commanded as part of the Mishkan's construction, there are three in particular that are described with a feature unique to them:

וַעֲשׂוּ אֲרֹנֹן עֲצֵי שִׁטִּים אֲמֹתַיִם וְחָצִי אַרְכּוֹ וְחָצִי רָחְבּוֹ וְאֹמֶה וְחָצִי קָמְתּוֹ: וְצִפִּיתָ אֹתוֹ זָהָב טָהוֹר מִבֵּית וּמִחוּץ תִּצְפְּנוּ וְעָשִׂיתָ עָלָיו זָרָהּ זָהָב סָבִיב: (שמות כה:י-יא)

וְעָשִׂיתָ שֻׁלְחָן עֲצֵי שִׁטִּים אֲמֹתַיִם אַרְכּוֹ וְאֹמֶה רָחְבּוֹ וְחָצִי קָמְתּוֹ: וְצִפִּיתָ אֹתוֹ זָהָב טָהוֹר וְעָשִׂיתָ לוֹ זָרָהּ זָהָב סָבִיב: (שמות כה:כג-כד)

וְעָשִׂיתָ מִזְבֵּחַ מִקְטָר מִטָּרֶת עֲצֵי שִׁטִּים תַּעֲשֶׂה אֹתוֹ: אֹמֶה אַרְכּוֹ וְאֹמֶה רָחְבּוֹ רְבִיעַ יְהִיָּה וְאֲמֹתַיִם קָמְתּוֹ מִמֶּנּוּ קִרְנָתָיו: וְצִפִּיתָ אֹתוֹ זָהָב טָהוֹר אֶת גָּזוֹ וְאֶת קִירָתָיו סָבִיב וְאֶת קִרְנָתָיו וְעָשִׂיתָ לוֹ זָרָהּ זָהָב סָבִיב: (שמות ל:א-ג)

The Aron, the Shulchan and the Mizbeach HaKetoret are all supposed to be made with a crown of gold around their upper rims. This curiosity was not lost on Rabbi Shimon Bar Yochai:

אָמַר רַבִּי שִׁמְעוֹן בֶּן יוֹחָאִי, שְׁלִשָּׁה כְּתָרִים הֵם, כְּתָר מַלְכוּת וְכְתָר כְּהֻנָּה וְכְתָר תּוֹרָה. כְּתָר מַלְכוּת, זֶה הַשְּׁלֵחָן, דְּכָתִיב בּוֹ (שְׁמוֹת כה, כד): זֶר זָהָב סָבִיב. כְּתָר כְּהֻנָּה, זֶה הַמִּזְבֵּחַ, דְּכָתִיב בּוֹ (שְׁמוֹת ל, ג): זֶר זָהָב סָבִיב. וְכְתָר תּוֹרָה, זֶה הָאֲרוֹן, דְּכָתִיב בּוֹ (שְׁמוֹת כה, יא): זֶר זָהָב סָבִיב.

לָמָּה נִכְתְּבִים זֶר וְנִקְרָאִים זֵיר, אֵלָּא לְדַמּוּר לָךְ אִם אָדָם זֹכֶה נַעֲשִׂים לוֹ זֵר, וְאִם לֹא זֵר. וּמִפְּנֵי מָה בִּכְלָן כָּתִיב (שְׁמוֹת כה, כד) (שְׁמוֹת ל, ג): וְעָשִׂיתָ לוֹ, וּבְאֲרוֹן כָּתִיב (שְׁמוֹת כה, יא): וְעָשִׂיתָ עָלָיו, לְלַמֶּדֶךָ שֶׁכְּתָר תּוֹרָה מַעֲלָה יוֹתֵר מִכָּלֶן, זֹכֶה אָדָם לְתוֹרָה כָּאֵלּוּ זֹכֶה לְכָלֶן: ⁵⁸

"Rabbi Shimon Bar Yochai said, there are three crowns: a crown of Malchut, a crown of Kehunah, and a crown of Torah. The crown of Malchut: this is the Shulchan, as it says: 'A crown of gold around it' (Shmot 25:24). The crown of Kehunah: this is the Altar, as it says: 'A crown of gold around it' (Shmot 30:3). And the crown of Torah: this is the Aron, as it says: 'A crown of gold around it' (Shmot 25:11).

Why are they written as 'stranger' but read as 'crown'? To teach you that if a person is worthy, they can be made for him into a crown, but if not, a stranger. And why in regards to the others i.e. the Shulchan and the altar does it say: 'You shall me for it', while for the Aron it says: 'You

shall make on it"? To teach you that the crown of Torah is greater than the others; if a person merits Torah, it is as if he merits all of the crowns."⁵⁸

Each of these items represent an abstract concept, and the crowns which adorn them indicate those concepts are differing areas of Jewish life and leadership. The Shulchan is a symbol of wealth and greatness⁵⁹ and as such is a fitting symbol for Malchut. Similarly, the Altar is an obvious candidate to represent the Kehunah, as it was the vehicle through which the Kohanim performed their required service and attained forgiveness for Yisrael before HaKadosh Baruch Hu.⁶⁰ Finally, the Aron contained within it the "testimony which I shall give you" (Shmot 25:16), the two tablets of stone upon which the ten commandments were engraved and which were a microcosm for the entirety of Torah.⁶¹ It is to teach these very abstractions that the Torah commands the respective utensils be created with golden crowns.

This midrash also resolves two additional linguistic anomalies, both of which are also noted and developed by Rabbi Yochanan in the Talmud.⁶² Rabbis Shimon Bar Yochai and Yochanan agree on how to interpret one, while diverging somewhat on their understanding of the other. The first revolves around the tension between how a word is recorded in a Sefer Torah, and how it is pronounced. As a Sefer Torah is written without vowels, it lends itself to many different interpretations. There is significant halachic debate already in the days of the Tannaim on which takes precedence: the written tradition or the verbal tradition.⁶³ In the realm of aggadah the stakes are not as high, with the two approaches often being viewed as complementary and reconcilable instead of a binary proposition. Even the plethora of ways in which a particular word can be vowelized allow for a splintering of possible explanations.⁶⁴ The resolution offered here imitates a style found in many places throughout the aggadic corpus, namely that when two pesukim seem to suggest opposing ideas, they should be understood as follows: one refers to when something or someone is good or correct, while the other refers to when something or someone is bad or less deserving.⁶⁵ In this case, Rabbis Shimon Bar Yochai and Yochanan agree that if a person is meritorious, these three domains manifest as crowns on his head, but if he is not they become distant strangers to him instead.

The second teaching emphasizes the centrality of Torah compared to other aspects of life. Rabbi Shimon Bar Yochai's language is arguably stronger, placing Torah above the other crowns⁶⁶ and even stating it is equal to all the crowns combined. Rabbi Yochanan, while still making a point of maintaining Torah's importance, stops short of raising it above the

crowns of Malchut and Kehunah. His main emphasis is not the Torah's lofty stature but its accessibility: what makes the crown of Torah truly great is that anyone can claim it, unlike the other two crowns which are strictly hereditary.⁶⁷

Why is such strong emphasis given to Torah study over such prestigious positions so heavily emphasized by the Torah? While the polemical nature inherent in these ideas is outside the scope of this discussion, suffice it to say that there are undoubtedly social-political influences informing the Oral teachings at this time that lie within the historical shift from a Temple-based Judaism to a religion that is able to survive and thrive in exile, namely one that Rabbinic and based on study and prayer over ritual sacrifice. Chazal were assuredly interested in emphasizing both the superiority and accessibility of Torah to all Jews compared to the other crowns.⁶⁸

58 Shmot Rabbah 34:2.**58 Shmot Rabbah 34:2.**

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Rashi to Shmot 25:24 d"h zer zahav

סימן לכתר מלכות, שהשלחן שם עשר וגדלה, כמו שאומרים שלחן מלכים:

It is a symbol for the crown of Malchut, since the table is an emblem of wealth and greatness, as may be seen" "from the fact that people speak of one's 'royal table' when they wish to state one is exceedingly wealthy

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Tanchuma Yelamdenu Tetzaveh 14

ועשית מזבח מקטר קטרת (שמות ל, א). מהו קטרת? ק' קדושה, ט' טהרה, ר' רחמים, ת' תקנה. אמה ארפו ואמה רחבו וגו' ואמתיים קמתו. מה עסקו של מזבח הקטרת? פיון שעשו אותו מעשה, בקש הקדוש ברוך הוא לכלותו, עמד משה בקש עליהם רחמים, כמה שנאמר: ויחל משה את פני ה' (שמות לב, יא). ונחבט בקרקע עד שנתרצה לו הקדוש ברוך הוא, שנאמר: וינחם ה' על הרעה (שמות לב, יד). אמר משה: רבוננו של עולם, הרי כבר נתרצית. מי מודיע לבאי עולם שאתה נתרצית לישראל. אמר לו: ועשו לי מקדש ושכנתי בתוכם (שמות כה, ח), ויהיו מקריבין לי קרבנות בתוכו, ואני אקבל מהם:

You shall make a Mizbeach HaKetoret' (Shmot 30:1). What is ketoret i.e. incense? K = holiness, T = purity, R = "mercy, T = hope. It was a cubit long, a cubit wide, and two cubits high. What was the purpose of this Mizbeach HaKetoret? Since Bnai Yisrael committed that act i.e. the golden calf, HaKadosh Baruch Hu sought to destroy them, so Moshe stood up and sought mercy for them, as it says: 'Moshe pleaded before Hashem' (Shmot 32:11). He planted himself in the ground until HaKadosh Baruch Hu listened to him, as it says: 'Hashem repented from the evil He said He would do to His nation' (Shmot 32:14). Moshe said: Master of the Universe, You may have forgiven, but who will tell everyone who comes into the world that You have forgiven Yisrael? He said to him: 'They shall make for me a Mikdash and I shall dwell within them' (Shmot 25:8), and they will bring before Me "sacrifices within it, and I will accept them

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Rashi to Shmot 24:12 d"h et luchot ha'even

כל יוש מאות ושלש עשרה מצוות בכלל עשרת הדברות הן, ורובנו סעדיה פרש באזהרות שישס לכל דבור ודבור מצוות התלויות בו:

*All 613 mitzvot are included in the ten commandments. Rabbeinu Saadia Gaon specified in the work that he "
".composed all the mitzvot dependent on each and every commandment*

Berachot 5a

אמר רבי לוי בר חמא, אמר רבי שמעון בן לקיש, מאי דכתיב "ואתנה לך את לחת האבן והתורה והמצוה אשר כתבתי להורתם" (שמות כד, יב). "לחת" אלו עשרת הדברות, "תורה" זה מקרא, "והמצוה" זו משנה, "אשר כתבתי" אלו נביאים וכתובים, "להורתם" זה תלמוד, מלמד שכולם נתנו למשה מסיני:

Rabbi Levi Bar Hama said in the name of Rabbi Shimon Ben Lakish, why does it says: 'I gave you the stone' tablets, and the Torah, and the mitzvah, which I wrote to instruct Bnai Yisrael' (Shmot 24:12)? 'Tablets' are the ten commandments; Torah is the Written Torah; mitzvah is Mishnah; which I wrote is Nevi'im and Ketuvim; to instruct is Talmud; this teaches that all of them were given to Moshe at Sinai

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Yoma 72b

אמר רבי יוחנן, שלשה זירים הן: של מזבח, ושל ארון, ושל שלחן. ושל מזבח - זכה אהרן ונטלו. ושל שלחן - זכה דוד ונטלו. ושל ארון - עדיין מונח הוא, כל הרוצה ליקח - יבא ויקח. שמה תאמר פחות הוא, תלמוד לומר: "בי מלכים ימלוכו" (משלי ח, טו). רבי יוחנן רמי. כתיב: "זר", וקרינו "זיר". זכה - נעשית לו זיר, לא זכה - זרה הימנו:

Rabbi Yochanan said, there are three crowns: The Altar, the Aron, and the Shulchan. The Altar - Aharon merited and took it. The Shulchan - David merited and took it. The Aron - it is laid out, and whoever wants to take it can come and take it. And lest you say it is lesser because of this, it says: 'Through me i.e. Torah kings will reign' (Mishlei 8:15). Rabbi Yochanan raised a contradiction: It is written 'stranger' but read 'crown'? If a person is worthy, they can be made for him into a crown, but if not, a stranger

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See Sanhedrin 4b in particular for a lengthy discussion. This debate is referred to as יש אם למקרא או יש אם למסורת. on the topic

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Rabbeinu Bachya to Bemidbar 11:15 d"v ve'im kacha at oseh li

כי בספר תורה שאינו מנוקד יוכל האדם לקרוא ... כי האותיות כשאין מנוקדות סובלות כמה כוונות ומתחלקות לכמה ניצוצות, ומפני זה נצטוונו שלא לנקוד ספר תורה כי משמעות כל מלה ומלה לפי הנקוד ואין משמעותה עם הנקוד כי אם ענין אחד, ובלתי נקוד יוכל האדם להבין בה כמה ענינים נפלאים רבים ונכבדים והבן זה, תצטרך אותו בהרבה מקומות, כגון ... (שמות ב'ה') ותשלח את אמתה ותקחה, שהוא לשון שפחה, ואנו יכולים לקרוא אמתה, מלשון (דברים ג'י"א) באמת איש, וכן הבינו אותה רז"ל במדרש שאמרו אשתרבוּבֵי אשתרַבב, ורבים זולתם:

Because a Sefer Torah is not vowelized, a person can read in various ways ... for the letters which are not vowelized can tolerate many different interpretations and can be split into multiple sparks, and because of this it was commanded not to vowelize a Sefer Torah, for the meaning of every word is based on the vowelization, and if a word is vowelized its meaning is only in one sense, but without vowels a person can understand from it multiple great and wondrous ideas. Understand this, for you will need it in many places. For example ... 'She sent her maidservant out and took it' (Shmot 2:5), where it means a maidservant, but we could also read it as 'her arm' where it means: 'In the arm length of a man' (Devarim 3:11), and this is how the Rabbis understood it in the midrash (Sotah 12b) when they said: 'It became much longer'. And there are many other examples as ".well

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:Many examples of this method abound in the Rabbinic literature. For example

Berachot 7b

ואמר רבי יוחנן משום רבי שמעון בן יוחאי: מותר להתגרות בְּרָשָׁעִים בְּעוֹלָם הַזֶּה, שְׁנֵאמַר: "עֲזָבִי תוֹרָה יִהְיֶה לְרָשָׁע וְשִׁמְרֵי תוֹרָה יִתְגָּרוּ בָּם" (משלי כח, ד). תִּנָּא נְמִי הָכִי, רַבִּי דֹּסְתַאי בְּרַבִּי מְתוֹן אוֹמֵר: מוֹתֵר לְהִתְגָּרוֹת בְּרָשָׁעִים בְּעוֹלָם הַזֶּה, שְׁנֵאמַר: "עֲזָבִי תוֹרָה יִהְיֶה לְרָשָׁע" וְגו' ... אִינִי? וְהָאֵמַר רַבִּי יִצְחָק: אִם רָאִיתָ רָשָׁע שֶׁהִשְׁעָה מִשְׁחָקָת לֹא אַל תִּתְגָּרָה בּוֹ, שְׁנֵאמַר: "יִחִילוּ דְרָכָיו בְּכָל יָמָיו" (תהלים י, ה) ... וְאִי־בִעִית אִימָא: הָא וְהָא, בְּרָשָׁע שֶׁהִשְׁעָה מִשְׁחָקָת לֹא, וְלֹא קִשְׁיָא, הָא, בְּצַדִּיק גָּמוֹר, הָא, בְּצַדִּיק שְׂאִינוּ גָּמוֹר. דְּאָמַר רַב הוֹנָא: מֵאִי דְקָתִיב, "לִמָּה תִּבְטִיט בּוֹגְדִים תִּתְּרִישׁ בְּבִלְע רָשָׁע צַדִּיק מִמֶּנּוּ" (חבקוק א, יג), וְכִי רָשָׁע בּוֹלֵעַ צַדִּיק? וְהָא קָתִיב: ה' לֹא יַעֲזֹבֶנּוּ בְּיָדוֹ (תהלים לז, לג), וְקָתִיב: "לֹא יִאָּנֶה לְצַדִּיק כָּל אֹנִי" (משלי יב, כא). אֵלָּא: צַדִּיק מִמֶּנּוּ בּוֹלֵעַ, צַדִּיק גָּמוֹר אִינוּ בּוֹלֵעַ:

Rabbi Yochanan said in the name of Rabbi Shimon Bar Yochai, it is permitted to provoke the wicked in this world and not be afraid, as it says: 'Those who abandon Torah will praise wickedness, but those who keep Torah shall fight them' (Mishlei 28:4). It was taught similarly, Rabbi Dostai BeRabbi Mattun said, it is permitted to provoke the wicked in this world and not be afraid, as it says: 'Those who abandon Torah will praise wickedness, but those who keep Torah shall fight them' ... But is this so? Does Rabbi Yitzchak not say, if you see that a wicked person is having his hour, do not provoke him, as it says: 'His ways prosper at all times' (Tehillim 10:5)? ... If you want, you can say that both are referring to a wicked person who is having his hour, and still it is not a contradiction: the first is referring to somebody completely righteous, while the second is referring to somebody who is not completely righteous, as Rav Huna said, why does it say: 'Why do You look on those who deal treacherously and hold Your peace, when the wicked swallows the man more righteous than he' (Habbakuk 1:13) - does the wicked swallow the righteous? Does it not say: 'Hashem will not leave the righteous in the hand of the wicked' (Tehillim 37:33), and: 'No harm shall befall the righteous' (Mishlei 12:21)? Rather, the wicked man ".swallows the man more righteous than him, but he does not swallow someone who is completely righteous

66 Though Rabbi Shimon Bar Yochai does not allude to it, Torah's primacy can also be understood from the fact that the Aron is the first of the utensils commanded (Shmot 25:10-16), and it was the only utensil whose location geographically was in the *kodesh hakodashim*, the most hallowed and holy section of the Mishkan.

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There are other versions of the three crowns found in various aggadic works. For example, in one place Torah is swapped for the birthright of the firstborn, while in another it is replaced with holiness

Tanchuma Yelamdenu Vayechi 9

שלשה כתרים היו בידך, כהונה מלכות ובכורה:

"There are three crowns in your hand: Kehunah, Malchut and the birthright of the firstborn"

Vayikra Rabbah 24:2

אמר רבי יודן קתיב: ואתה מרום, רוממות אתה נוהג בעולמו, נתת קהנה לאהרן לעולם (במדבר יח, יט): ברית מלח הוא, נתת מלכות לדוד לעולם, שנאמר (דברי הימים ב יג, ה): הלא לכם לדעת כי ה' אלהי ישראל נתן ממלכה. נתת קדושה לישראל לעולם, שנאמר: קדשים תהיו (ויקרא יט, ב):

Rabbi Yudan said, it is written: 'You are raised up' - this means You practice raising up in Your world. You gave Kehunah to Aharon forever, as it says: 'It is a covenant of salt' (Bemidbar 18:19). You gave Malchut to David forever, as it says: 'Do you not know that Hashem the G-d of Yisrael gave dominion' (Divrei HaYamim Bet 13:5).

"And You gave holiness to Yisrael forever, as it says: 'You shall be holy (Vayikra 19:2)

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Mishnah Horayot 3:8

כהן קודם ללווי, לוי לישראל, ישראל לממזר, וממזר לנתיני, ונתיני לגר, וגר לעבד משחרר. אימתי, בזמן שכלן שוין. אבל אם היה ממזר תלמיד חכם וכהן גדול עם הארץ, ממזר תלמיד חכם קודם לכהן גדול עם הארץ:

Kohen precedes Levi, Levi precedes Yisrael, Yisrael precedes a bastard, a bastard precedes a Natin, a Natin precedes a convert, and a convert precedes a freed servant. When is this the case? When they are all equal in knowledge and wisdom. But if the bastard was a scholar while the Kohen Gadol was an ignoramus: a bastard precedes an ignorant Kohen Gadol

Tosefta Horayot 2:8

חכם קודם למלך ישראל מת חכם אין לנו כיוצא בו מת מלך ישראל כל ישראל ראויים למלכות:

A scholar precedes the King of Yisrael, for if a scholar dies there is no one like him to replace him while if the King of Yisrael dies - all of Yisrael are worthy of Malchut

Biblical Triumvirate

The three crowns connote positions of authority, and Rabbi Shimon Bar Yochai is ostensibly using the decorative ones present in the Mishkan to highlight the political machinations of Bnai Yisrael's different branches of government throughout the history of Nevi'im, in particular the period of the Kings. These three realms were filled by specific individuals throughout the generations, and those areas of dominion were meant to interact with each other in a particular way. The crown of Malchut was filled by the actual ruler, the man or woman who led the people and exerted control over any and all political affairs. This crown was filled by various judges during the era of Shoftim and by actual kings once the monarchy was established in the days of Shaul and David. The crown of Kehunah was filled by the Kohen Gadol, one of Aharon's descendants who was chosen as the head Kohen and who was responsible for the ritual and service related to the Mishkan and eventually the Beit HaMikdash. The crown of Torah was filled by the head Navi, a spiritual figure, a prophet who received communications from HaKadosh Baruch Hu and who oftentimes had an audience with the other crowns on matters ranging from the sundry and everyday to those of righteousness and moral guidance.

There are several instances where these three crowns interacted and influenced one another in a way that was crucial to the unfolding of Jewish history during that period. Ideally the three crowns work together in unison, towards a common goal, usually in the context of the King choosing whether or not to listen to the Navi, and being either helped or hindered in his prospects by the Kohen Gadol. This was indeed the case at several critical junctures, where things went well for kings who were humble and deferred to the other crowns, and went poorly if they decided to ignore them. For example, Yoshiyahu was entirely unaware of the existence of a Sefer Torah until Hilkiyahu the Kohen Gadol showed one to him; this caused him to spearhead a mass revivalist *teshuvah* movement which, as Huldah the Nevi'ah prophesied, in turn spared him from the calamity destined to befall the kingdom after his death. On the other hand, Yoshiyahu later refused to pay heed to Yirmiyahu's warning to let Pharaoh Necho pass through in peace, ⁶⁹ and his insistence to meet the Egyptian king in battle led to his untimely death (Divrei HaYamim Bet 34 and 35).

Another example is Uzziyahu, the righteous king who listened to the visions of Zechariah, prophet of G-d, and was incredibly successful against his enemies. However, he became

arrogant and corrupt as a result of his strength, and refused to obey the warning of Azaryahu the Kohen Gadol not to bring incense into the Temple, that being reserved exclusively for the Kohanic descendants of Aharon; he was punished with leprosy and remained hidden away for the rest of his days until his death (Divrei HaYamim Bet 26).

Another noteworthy example of this is how Yoash was hidden away in safety as a young boy by Yehoyada the Kohen Gadol, who subsequently assisted him in gaining power and ascending the throne. As long as Yoash listened to Yehoyada and followed his mentorship, he was successful and G-d fearing. After Yehoyada's death, however, Yoash was corrupted by people in his court, and eventually condoned the murder of his son Zechariah, a man who was both a Navi and the Kohen Gadol in his own right (Divrei HaYamim Bet 24).

There are many other stories which describe this dynamic, and the text continually drills home the larger theological point: when there is discord and a lack of unity between the three crowns, disaster awaits the Jewish people. If the King does not lend an ear to the Navi - whether he is preaching a religious exhortation such as the removal of *Avodah Zarah*, or providing a purely political suggestion such as whether the King should surrender to Bavel - HaKadosh Baruch Hu hides His face from the Jewish people. Similarly, if the King turns against the Kohen Gadol and goes his own way, it ends up leading to unwanted consequences for him. It is only when the representatives of each crown are all on the same page and dealing honestly with each other that Bnai Yisrael are also united, prosperous and righteous.

This system of checks and balances between the three crowns was the de facto leadership model which developed during Biblical times and existed until the beginning of the *Bayit Sheni* period. At that point the crown of Malchut was represented by Zerubavel - a descendant of the Davidic line - the crown of Kehunah was represented by Yehoshua the Kohen Gadol, and crown of Torah was represented by the last of the Nevi'im: Hagai, Zechariah, and Malachi, and in the early days of the return from exile the crowns all worked together in harmony as attested to by the *neviim*.⁷⁰ These crowns are well identified throughout early Jewish history, but it is Rabbi Shimon Bar Yochai who formally defines them as the official spheres of leadership on the national level. All of Bnai Yisrael, as it were, are crowned with these three things, and in each generation certain people merit to wear them.] Although only certain individuals within Bnai Yisrael are actually kings, priests and scholars, t[hese] crowns conceptually and metaphysically rest upon the entire nation.

The scope and breadth of these crowns can be applied to a sub-collective of the Jewish people as a whole; each individual belongs not just to Bnai Yisrael but also to a particular tribe, be it Kohanim from the tribe of Levi, Kings from the tribe of Yehudah, or Torah scholars from any of the twelve tribes. Is it possible that - in some sense - each of these crowns also rests upon each tribe as well?

ויבואו עד גורן האטד (בראשית נ, י) ... תנא כולם למלחמה באו, כיון שראו כתריו של יוסף תלוי בארונו של יעקב, נטלו כולן כתריו ותלאום בארונו של יעקב.

תנא שלשים וששה כתרים נתלו בארונו של יעקב: ⁷¹

"They reach the threshing floor of Atad' (Breishit 50:10) ... It was taught: They all came ready for battle, but once they saw Yosef's crown hanging on Yaakov's coffin, each the sons of Esav, Yishmael and Keturah took off his crown and also hung it on Yaakov's coffin.

It was also taught: They hung thirty-six crowns on Yaakov's coffin." ⁷¹

After Yaakov Avinu passed away Yosef organized a massive funeral procession, escorting him with an entourage including his brothers from Egypt to Eretz Canaan. The Talmud discusses how the sons of Esav, Yishmael, and Keturah came to the funeral intent on waging war with Yaakov's sons, but once they saw Yosef's crown hanging on the coffin they were placated and also hung their own crowns onto it in solidarity. The Talmud then mentions in the next line - introduced with the word *tanna*, it was taught - that 36 crowns were hung on Yaakov's coffin.

There are two ways to interpret this passage. The first way is to view the second passage as an addendum to the first, a corollary detail to the prior story. In that case, the thirty-six crowns described must have been hung by the sons of Esav, Yishmael, and Keturah; this is how Rashi explains the passage. ⁷² However, it is also possible to read the second passage as an independent teaching. The Talmud is bringing it here because it is already on the subject of crowns decorating Yaakov's coffin, and so the number of crowns is directly relevant. However, the owners of those crowns do not necessarily have to be the three groups mentioned in the previous teaching. ⁷³

If we accept this idea, then the 36 crowns can be interpreted as originally belonging to, not Yaakov's enemies, but his sons that accompanied his body during the burial procession. It follows that equally allocating 36 crowns among twelve tribes would indicate three crowns

for each son. And while the crowns of Malchut and Kehunah cannot apply in the literal sense to tribes other than Yehuudah and Levi respectively, this imagery of three crowns for each tribe, the eponymous Bnai Yisrael, all hanging on the coffin of their father Yaakov, evokes a sense of unity and togetherness that ultimately the crowns are meant to represent in their purest form. ^{^74^}

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Ta'anit 22b

אמר רבי שמואל בר נחמני אמר רבי יונתן: מפני מה נענש יאשיהו מפני שהיה לו לימלך בירמיהו ולא נמלך:

Rabbi Shmuel Bar Nahmani said in the name of Rabbi Yonatan, why was Yoshiyahu punished by dying at the "hands of Pharaoh Necho? Because he should have consulted with Yirmiyahu and did not consult with him

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Haggai 1:12-14

וישמע זרובבל בן שלתיאל ויהושע בן יהוצדק הכהן הגדול וכל שארית העם בקול ה' אלקיהם ועל דברי חגי הנביא כאשר שלחו ה' אלקיהם וייראו העם מפני ה' ויאמר חגי מלאך ה' במלאכות ה' לעם לאמר אני אתכם נאם ה' ויער ה' את רוח זרובבל בן שלתיאל פחת יהודה ואת רוח יהושע בן יהוצדק הכהן הגדול ואת רוח כל שארית העם ויבאו ויעשו מלאכה בבית ה' צ-באות אלקיהם:

Zerubavel Ben Shealtiel, Yehoshua Ben Yehotzadak the Kohen Gadol and all that were left of the nation of Hashem their G-d listened to His voice and to the words of Haggai the prophet which Hashem their G-d sent to them; the nation was afraid before Hashem. Haggai the messenger of Hashem said to the nation, saying: I am with you, says Hashem. Hashem roused the spirit of Zerubavel Ben Sheltiel the governor of Yehudah, and Yehoshua Ben Yehotzadak the Kohen Gadol, and the spirits of all that were left of the nation, and they came and "performed the work on the house of Hashem Tzeva'ot their G-d

71 Sotah 13a.

71 Sotah 13a.

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Rashi to Sotah 13a d"h shloshim veshisha ketarim

י"ב נשיאים דישמעאל וכ"ג אלופים נמנו בעשו:

These thirty-six crowns corresponded to the twelve princes of Yishmael and the twenty-three chieftains of Esav "and one more for the sons of Keturah

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An even more radical suggestion would be to argue that not only is the second passage not commenting directly on the first, but that the two are not even in agreement and actually record conflicting traditions on the number of crowns present on Yaakov's coffin and who they belonged to. Although Rashi attempts to explain how the 36 crowns match up with the sons of Esav, Yishmael and Keturah, there are chronological issues with his idea

Rashash to Sotah 13a d"h shloshim veshisha ketarim

עיינ רש"י. וקשה דהא האלופים השניים עדיין לא היו אז בעולם דהם היו אחר מיתת הדור האחרון בשמנה המלכים בימי שאול

See Rashi. And his explanation is difficult, for there were chieftains of Esav that were not yet in the world, for" "... they came into existence after the death of the last generation of the eight kings, in the days of Shaul

In this sense separating the second passage from the first removes the need Rashi was motivated by to tie the numbers together, and instead the passage as a whole can be approached as two distinct teachings about the number of crowns on Yaakov's coffin, the first of which believes that three groups of adversaries hung crowns - presumably four, one for each group in addition to Yosef's own crown, though the number is not specified - while the second believes that it was the remaining brothers who hung crowns, three for each one and totaling 36 including Yosef's own three crowns

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A similar idea can perhaps be found in a teaching regarding the death of another tzaddik: Chizkiyahu, King of Yehudah. At his death there were 36,000 people, and according to Tosafot the number 36 is derived from the word 'lo', meaning him i.e. Chizkiyahu himself. This is parallel to the 36 crowns placed on Yaakov's coffin and all symbolizing brotherly unity under him i.e. Yaakov himself, and the word 'lo' is even used regarding Yaakov's death just as it is for Chizkiyahu

Breishit 50:12

וַיַּעֲשׂוּ בָנָיו לְוֵן כְּפֶאֱשֶׁר צִוָּהוּ:

"Yaakov's sons did for him as he had commanded them"

Bava Kamma 17a

ת"ר וכבוד עשו לו במותו (דברי הימים ב לב, לג) זה חזקיה מלך יהודה שיצאו לפניו שלשים אלף חלוצי כתף דברי רבי יהודה א"ל רבי נחמיה והלא לפני אחאב עשו כן אלא שהניחו ס"ת על מטתו ואמרו קיים זה מה שכתוב בזה:

The Rabbis taught: 'They afforded Chizkiyahu honor in his death' (Divrei HaYamim Bet 32:33). This is" Chikiyahu, King of Yehudah, for 36,000 bare-shouldered men went out before him. Rabbi Nehemiah said to him, did they not also go out before Achav who was wicked? Rather, they placed a Sefer Torah on his bier and said: "This one the king fulfilled that which was written in this one the Sefer Torah

Tosafot to Bava Kamma 17a d"h shloshim veshisha elef

לו בגימטריא הכי הוי:

"The word for 'him' in Hebrew is 'lo', which in Gematria is equal to 36"

A Good Name

Given Rabbi Shimon Bar Yochai's insistence that meriting the crown of Torah is like meriting all three crowns at once, it is somewhat surprising that elsewhere he mentions another crown being even greater:

רַבִּי שִׁמְעוֹן אוֹמֵר, שְׁלֹשָׁה כְּתָרִים הֵם, כְּתֵר תּוֹרָה וְכְתֵר כְּהֻנָּה וְכְתֵר מַלְכוּת, וְכְתֵר שֵׁם טוֹב עוֹלָה עַל גְּבִיּהוֹ: ⁷⁵

"Rabbi Shimon said, there are three crowns: the crown of Torah, the crown of Kehunah, and the crown of Malchut; and the crown of a good name supersedes them all." ⁷⁵

The crown of Torah is above the crowns of Malchut and Kehunah, but the crown of a good name is above even that of Torah. While the crowns of Kehunah and Malchut can only be inherited, the crown of Torah can be earned through study and effort; the crown of a good name can also be earned by anyone, and its reach is much greater than Torah.⁷⁶ One variant of Rabbi Shimon Bar Yochai's teaching has an even farther-reaching conclusion: the crown of a good name is infinitely greater than that of the others, for while the crown of Torah travels for three days, the crown of a good name has no limit and can travel infinitely far in either direction.⁷⁷

Combining this last variant of Rabbi Shimon Bar Yochai's teaching found in Kohelet Rabbah with the one in Shmot Rabbah (see above **Note 56**) conveniently allows us to assign quantitative values, or points, to each of the crowns under discussion. The crowns of Kehunah and Malchut are described as the lowest-ranked and as equal to one another, similar in their hereditary nature and their having ceased to exist as proper functions with the destruction of the Beit HaMikdash. Each of these crowns is equal to one point. The crown of Torah is superior to either of the other crowns, and Shmot Rabbah informs us that one who merits it, *"it is as if he merits all of the crowns."* The crown of Torah is therefore equal to three points, since it is the sum of three individual crowns - each of which is worth one point - and larger than any one of them on its own. This assignment of three points also ties nicely into Kohelet Rabbah's source for Torah's extent as three days' journey, which it juxtaposes to a good name whose extent is infinite, surrounding the entire world.

What does *shem tov*, a good name, mean in this context, and why does it sit atop the other three crowns? The simple, straightforward understanding that a good name refers to somebody's reputation and actions.⁷⁸ If a person is righteous and pleasant, if he is known for his kindness and he is popular and well-liked, then he has a "good name". The other three crowns are inferior to this one, because in order for somebody to be an effective leader - whether that title is inherited such as with Malchut or Kehunah, or whether it is acquired such as with Torah - he must have the trust and respect of the people he is leading. A king without a kingdom has nothing to rule.

However, there is another way to interpret the phrase *shem tov* in this midrash, namely in the spirit of its most famous application. The founder of Chassidut was known as the Ba'al Shem Tov, the master of the Good Name, and he lived in a time where there were many Ba'alei Shem wandering around in Eastern Europe. Master of the Name, or Good Name, is a

reference to someone who knows how to write amulets or special scrolls that contain holy names of G-d in order to ward off evil spirits and demons. It follows that *shem tov* can also be understood to mean not "a good name" in a generic sense, but "the Good Name" is a very specific sense: a moniker for HaKadosh Baruch Hu Himself.⁷⁹

If understood this way, our Mishnah takes on an entirely new meaning. None of the three crowns can be successful unless they have the crown of the Good Name above them; put differently, no Jewish leader can be successful without a proper and constant recognition of G-d, without working and serving with a sense of who the King of Kings is. To use perhaps a more mundane terminology: no one can govern effectively in any branch of government unless he carries himself with a profound sense of responsibility, as a servant for a higher purpose and the greater good, namely the well-being of the people he is responsible for. For Jewish leaders this higher purpose is not just the prospering of Bnai Yisrael, but also the glorification of His Name in the world, an overabundance of good and moral behavior that the other nations of the world will apprehend and come to recognize His dominion and Name as a result.⁸⁰ In fact, one midrashic tradition frames the requirement to erase the memory of the wicked Amalek as a prerequisite to enabling His Name and kingship to become unified in the world.⁸¹

Since the crown of Torah is greater than those of Kehunah or Malchut, and given that the crown of a good name is *oleh al gabeihen*, which literally means "above them" i.e. the other three crowns, we can take this ranking scale inferred from this midrash in all of its variations and visualize it using the numerical system discussed above.⁸² It is this image which reveals the ultimate secret of Hur's character, and unlocks a powerful understanding of just how deep the thematic brilliance employed by the aggadic sages truly runs.

75 Pirkei Avot 4:13.**75 Pirkei Avot 4:13.**

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An expanded midrashic exposition of Pirkei Avot adds onto Rabbi Shimon Bar Yochai's teaching by combining it with Rabbi Yochanan's opinion that the greatness of Torah comes from its democratic nature

Avot DeRabbi Natan 1:41

רבי שמעון אומר ג' כתרין הם אלו הן. כתר תורה. וכתר כהונה. וכתר מלכות. וכתר שם טוב עולה על גביהן. כתר כהונה כיצד אפילו נותן כסף וזהב שבעולם אין נותנין לו כתר כהונה שנאמר והיתה לו ולזרעו אחריו ברית כהנת עולם (במדבר כ"ה י"ג). כתר מלכות אפילו נותן כל כסף וזהב שבעולם אין נותנין לו כתר מלכות שנאמר ודוד עבדי נשיא להם לעולם (יהזקאל ל"ז כ"ה). אבל כתר תורה אינו כן. עמלה של תורה כל הרוצה ליטול יבא ויטול שנאמר הוי כל צמא לכו למים (ישעיה נ"ה א'):

Rabbi Shimon Bar Yochai said, there are three crowns: a crown of Torah, a crown of Kehunah and a crown of Malchut; and the crown of a good name supersedes them all. The crown of Kehunah: even if one were to give all the silver and gold in the world, they would not give him the crown of Kehunah, as it says: 'It will be for him and his descendants after him a priestly covenant forever' (Bemidbar 25:13). The crown of Malchut: even if one were to give all the silver and gold in the world, they would not give him the crown of Kehunah, as it says: 'David my servant will rule over them forever' (Yechezkel 37:25). But the crown of Torah is not this way; rather, whoever wants it can come take it, as it says: 'Whoever is thirsty, let them go to the water' (Yishayahu 55:1)

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Kohelet Rabbah 7:1

אמר רבי שמעון בן יוחאי, חביב שם טוב מארון הכהן, שארון הכהן לא הלך אלא שלשה ימים, שנאמר (במדבר י', לג): וארון ברית ה' נסע לפניהם. ושם טוב הולך מסוף העולם ועד סופו, מנא לו, מדוד, שנאמר (דברי הימים א יד, יז): ויצא שם דוד בכל הארצות וה' נתן את פחדו על כל הגוים, חביב שם טוב מכהנה ומלכות, שכהנה ומלכות בטלו, ושם טוב לא בטל:

Rabbi Shimon Bar Yochai said, a good name is more beloved than the Aron, because the Aron only travels for three days, as it says: 'The Aron of Hashem traveled before them for three days' (Bemidbar 10:33), while a good name travels from one end of the world to the other. How do we know this? From David, as it says: 'David's name went out to all the lands, and Hashem instilled a fear of him in all the nations' (Divrei HaYamim Aleph 14:17). A good name is more beloved than Kehunah and Malchut, for both Kehunah and Malchut have ceased while a good name has not and never will cease

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Rabbi Ovadiah MiBartenura to Pirkei Avot 4:13 d"h v eketer shem tov

מי שיש בידו מעשים טובים ושמועתו טובה מחמת מעשיו, לא מצינו לו כתר בתורה שיהיו חייבים לנהוג בו כבוד, והוא עולה על גבי כולן, שכל השלשה כתרים צריכים לו:

Whoever has in his hand good deeds, and his reputation is good because of his deeds - about such a person we do not find a crown in the Torah that have to give him honor; but rather he supersedes them all, for all three of them need him

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According to the Zohar, HaKadosh Baruch Hu's name is actually the Torah itself, and they are, in their true, undifferentiated essence, one and the same

Zohar 2:90b

תאני ר' אלעזר, באלין עשר אמירן, אתגליפו כל פקודי אורייתא ... הא אורייתא שמה דקודשא בריך הוא הוי, מה שמה דקודשא בריך הוא אתגליף בעשר אמירן, אור אורייתא אתגליפא בעשר אמירן. אלין עשר אמירן אינון שמה דקודשא בריך הוא. ואורייתא כלל שמה חד הוי, שמה דדישא דקודשא בריך הוא ממש ... ר' יוסי אמר, בקודשא בריך הוא ממש זכי, (ס"א וכנסת ישראל) דהא הוא ושמיה חד הוא, בריך שמה לעלם ולעלמי עלמין אמר:

Rabbi Elazar taught: With these ten sayings i.e. the Ten Commandments all the commands of the Torah were engraved ... the Torah is the name of HaKadosh Baruch Hu: just as the name of HaKadosh Baruch Hu was engraved with ten sayings, so too the Torah was engraved with ten sayings. These ten sayings are therefore the name of HaKadosh Baruch Hu. And the Torah is all one name, the holy Name of HaKadosh Baruch Hu ... Rabbi Yosi said, they actually merited HaKadosh Baruch Hu Himself, because He and His name are unified. Blessed is His name for ever and ever, Amen

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Zechariah 14:9

יהיה יהוה למלך על כל הארץ ביום ההוא יהיה יהוה אחד ושמו אחד:

"And Hashem will be king over all the land; on that day Hashem and His Name will be one"

Mechilta DeRabbi Yishmael 17:10

רבי אלעזר המודעי אומר: כשבא עמלק להזיק את ישראל מתחת כנפי אביהם שבשמים, אמר משה לפני הקדוש ברוך הוא: רבוננו של עולם! בניך שאתה עתיד לפזרן תחת רוחות השמים, שנאמר: "כי בארבע רוחות השמים" וגו' (זכריה ב י), רשע זה בא לכלן מתחת כנפך, ספר תורה שנתת להם מי יקרא בו? ר' אלעזר המודעי אומר: אימתי יאבד שמן של אלו? בשעה שתעקר עבודה זרה היא ועובדיה ויהא המקום יחידי בעולם ותהי מלכותו לעולם ולעולמי עולמים, באותה שעה "ויצא ה' ונלחם בגוים ההם", "והיה ה' למלך" וגו' (זכריה יד ג; זכריה יד ט); "תרדוף באף ותשמידם" (איכה ג טו). ר' נתן אומר, לא בא המן אלא זכר לדורות, שנאמר: "וימי הפורים האלה לא יעברו" וגו' (אסתר ט כח):

Rabbi Elazar HaModa'i says, when Amalek came to harm Yisrael from under the wings of their Father in" Heaven, Moshe said before HaKadosh Baruch Hu: Master of the Universe, your sons who you are going to disperse across the four winds of the heavens, as it says: 'For with four winds of the heavens' (Zechariah 2:10) - this wicked one is coming to destroy them from under Your wings. The Sefer Torah that You gave them - who will read from it? Rabbi Elazar HaModa'i says, when will Amalek's name be wiped out? When Avodah Zarah and her worshippers will be uprooted; then there will be a singular place in the world, and His kingdom will be for ever and ever. At that time: 'Hashem will go out and fight against those nations' (Zechariah 14:3), 'And Hashem will be king' (Zechariah 14:9), 'Chase them with anger and destroy them' (Eicha 3:66). Rabbi Natan says, Haman did not come into the world except to cause a remembrance for all generations, as it says: 'These days of Purim shall ".not cease' (Esther 9:28)

82 As infinity is not an actual number - and infinite height cannot be represented visually - here it is represented pictorially as a cloud that encompasses and engulfs the other three numbers:

!(images/media/image4.png){width="4.451983814523184in" height="4.494792213473316in"}

Holy Unification

We have seen the concept of three crowns derived from actual things, real material utensils, items designed for the Mishkan and used in service of G-d. It was then applied to the abstract, the world of Jewish leadership and governance, the relationship between various leaders throughout the centuries in Eretz Canaan. The symbolism is explicit, its logic and meaning clear: a nation united and unified together in service of HaKadosh Baruch Hu through all the channels available to them - political and economic, material and religious, scholarly and spiritual - have the support and strength their Creator on their side; they cannot fail.

The rightful wearers of these crowns underwent numerous iterations during the rise and fall of judges and kings, priests and prophets. Yet a pressing question remains unaddressed: who were the first men to don them? Who set the precedent for what the relationship between these

separate conduits to G-d could and should be? And is there a stronger connection to their original source, the foundation of these crowns in the physical world of the Mishkan?

The first person to merit donning the crown of Kehunah is undoubtedly Aharon, appointed by G-d Himself as ancestor to all Kohanim that were to bear it after him. Similarly, the first and quintessential personification of the crown of Torah is none other than Moshe Rabbeinu, the very man who brought the Torah down from Heaven, the lawgiver who taught G-d's word to Bnai Yisrael, and ensured the beginning of its successful transmission through the ages. The crowns of Kehunah and Torah were first introduced and passed on by Moshe and Aharon; it follows that the individual supposed to bear the mantle of the third crown should have been initiated at the same time. ⁸³ Who, then, was the original paradigm of Malchut?

דָּוִד נָמִי מִמִּרְיָם קָאֵתִי דְכֵתִיב וְתָמַת עֲזוּבָה אִשָּׁת כָּלֵב וַיִּקַּח לוֹ כָּלֵב אֶת אֶפְרַת וַתֵּלֶד לוֹ אֶת חוּר (דברי הימים א ב, יט)
וְכֵתִיב וְדָוִד בֶּן אִישׁ אֶפְרַתִּי וְגו' (שמואל א יז, יב): ⁴⁶

David was also descended from Miriam, as it says: 'Azuvah died, and Kalev took Efrat as a wife, and she gave birth to Hur' (Divrei HaYamim Aleph 2:19), and it says: 'David was an Efratite' (Shmuel Aleph 17:12) ⁴⁶

There stands one man who perfectly fits the requirement: Hur, son of Kalev Ben Hetzron and Miriam Bat Amram. Effectively the third sibling to Moshe and Aharon on his mother's side, and effectively the ancestor to David HaMelech and the royal family tree on his father's side, Hur is the bridge between two worlds: the independent world of Malchut contained within the tribe of Yehudah, and the related worlds of Kehunah and Torah both found in the tribe of Levi. Only a man such as Hur could be the chosen one, the ultimate candidate for the crown of Malchut - he represented in his person and lineage all that the king is meant to embody and strive for on both a personal and communal level. He has intimate ties to the other crowns, by blood and by action, by word and by deed. Who is more fitting to exemplify and epitomize the third crown than Hur?

It is armed with this knowledge that a glorious, brilliant light is suddenly shed on the eternal relevance and importance of Amalek's attack in Shmot 17. Moshe, the crown prince of Torah, is seated on a rock in the middle. Aharon, the crown prince of Kehunah, is supporting his hand on one side; Hur, the crown prince of Malchut, is supporting his hand on the other. All three crowns thus make their first formal appearance embodied by these legendary figures of

Jewish leadership in an idyllic realization of unshakeable unity. This more than anything else is a true *emunah ad bo hashamesh*, a symbol of faith, commitment, love and brotherhood that can overcome any struggle, is necessary to defeat the polar opposite: a symbol of randomness, disloyalty, hatred and divisiveness, the evil nation of Amalek. ⁸⁴

Additionally, it was no accident that Moshe was seated in the middle of Aharon and Hur, nor was it an accident that the text goes out of its way to tell us this. Just as the Aron was first item to be commanded and constructed, found in the center of the Mishkan at the holiest epicenter of Divine immanence, and just as Torah is greater than either Kehunah or Malchut because of its constant availability, so too here: Hur and Aharon, while indispensable in their own areas of leadership, are subservient to Moshe, to Torah's superior nature. Only then can the human manifestation of all three crowns work in unison as co-leaders, dependent on each other, happy for one another, and not in competition but rather bonded as one.

Moshe, Aharon and Hur stand atop the hill, hands raised up to Heaven, three crowns united, yet still something is missing: Bnai Yisrael are only able to win the battle when the crowns' joined hands are stretched Heavenward. The Mishnah wonders why this was so:

וְהָיָה כִּאֲשֶׁר יָרִים מֹשֶׁה יָדוֹ וְגִבֹּר יִשְׂרָאֵל וְגו' (שמות יז, יא), וְכִי יָדָיו שָׁל מֹשֶׁה עוֹשׂוֹת מִלְחָמָה אוֹ שׁוֹכְרוֹת מִלְחָמָה. אֵלֶּא לֹא לֹמֵר לָהּ, כָּל זְמַן שֶׁהָיָה יִשְׂרָאֵל מְסַתְּכָלִים כָּל־פִּי מַעֲלָה וּמַשְׁעֲבָדִין אֶת לִבָּם לְאַבְיָהֶם שְׂבָשְׁמִים הָיוּ מִתְּגַבְּרִים. וְאִם לֹא, הָיוּ נוֹפְלִין: ¹⁰

"Whenever Moshe raised his hand, Yisrael would gain the upper hand' (Shmot 17:11). Did Moshe's hands make or break a battle? Rather this teaches you that whenever Yisrael would look Heavenward and subjected their hearts to their Father in Heaven, they would gain the upper hand. But if not, they would fall." ¹⁰

In order to vanquish Amalek, Bnai Yisrael had to recognize their Father in Heaven; only when they directed their eyes and hearts upward would they gain the upper hand in the fight against their enemy. Victory could not be achieved without this, no matter how unified Moshe, Aharon and Hur presented themselves as: at the end of the day it is Hashem who fights for Yisrael and ensures their success in battle. Moshe's hands directed up to Heaven symbolizes how the crown of a Good Name is above the other three crowns: our Father in Heaven is above the crowns of Torah, Kehunah and Malchut, and these are all dependent on Him in order to be successful. Only with a unification of all of Yisrael through the three crowns,

combined with the ultimate unification of HaKadosh Baruch Hu, can Yisrael win and emerge on top.^{^85^}

The image of how all the crowns interact with each other in a numerical plane (see previous **Note 82**) thus mirrors the actual arrangement of those crowns personified during the war with Amalek. Moshe was in the middle, raised up slightly on a rock, with his hands supported on both sides by the "lesser" Aharon and Hur. However, all of them reside infinitely below the Holy Name, HaKadosh Baruch Hu's presence in Heaven, which hovers above them and acts as a source of strength and motivation for all the soldiers fighting in the field.^{^86^}

This rendering of Shmot 17 also allows for an innovative midrashic rereading of the psalmist's famous praise of brotherly unity:

שִׁיר הַמַּעֲלוֹת לְדָוִד הַנָּה מְהֻבָּה וְיָמָה נֶאֱמָר שָׁבַת אֲחִים גַּם יָחֵד: כְּשֶׁמֶן הַטּוֹב עַל הָרֹאשׁ יֵרֵד עַל הַנֶּקֶן וְהַנֶּקֶן אֶהְרֹן שִׁיר עַל פִּי מְדוּתָיו: כְּטַל חֶרְמוֹן שִׁיר עַל הַרְרֵי צִיּוֹן כִּי שָׁם צִנָּה יְהוָה אֶת הַבְּרֶכֶה חַיִּים עַד הָעוֹלָם:^{^87^}

"A song of ascents, to David. Behold how good and how pleasant it is when brothers sit together. Like good oil on the head, which drips down into the beard, the beard of Aharon, that comes down over the collar of his robe. Like the dew of Hermon which comes down on the mountains of Tzion, for there Hashem commanded the blessing, everlasting life."^{^87^}

Who exactly are the brothers this *mizmor* is referring to, that it celebrates their closeness so admiringly? There are several midrashic traditions which interpret "brothers" as more of a concept than a reference to actual siblings,^{^88^} but one prominent idea notes the reference to Aharon in his priestly function in pasuk 2, and infers from this an allusion to the beauty of Aharon and Moshe's happiness for one another's greatness. Each was given a position of honor, and each was not jealous over what the other received.^{^89^} This, as Tanchuma HaKadum notes acerbically, is the exception rather than the norm, as brothers tend to be competitive and unwilling to cooperate with one another.^{^90^}

Expanding on this idea, we can now understand this *mizmor* as referring to a specific incident in Moshe and Aharon's life: the battle with Amalek in Shmot 17. Hur is the third brother of Moshe and Aharon, the heir and representative of Miriam; he is included in the designation of brothers. The three crowns are all together, and only because of that fact are Moshe's hands able to remain steady and Bnai Yisrael are able to gain the upper hand. Initially Moshe tells Yehoshua that: "*I will stand at the top of the hill*" (Shmot 17:9), yet in the end it requires too

much effort, and Moshe ends up sitting down on a rock: "*And he sat on it*" (Shmot 17:12). Moshe Rabbeinu sitting down, his brothers Aharon and Hur holding onto him as a single unit: where the three brothers are literally sitting together, unified as *שבת אחים גם יחד*, this is truly one.

Alternatively, we can expand the concept of brothers even further and suggest an alternate or acronym. The *נוטריקון* reading informed by invoking the aggadic principle of *notrikon*: for the names of the four leaders mentioned in Shmot 17 *ראשי תיבות* can be read as *אחים* word

א = אהרון ח = חור י = יהושע מ = משה

Including Yehoshua zooms out the scope of brothers from blood relatives to the more metaphorical brothers-in-arms, though as we mentioned there is midrashic precedent to interpret the word "brothers" here in the non-literal sense. Yehoshua, too, was an essential player in our drama, and he too needed to be together with Moshe and the others. It is this all-encompassing power of unity, symbolic and military combined, which must be harnessed in order to prevail over an enemy as daunting and ruthless as Amalek.

in light of Mishnah Rosh HaShanah's insight *נוטריקון* A third possibility is to slightly alter the *אחים* into Moshe's actions (see above **Note 85**) and shift the value of the *yud* in the word

א = אהרון ח = חור י = יקוק מ = משה

Now it is Moshe, Aharon and Hur who are all joined with Hashem Himself atop the mountain; it is G-d Himself, dwelling together with His chosen ones, who are described as good and pleasant by the *mizmor*. All four crowns of Rabbi Shimon Bar Yochai, including the crown of a Good Name, are necessary to successfully eradicate evil. ⁹¹

*

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While satisfying, the midrash by no means feels bound by any time constraint confining the issuance of these crowns to a single period of Jewish history, as **Note 67**. demonstrates. There are even opinions which directly assign Moshe and Aharon to the crowns of Torah and Kehunah, but then assign the crowns of Malchut and Shem Tov to David and Avraham respectively

Iyyun Ya'akov Hullin 89a d"h natati gedulah le'avraham

קחשיב ארבע גדולות לפי שיש בנו ארבעה כתר: כתר תורה וכתר כהונה וכתר מלכות וכתר שם טוב עולה על גביהם (אבות ד, יג). ובכל גדולה של ארבע גדולות אלו השפילו עצמן. אברהם שהיה לו כתר שם טוב כדכתיב: 'ואגדלה שמך' (בראשית יב, ב), וכן הוא במדרש קהלת וי"ו שהוא נקרא כך כתר שם טוב, ואפילו הכי השפיל עצמו. ומשה היה לו כתר תורה, ואהרן כתר כהונה, ודוד כתר מלכות, וכולן השפילו את עצמן. לכך חשק ה' בהם כי: 'אני את דכא' (ישעיה נז, טו):

He listed out four great things because we have four crowns: Torah, Kehunah, Malchut and a good name (Avot 4:13). In each great thing of these four great things, someone lowered himself. Avraham had the crown of a good name, as it says: 'I shall make your name great' (Breishit 12:2), and similarly in Kohelet Rabbah 6, that because of this it is called a crown of a good name, and even so Avraham lowered himself. Moshe had the crown of Torah, Aharon the crown of Kehunah and David the crown of Malchut, and all of them lowered themselves. This is why Hashem desired them, for: 'I am with the lowly' (Yishayahu 57:15)

46

.Temurah 16a

Kalev was the son of Hetzron, but once Hetzron died his widow remarried a man named Kenaz who then became Kalev's stepfather. It follows that Kalev and Otniel, who was Kenaz's son from a different woman, were maternal half-brothers

Rashi to Temurah 16a d"h horgei dekenaz

ועתניאל אחיו מן האם:

"Otniel was Kalev's blood brother from his mother"

This explanation fits nicely with the inconsistencies between sources. Kalev was raised by Kenaz but was not his actual son, so mentioning him in the context of the spies was less relevant than referring to Kalev using an appellation that teaches something about his righteousness

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The notion that Moshe, Aharon and Hur received crowns when they were unified agrees with the midrashic tradition that all of Bnai Yisrael received crowns as Har Sinai, the place where they were all also united as one

Mechilta DeRabbi Yishmael 19:2; see Rashi to Shmot 19:2 d"v vayichan sham yisrael

כל מקום שהוא אומר ויסעו ויחנו, נוסעים במחלוקת וחונים במחלוקת, אבל כאן השוו כולם לב אחד, לכך נאמ' ויחן שם ישראל נגד ההר:

Every place where it says 'they journeyed', 'they camped', it means they journeyed in strife and camped in strife." But here at Har Sinai, all of them were equal and unified with one heart. This is why it says: 'Yisrael in the singular camped there across from the mountain

Pirkei DeRabbi Eliezer 47

ר' אלעזר בן ערך אומר, כשירד הב"ה על הר סיני ליתן התורה לישראל ירדו עמו ששים רבוא של מלאכים כנגד ששים רבוא של גבורי ישראל ובידם זינות ופטרות ועטרו את כל ישראל כתר שם המפורש וכל אותן הימים עד שלא באו לאותו מעשה היו טובים לפני הב"ה כמלאכי השרת ולא משל בהם מלאך המות ולא השליכו צואה כבני אדם וכיון שעשו מעשה העגל כעס הב"ה עליהם ויאמ' לו סבור הייתי שתהיו כמלאכי השרת שני' אני אמרתי אלהים אתם ובני עליון כולכם (תהלים פב, ו) עכשו אכן כאדם תמותון וכאחד השרים תפולו (תהלים פב, ז) ... ויתנצלו בני ישראל את עדים מהר חורב (שמות לג, ו):

Rabbi Elazar Ben Arach says, when HaKadosh Baruch Hu descended onto Har Sinai to give the Torah to Yisrael, 600,000 angels descended with him to parallel the 600,000 strong men of Yisrael, and in the angels' hands were weapons and crowns, and they crowned all of Yisrael with the crown of the Holy Name. And for all the time from then until they committed that act i.e. the golden calf, they were good before HaKadosh Baruch Hu like the ministering angels. The angel of death had no control over them, and they did not excrete like men. But once they committed that act with the calf, HaKadosh Baruch Hu got angry at them and said, I thought that you could be like ministering angels, as it says: 'I said that you are gods, and all of you are sons of the Most High' (Tehillim 82:6). Now: 'Behold, you will die like men, and fall like princes' (Tehillim 82:7) ... 'Bnai Yisrael were stripped of their crowns from Har Chorev i.e. Har Sinai' (Shmot 33:6)

The crowns were stripped away from Bnai Yisrael after the sin of the golden calf, for that sin violently ripped a hole in the unity of Bnai Yisrael before their Father in Heaven. One tradition has those crowns inherited by Moshe instead, perhaps symbolizing that he and he alone was able to remain at the level of unity with Torah and G-d reached by the people at Har Sinai

Shabbat 88a

דרש רבי סימאי: בשעה שהקדימו ישראל "נעשה" ל"נשמע" באו ששים ריבוא של מלאכי השרת, לכל אחד ואחד מן ישראל קשרו לו שני כתרים, אחד כנגד "נעשה" ואחד כנגד "נשמע". וכיון שחטאו ישראל, ירדו מאה ועשרים ריבוא מלאכי חבלה ופירקום, שנאמר: "ויתנצלו בני ישראל את עדים מהר חורב". אמר רבי תמא ברבי חנינא: בחורב טענו, בחורב פרקו. בחורב טענו כדאמרן, בחורב פרקו דכתיב: "ויתנצלו בני ישראל וגו'". אמר רבי יוחנן: וכיון זכה משה ונטלן. דסמיק ליה: "וימשה יקח את האהל". אמר ריש לקיש: עתיד הקדוש ברוך הוא להחזירן לנו, שנאמר: "ויפדוני ה' ישבון ובאו ציון ברנה ושמחת עולם על ראשם" שמחה שמעולם על ראשם:

Rabbi Simai expounded, when Yisrael preceded 'we will do' with 'we will listen', 600,000 ministering angels came and tied two crowns on each and every one of Yisrael, one crown for 'we will do' and one crown for 'we will listen'. Once Yisrael sinned, 1,200,000 angels of destruction came down and removed them, as it says: 'Bnai

Yisrael were stripped of their crowns from Har Chorev i.e. Har Sinai' (Shmot 33:6). Rabbi Chama BeRabbi Chaninan says, at Chorev they put the crowns on, and at Chorev they removed them. At Chorev they put on, as was just said; at Chorev they removed them, as it says: 'Bnai Yisrael were stripped.' Rabbi Yochanan says, Moshe merited to receive all of them, and took them, as it says in the next pasuk: 'Moshe took the tent' (Shmot 33:7). Reish Lakish says, in the future HaKadosh Baruch Hu will return the crowns to us, as it says: 'And the captured of Hashem will return, and come to Tzion in gladness, and with an eternal happiness on their heads' ".(Yishayahu 35:10) - a happiness which used to be on their heads

10 Mishnah Rosh HaShanah 3:8.

10 Mishnah Rosh HaShanah 3:8.

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Malbim to Shmot 17:12 d"h vehaharon vehur tamchu

שעסקם היה לאחדות ישראל ולאחדות השי"ת:

Their goals in supporting Moshe's hands and staying on top of the hill were the unification of Yisrael and the "unification of Hashem, may He Be Blessed

86 The crown names are replaced with the actual names of their respective owners during the battle against Amalek; the arrangement echoes the physical description given of how they were situated atop the hill as Yehoshua and the people were fighting below:

!(images/media/image5.png){width="3.4791666666666665in" height="3.414886264216973in"}

87 Tehillim 133:1-3.

87 Tehillim 133:1-3.

88

Tanna DeVei Eliyahu Rabbah 13:16

ד"א הנה מה טוב וגו' עשה אדם מעשיו בילדותו והזקין וכופל את מעשיו לטובה עליו הוא אומר הנה מה טוב וגו'. ד"א קרא אדם תורה נביאים וכתובים בילדותו והזקין וכופל את מעשיו ושנה משנה ומדרש הלכות ואגדות עליו הוא אומר הנה מה טוב ומה נעים וגו'. ד"א אם האחד יושב ושונה עם חבירו עליהן הוא אומר הנה מה טוב וגו':

Another idea: 'Behold how good'. A person does good deeds in his youth, and then gets older and doubles his" good deeds - about him it says: 'Behold how good'. Another idea: A person reads Torah Nevi'im and Ketuvim in his youth, and then gets older and doubles his deeds and learns Mishnah and Midrash, halachot and aggadot - about him it says: 'Behold how good'. Another idea: If someone sits and learns with his fellow, about them it says: 'Behold how good

Tanchuma HaKadum Shmot 24

לך לקראת משה המדברה. זש"ה מי יתנך כאח לי (שה"ש ח א), ישראל אומרים להקב"ה מי יתנך כאח לי, כאיזה אח, את מוצא מתחילת ברייתו של עולם ועד עכשיו האחין שונאין זה לזה, קין שנא להבל והרגו, שנאמר ויקם קין אל הבל אחיו ויהרגהו (בראשית ד ח), ישמעאל שנא ליצחק, שנאמר ותרא שרה את בן הגר המצרית אשר ילדה לאברהם מצחק (שם כא ט), ואין מצחק אלא שביקש להרגו, שנאמר יקומו נא הנערים וישחקו לפנינו (ש"ב ב יד), ועשו שנא ליעקב, שנאמר ויאמר עשו בלבו וגו' (בראשית כז מא), והשבטים שנאו ליוסף, שנאמר וישנאו אותו (שם לו ד), וכאיזה אח, אמרו ישראל כמשה ואהרן, שנאמר הנה מה טוב ומה נעים וגו' (תהלים קלג א), שהיו אוהבים זה לזה, ומחבבים זה לזה, שבשעה שנטל משה את המלכות, ואהרן כהונה גדולה, לא קנאו זה לזה, אלא היו שמחין, זה בגדולת זה, וזה בגדולת זה:

Go meet Moshe in the desert' (Shmot 4:27). This is as it says: 'If only you were my brother' (Shir HaShirim 8:1). Yisrael say to HaKadosh Baruch Hu, 'If only you were my brother' - which brother? You find that from the beginning of the world until today brothers hate each other. Kayin hated Hevel and killed him, as it says: 'Kayin stood against his brother Hevel and killed him' (Breishit 4:8). Yishmael hated Yitzchak, as it says: 'Sarah saw the son of Hagar the Egyptian that was born to Avraham playing' (Breishit 21:9), and there is no playing other than seeking to kill, as it says: 'Let the youths stand up before us and play' (Shmuel Bet 2:14). Esav hated Yaakov, as it says: 'Esav said in his heart' (Breishit 27:41). The tribes hated Yosef, as it says: 'They hated him' (Breishit 37:4). So like which brother? Yisrael said, like Moshe and Aharon, as it says: 'Behold how good and how pleasant it is when brothers sit together' (Tehillim 133:1), because they loved one another, and were dear to one another. For when Moshe took the kingship and Aharon took the Kehunah Gedolah, they were not jealous of one another, but "rather were happy, each for the greatness of the other

90 This concept is explored in depth in **Chapters II and III**.

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The *mizmor* also makes reference to good oil in pasuk 2, which reminds us of Kohelet's declaration that a good name is better than good oil; in particular, while this particular good oil is described as descending down Aharon's beard, the Good Name is up above Aharon and the other two crowns

Kohelet Rabbah 7:1

טוב שם משמן טוב, שמן טוב יורד, ושם טוב עולה. שמן טוב לשעתו, ושם טוב לעולם. שמן טוב כלה, ושם טוב אינו כלה. שמן טוב בדמים, ושם טוב בחנם. שמן טוב נוהג בציים, ושם טוב נוהג בציים ובמתיים. שמן טוב בעשירים, ושם טוב בעניים ובעשירים. שמן טוב מהלך מקיטון לטרקליו, ושם טוב הולך מסוף העולם ועד סופו:

A name is better than good oil' (Kohelet 7:1). Good oil descends, while a good name ascends. Good oil is "temporary, while a good name is eternal. Good oil finishes, while a good name never finishes. Good oil costs money, while a good name is free. Good oil is applicable for the living, while a good name is applicable for the living and the dead. Good oil is for the rich, while a good name is for the poor and the rich alike. Good oil goes "from the entrance to the main hall, while a good name goes from one end of the world to the other

Part 3: Divine Justice

Introduction

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Introduction

Perhaps more than any other, these midrashim all dance around the singular question of what makes somebody a leader. There are two basic models of how a leader should be chosen, and the Torah oscillates back and forth between them, oftentimes embracing the tension between them and using the dynamic engendered by their conflict to flesh out the complexities hiding the benefits and faults of each one. The first portrait of a leader is that of somebody born into the job. Dynastic inheritance, ranging from monarchical absolutism to levitical priesthood, the primacy of firstborn - all these speak to a belief that being born into a certain caste predestines a man to a certain position in society. This concept suffers from delegitimizing man's character as a very real qualifying aspect of his ability to lead effectively. The other perspective weighs a persons' actions and character as primary: a leader is not born, but made. In the most extreme form, this concept requires a leader to come from the outside, to be excluded, in order to earn his way into the halls of power. A person born into privilege cannot earn that position since he was given it for free to begin with; effectively, this idea punishes those fortunate to be born into leadership as unworthy of rule.

Both models have their merits, but alone each one is incomplete, rewarding some at the expense of others and giving preference unfairly. The Torah recognizes this, and therefore does not propose a one-size-fits-all model for leadership, instead striking a balance, telling stories of both great heroes and colossal failures from both models while never directly addressing the question head on, letting the stories paint a grayer and more nuanced picture. Avraham, Moshe, Aharon, David, heads and founders of new eras in Jewish history - these men were not born into greatness, but rather chosen for it by G-d. Commanded, coerced and anointed, each had his own story, yet they all shared a common iconoclastic undercurrent, shaping their own respective destinies and defining the greatness that was to follow them on their own terms, all while knowing full well their success was contingent on G-d's blessing

and approval. Yet Yitzchak, Yaakov, Pinchas, the righteous kings of Davidic descent such as Chizkiyahu or Yoshiyahu - these are men who also merited the mantle leadership, even though it came to them through nepotism and birth status, but would not necessarily have been effective leaders had it not been given to them at the outset. Does a leader need to fight for his position, to protest the presumed fate given to him by birth and redefining what his fate actually is? Or are some people deserving of greatness because of circumstance, environment, destiny?

Two portraits of Hur have emerged from the midrashim which use him as a microcosm symbolizing these varied expectations for leadership. Hur was born into greatness, at the nexus of the Levitic elite and the seeds of monarchic royalty. Similarly, his grandson Betzalel was destined from the beginning of the world to build the Mishkan, and was showered with wisdom, insight and knowledge from above. Yet at the same time it was action which demonstrated Hur's right to rule: He was loyal to G-d, defending Him in the face of certain death, and having been tested in a way most people are not, proved his merits as a leader. Similarly, Betzalel demonstrates an ability to apply his wisdom in a way that retroactively seems to justify his lofty position.⁹² Clearly, then, the answer is not one model or the other, but a combination of both; while the two approaches are different, they can easily be seen as complementary instead of contradictory.

The dichotomy between a leader being born and raised and therefore "pre-chosen" versus a leader charting his own path and meriting his legacy is meant to teach us an important lesson regarding leadership: In the eyes of the Torah, both are true, and ideally both are found in the same person. The Torah is unapologetic on the following point: there is absolutely value and merit, on some level and in some sense, to an inherited relationship. For evidence look no further than the good kings and Kohanim that appear later in Tanach. Lineage and birthright are important concepts in Biblical, and to a lesser extent Rabbinic, Judaism, and it plays heavily into how many leaders enshrined in the national consciousness were chosen. Even though David was anointed and had to fight tooth and nail to carve out the monarchy for himself, he was simultaneously still somehow, paradoxically, descended from the very tribe that had to rule. While this idea may be less palatable to modern Western sensibilities, it cannot be dismissed and discarded wholesale. To take the idea one step further: surely there are some people, all things being equal, whose personalities and genetics make them more suitable for rule than others. Yet their looks and even their predispositions towards certain

characteristics - charisma, self-confidence and assuredness - are not distributed fairly; surely they shall not be penalized because they were born with certain advantages? In the same breath, however, this model alone runs the very real risk of nepotism and "bad apples" as is evidenced by the bad kings and priests who sprung up throughout the generations.

In other words, the midrashic literature acknowledges the pros and cons of both models, while advocating as an ideal a leader who meets both sets of criteria, He knows about nobility, can play politics, and has been taught to understand and experience the demands of leadership. But, at the same time he personally acts with, and demonstrates, the proper character to rule. By casting Hur as symbolizing the crown of Malchut yet also dying *al kiddush hashem*, the midrash is lifting him up as the quintessential leader in both respects, the ultimate combination of birthright and before the fact, and justification afterwards.

This perspective thrusts the ever-important question of theodicy in even sharper focus. Why was Hur, the quintessential leader who had all the benefits of both birth and virtue, allowed to die a tragic death? Was Hur ever rewarded for his laudable sacrifice? What form did this reward take? Was it of this world - *olam hazeh*, of another world - *olam haba*, or perhaps of both?

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Berachot 55a

אמר רבי שמואל בר נחמני אמר רבי יונתן: בצלאל על שם חכמתו נקרא. בשעה שאמר לו הקדוש ברוך הוא למשה: לך אמור לו לבצלאל "עשה לי משכן ארון וכלים". הלא משה והפך ואמר לו: "עשה ארון וכלים ומשכן". אמר לו: משה רבינו, מנהגו של עולם אדם בונה בית ואחר כך מכניס לתוכו כלים, ואתה אומר "עשה לי ארון וכלים ומשכן", כלים שאני עושה, להיכן אכניסם? שאלו אמר לו הקדוש ברוך הוא, "עשה משכן ארון וכלים"? אמר לו: שאלו בצלאל אל היית וידעת?

Rabbi Shmuel Bar Nachmani says in the name of Rabbi Yonatan, Betzalel was named based on his wisdom. At the time when HaKadosh Baruch Hu said to Moshe, go tell Betzalel: 'Make for Me a Mishkan, Aron and utensils', Moshe went and switched the order and said to Betzalel: 'Make an Aron, utensils and Mishkan'. He said to him, Moshe Rabbeinu, the way of the world is that a person builds a house and after that he puts all the utensils inside it, and you tell me: 'Make an Aron, utensils and Mishkan' - the utensils that I make, where should I put them? Maybe HaKadosh Baruch Hu said to you: 'Make for Me a Mishkan, Aron and utensils'? Moshe said to ".Betzalel: Maybe you were in the shadow of E-I, and that is how you knew

National Atonement

The rules surrounding building the Mishkan play a central role in the Torah, spanning several parshiyot and expending much effort in detailing all the smallest minutiae that accompanied its development. Yet the order in which the text records it is famously difficult, for the story of the golden calf seemingly breaks apart an otherwise logical and cohesive whole: the laws are conveyed to Moshe before the people sin, but they are only put into practice afterwards. Is this told chronologically, and Moshe was commanded to build the Mishkan before Bnai Yisrael went astray, or is it told out of order, and even the initial command was only communicated after the golden calf episode had transpired?

This famous question is subject to a debate between two of the most prominent Rishonim. Ramban argues that we should always assume the Torah is written in the order we find it in for a reason, unless there is a compelling reason to think otherwise. Therefore, we should conclude that the Mishkan's construction was decreed by HaKadosh Baruch Hu before the golden calf,⁹³ which would imply that the Mishkan's purpose is simply as a place of worship where G-d can allow His presence to dwell in this world.

Rashi disagrees, invoking the aggadic principle that *ein mukdam ume'uchar batorah*⁹⁴ in order to dismiss Ramban's concern. He is not without precedent, as the midrashim themselves make this point as well:

אין מוקדם ומאוחר בתורה. מעשה העגל קודם לצייוי מלאכת המשכן ימים רבים היה, שהרי בשבעה עשר בתמוז נשתברו הלוחות, וביום הכיפורים נתרצה הקב"ה לישראל, ולמחרת התחילו בנדבת המשכן והוקם באחד בניסן:⁹⁵

"There is no chronological order in the Torah. The incident with the calf happened many days before the command to build the Mishkan, for the tablets were broken on the 17th of Tammuz, and on Yom Kippur the 10th of Tishrei HaKadosh Baruch Hu was appeased regarding Yisrael, and on the next day they began with donations for the Mishkan, and it was established on the 1st of Nissan of the following year."⁹⁵

ועשו לי מקדש ושכנתי בתוכם (שמות כה, ח). אימתי נאמרה למשה הפרשה הזו של משכן, ביום הכיפורים עצמו, אף על פי שפרשת המשכן קודמת למעשה העגל. אמר רבי יהודה ברבי שלום: אין מקדם ומאוחר בתורה, שנאמר: נעו מעגלתי לא תדע (משלי ה, ו), מטלטלות הן שביליה של תורה ופרשיותיה. הרי, ביום הכיפורים נאמר למשה

וַעֲשׂוּ לִי מִקְדָּשׁ. מִיָּנִין? שָׁכֵן עָלֶיהָ מִשְׁכָּה בְּשִׁשָּׁה בְּסִינַי, וַעֲשֵׂה אֲרֻבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה, וְעוֹד עֲשֵׂה אֲרֻבָּעִים, וְעוֹד עֲשֵׂה אֲרֻבָּעִים, הָרִי מֵאָה וְעֶשְׂרִים. וְאַתָּה מוֹצֵא, שֶׁבַּיּוֹם הַכַּפּוּרִים נִתְכַּפֵּר לָהֶם, וּבּוֹ בַּיּוֹם אָמַר לוֹ הַקָּדוֹשׁ בָּרוּךְ הוּא, וַעֲשׂוּ לִי מִקְדָּשׁ וְשִׁכְנֹתִי בְּתוֹכְכֶם, כְּדִי שֶׁיִּדְעוּ כָּל הָאֲמוֹת שֶׁנִּתְכַּפֵּר לָהֶם עַל מַעֲשֵׂה הָעֵגֶל. וְלִכְךָ נִקְרָא מִשְׁכַּן הַעֲדוּת (שְׁמוֹת לח, כט), שֶׁהוּא עֲדוּת לְכָל בָּאֵי הָעוֹלָם, שֶׁהַקָּדוֹשׁ בָּרוּךְ הוּא שׁוֹכֵן בְּמִקְדָּשְׁכֶם. אָמַר הַקָּדוֹשׁ בָּרוּךְ הוּא: יָבֹא זֶהב שֶׁבִּמְשָׁכֵן וַיִּכַּפֵּר עַל זֶהב שֶׁנַּעֲשָׂה בּוֹ אֶת הָעֵגֶל, שֶׁכְּתוּב בּוֹ: וַיִּתְּפָרְקוּ כָּל הָעָם אֶת נִזְמֵי הַזָּהָב וְגו' (שְׁמוֹת לב, ג). וְלִכְךָ מִתְכַּפְּרִין בַּזָּהָב, וְזֹאת הַתְּרוּמָה אֲשֶׁר תִּקְחוּ מֵאִתָּם זָהָב. אָמַר הַקָּדוֹשׁ בָּרוּךְ הוּא: כִּי אֶעֱלֶה אֶרְכָּה לָךְ וּמִמְכּוֹתֶיךָ אֶרְפָּאֶךָ (יִרְמְיָה ל, יז):^{96^}

"'They shall make a holy place for Me, and I shall dwell among them' (Shmot 25:28). When was this section about the Mishkan said to Moshe? On Yom Kippur itself, even though this section about the Mishkan comes before the incident with the calf. Rabbi Yehudah BeRabbi Shalom says, there is no chronological order to the Torah, as it says: 'Her ways wander, but she doesn't know it' (Mishlei 5:6) - the things that move around are the paths and sections of the Torah. So, on Yom Kippur it was said to Moshe: 'They shall make a holy place for Me'. How do we know this? Moshe went up Har Sinai on the 6th of Sivan, and he was there for 40 days and 40 nights, and then he did another 40 days, and then he did another 40 days, which totals 120 days. So you find that Bnai Yisrael were atoned for on Yom Kippur, and on that day HaKadosh Baruch Hu said to Moshe: 'They shall make a holy place for Me, and I shall dwell among them', so that all the nations will know that they have been atoned for regarding the incident with the calf. That is why it is referred to as: 'Mishkan of testimony' (Shmot 38:29), for it is a testimony to all the nations that HaKadosh Baruch Hu dwells in your Mishkan. HaKadosh Baruch Hu said, may the gold of the Mishkan come and atone for the gold that was used to make the calf, as it says: 'The whole nation removed their golden earrings' (Shmot 32:3). That is why their atonement is also through gold: 'And this is the donation you shall take from them - gold, etc.' HaKadosh Baruch Hu said: 'I will restore health to you, and heal your wounds' (Yirmiyahu 30:17)."^{96^}

As it often does, here Tanchuma Yelamdenu explicitly spells out the reason motivating a certain midrashic exegesis, even when in older versions of the same tradition that motivation is only implied and meant to be read between the lines.^{97^} The Mishkan must have been commanded after the sin of the golden calf, because its primary function was as a vehicle of forgiveness for that very sin. It would have been unfathomable in the eyes of the midrash to claim - as Ramban does - that the Mishkan's construction was unrelated to the catastrophic national failure wedged right in between its instructions and execution; surely HaKadosh

Baruch Hu's forgiveness of the people must have gone beyond the simple act of deciding not to destroy them.⁹⁸ The Mishkan was not just a vessel to house the Shechinah's presence, a place to offer sacrifices and perform rituals. It served a higher purpose, one necessary to elevate the people, erase the blemish that has stained them since the golden calf was created and worshiped, and rekindle an active relationship with their Creator.

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Ramban to Vayikra 8:2 d"h kach et aharon

פרשה זו נאמרה שבעת ימים קודם הקמת המשכן, שאין מוקדם ומאוחר בתורה, לשון רש"י. ולמה נהפוך דברי אלקים חיים ... אבל הנכון שנאמר, כי נצטוו בהקמת המשכן בכ"ג באדר, והקים אותו, וכאשר עמד המשכן על מעמדו מיד קרא לו הש"י שהוא יושב הכרובים ... ועל דרך הישר, נצטוו משה במלאכת המשכן קודם למעשה העגל, וכשנתרצה לו הקב"ה והבטיחו שישרה שכינתו בתוכם ידע מעצמו שמצות המשכן במקומה עומדת ... והנה כל הפרשיות כסדרן:

This section was said seven days before the Mishkan was erected, because there is no chronological order to the Torah - this is Rashi's explanation. Yet why would we distort the words of the living G-d ... Rather, it is correct to say that Moshe was commanded to erect the Mishkan on the 23rd of Adar, and he erected it, and when the Mishkan stood on its foundations Hashem Yitbarach called to him from between the Keruvim ... and according to the straightforward way of understanding, Moshe was commanded to build the Mishkan before the incident with the calf, and afterwards when HaKadosh Baruch Hu was appeased and had promised that He would allow His presence to dwell among Bnai Yisrael, Moshe knew on his own that the command to build the Mishkan was still ".in effect ... and so all the sections are in their proper order

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Rashi to Pesachim 6b d"h ein mukdam ume'uchar batorah

לא הקפידה תורה על סדר מוקדם ומאוחר ופרשיות דנאמרו תחלה הקדימו המאוחרות לה:

The Torah was not stringent on the order of what came earlier or later, and the sections that were said first in ".actuality - the Torah preceded them with those that were later

95 Rashi to Shmot 31:18 d"h vayiten el moshe.

95 Rashi to Shmot 31:18 d"h vayiten el moshe.

96 Tanchuma Yelamdenu Terumah 8.

96 Tanchuma Yelamdenu Terumah 8.

There are countless examples of later midrashic works (defined as having been redacted sometime after the 8th-9th century CE) borrowing from earlier works and expanding on them; aggadic works such as Tanchuma Yelamdenus' common practice of stating the "moral of the story", the central idea behind what a midrash is trying to teach or allude to, in situations where older versions of the same midrash are less straightforward, is a subset of this larger phenomenon. For example, there is a concept derived from several examples in Tanach that when the community is in a state of distress, a person should be in distress with the community even if he personally is not affected

Breishit Rabbah 31:12

(בראשית ו, יח): אֵתָהּ וּבְנֶיהָ, רַבִּי יְהוֹנָדָה בַּר סִימּוֹן וְרַבִּי חֲנִינִי בִּשְׁם רַב שְׁמוּאֵל בַּר רַבִּי יִצְחָק אָמַר נָח כְּשֶׁנִּכְנס לַתֵּבָה נֶאֱסָר לוֹ פְּרִיָּה וּרְבִיָּה, הֵדָא הוּא דְכָתִיב: וּבָאתְ אֵל הַתֵּבָה אֹתָהּ וּבְנֶיהָ לְעֻצָּמָהּ, וְאִשְׁתָּהּ וּנְשֵׁי בְנֶיהָ לְעֻצָּמָן, כִּינּוּ שְׂיָצָא הַתִּיר לוֹ, הֵדָא הוּא דְכָתִיב (בראשית ח, טז): צֵא מִן הַתֵּבָה אִתָּה וְאִשְׁתָּהּ וּבְנֶיהָ וּנְשֵׁי בְנֶיהָ, אָמַר רַבִּי אֲבוֹן כְּתִיב (איוב ל, ג): בְּחֶסֶר וּבְכֶפֶן גָּלְמוּד, אִם רָאִיתָ חֶסֶד לֹא לְעוֹלָם, וְכֶפֶן לֹא לְעוֹלָם, גָּלְמוּד, הָיִי רוֹאֶה אֶת אִשְׁתָּהּ כְּאִלוֹ הִיא גָלְמוּדָה, שְׂכָן בְּכַרְכֵּי הַיָּם קוֹרִין לְנִדָּה גָלְמוּדָה:

You Noah and your sons and your wife and your sons' wives' (Breishit 6:18). Rabbi Yehudah Bar Simon and Rabbi Hanin in the name of Rav Shmuel Bar Rabbi Yitzchak say, when Noah entered the ark intercourse was forbidden to him, as it says: 'You shall come to the ark, you and your sons' - by yourselves, 'and your wife and your sons' wives' - by themselves. When they left the ark it was permitted again, as it says: 'Leave the ark, you and your wife and your sons and your sons' wives' (Breishit 8:16). Rabbi Avun says, it is written: 'Lonely from want and starvation' (Iyov 30:3) - if you see lacking and famine come into the world, be lonely, meaning see your wife as though she is monstrous i.e. do not have intercourse, for in the islands of the sea they refer to a "menstruating woman as a 'galmudah

While the moral obligation for such behavior may seem self-evident, upon reflection one realizes that the midrash does not explicitly state what underpins such an obligation, just that such an obligation exists and must be followed. Breishit Rabbah was compiled in the 3rd century and is among the earliest of the aggadic midrashim to be published, and indeed we find that this concept is developed and its source revealed. Even the Talmud Bavli, compiled some 200 years after Breishit Rabbah, in one place tersely restates the idea found in Breishit Rabbah, while in another draws upon the examples of Yosef and Moshe and elaborates the point while still not providing an explicit 'why

Sanhedrin 108b

ומנלן דנאסרו דכתיב (בראשית ו, יח) ובאת אל התיבה אתה ובניך ואשתך ונשי בניך אתך וכתוב (בראשית ח, טז) צא מן התיבה אתה ואשתך ובניך ונשי בניך אתך וא"ר יוחנן מיכן אמרו שנאסרו בתשמיש המטה. ת"ר שלשה שמשו בתיבה וכולם לקו כלב ועורב וחם כלב נקשר עורב רק חם לקה בעורו:

How do we know that they were forbidden from engaging in intercourse on the ark? It says: 'You shall come to the ark, you and your sons and your wife and your sons' wives' (Breishit 6:18), and it says: 'Leave the ark, you and your wife and your sons and your sons' wives' (Breishit 8:16). Rabbi Yochanan says, from here they said that Noah and the animals were forbidden from intercourse. The Rabbis taught, three had intercourse on the ark and all of them were punished: the dog, the raven and Ham son of Noah. The dog - is bound, the raven - spits, Ham - was blackened on his skin

Ta'anit 11a

אמר רב יהודה אמר רב: כל המרעיב עצמו בשני רעבון, ניצל ממיתה משונה, שנאמר: "כרעב פדה ממות". "מרעב" מיבעי ליה, אלא הכי קאמר: בשכר שמרעיב עצמו בשני רעבון ניצל ממיתה משונה. אמר ריש לקיש: אסור לאדם לשמש משתו בשני רעבון, שנאמר: "וליוסף ילד שני בנים בטרם תבוא שנת הרעב". תנא: חסוכי בנים משמשין משותיהן בשני רעבון. תנו רבנן: בזמן שישקראל שרויין בצער ופירש אחד מהן, באין שני מלאכי השרת שמלוין לו לאדם, ומניחין לו לאדם, ומניחין לו לאדם, ואומרים: פלוני זה שפירש מן הצבור אל יראה בנחמת צבור. תנא אידך: בזמן שהצבור שרוי בצער, אל יאמר אדם: אלה לביתי, ואוכל ואשתה, ושלום עליך נפשי. ואם עושה כן עליו הכתוב אומר: "והנה ששון ושמחה הרג בקר ושחט צאן אכל ושתו וזין אכול ושתו כי מקר נמות", מה כתיב בתריה "ונגלה באזני ה' צבאות אם יכפר העון הזה לכם עד תמותו" ... אלא, יצער אדם עם הצבור, שכן מצונו במשה רבינו שציער עצמו עם הצבור, שנאמר: "וידי משה בחדים ויקחו אבן וישימו תחתיו וישב עליה", וכי לא היה לו למשה פר אחד או כסת אחת לישב עליה? אלא כך אמר משה: הואיל וישקראל שרויין בצער אף אני אהיה עמהם בצער. וכל המצער עצמו עם הצבור זוכה ורואה בנחמת צבור:

Rav Yehudah says in the name of Rav, whoever starves himself during years of famine even if he has food will be saved from an unusual death, as it says: 'In famine He will save you from death' (Iyov 5:20). It should say 'from famine', rather this is what it is saying: As a reward for starving himself during years of famine, he will be saved from an unusual death. Reish Lakish says, it is forbidden to have intercourse during years of famine, as it says: 'Two sons were born to Yosef before the years of famine came' (Breishit 41:50). It was taught, those without children yet may have intercourse during a famine since they are suffering already. The Rabbis taught, when Yisrael is in distress and one of them separates himself, the two ministering angels that accompany a man come and put their hands on his head and say: This man who separated himself from the community, shall not see the comfort of the community. It was also taught, when the community is in distress, a person should not say: I will go to my house, and eat, and drink, and peace will be upon my soul. If he does so, see what it says: 'And behold joy and gladness, slaying oxen and killing sheep, eating flesh and drinking wine; let us eat and drink, for tomorrow we shall die' (Yishayahu 22:13), and afterwards it says: 'And the Hashem Tzva'ot revealed Himself in my ears: Surely this sin shall not be expiated by you until you die' (Yishayahu 22:14) ... Rather, a person should be in distress with the community, as we find by Moshe Rabbeinu who was in distress with the community, as it says: 'Moshe's hands got heavy, so they took a rock and placed it under him and he sat on it' (Shmot 17:12). Did Moshe not have even one pillow or cushion to sit on? Rather Moshe said: Since Yisrael are in distress, I will be "in distress with them. And whoever puts himself in distress with the community - he merits to see their comfort

Contrast this with Tanchuma Yelamdenu, written and published hundreds of years later, where the reason behind these proclamations is finally given. It is not appropriate for man to behave in a way that is counter to G-d; if He is restraining and destroying, we should act accordingly, and not behave in a way that is counter to His will. This explanation of *Imitatio Dei* is not given by Breishit Rabbah or the Talmud Bavli

Tanchuma Yelamdenu Noah 11

לאמר לאסורים צאו, שהיו אסורים מתשמיש המטה. למה, שבשעה שהעולם נתון בצרה ובחרבן אסור לאדם להזקק בפרה ורביה, שלא יהא הקדוש ברוך הוא עוסק בחרבן העולם והוא בונה. וכן עשה יוסף, עד שלא באו שני בצרת נזקק לאשתו, שנאמר: ויליוסף ילד שני בנים (בראשית מא, נ). אימתי, בטרם תבוא שנת הרעב (בראשית מא, נ). וכן איוב אומר, בקסר ובכפן גלמוד (איוב ל, ג). כשהקסר והכפן בא לעולם, גלמוד, גלה מתשמיש המטה. וכן עשה נח, כשנכנס בתבה, כתיב בו, ויבא נח ובניו, אחר כך ואשתו ונשי בניו. וכשיצא, אמר לו: צא מן התבה אתה ואשתך ובניך וגו'. מכאן אתה למד, שנאסרו נח ובניו מתשמיש המטה, הלא הוא דכתיב, לאמר לאסורים צאו. לאמר לאסורים מתשמיש המטה, צאו מן התבה:

Tell the prisoners to go forth' (Yishayahu 48:8), since they were forbidden from intercourse. Why? Because" when the world is in distress and destruction, it is inappropriate for a person to be engaged in procreation, so

that HaKadosh Baruch Hu is not dealing with the destruction of the world and he is building it back up. Yosef acted similarly - until the years of famine came he had intercourse with his wife, as it says: 'Two sons were born to Yosef' (Breishit 41:50). When? 'Before the years of famine came' (Breishit 41:50). And Iyov also says: 'Lonely from want and starvation' (Iyov 30:3) - if you see lacking and famine come into the world, be lonely, be alone from intercourse. And similarly with Noah, for when he entered the ark, it says: 'Noah and his sons', and then 'his wife and his sons' wives'. But when he left, He said to him: 'Leave the ark, you and your wife and your sons and your sons' wives'. From here you learn that Noah and his sons were forbidden from intercourse, as it says: ".Tell the prisoners to go forth' (Yishayahu 48:8) - tell those forbidden from intercourse to leave the ark

Note this explanation is different from one we perhaps assumed was underpinning these midrashim, namely that empathy is an important virtue, and a person should actively relate to, and show solidarity with, his fellows going through hardship. That idea, while compelling, is never actually given by the midrash, and Tanchuma Yelamdenu actually offers a different reason instead, though of course it does not negate the former's validity as well.

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Shmot 32:10, 14

וַעֲתִידָהּ הַנִּיחָה לִּי וַיִּחַר אַפִּי בָהֶם וּבְכָל־מַעֲשֵׂהָ אוֹתָהּ לִגְוִי גָדוֹל: ... וַיִּנָּחֶם יְהוָה עַל הָרָעָה אֲשֶׁר דִּבֶּר לַעֲשׂוֹת לְעַמּוֹ:

Now leave Me be, and My anger will flare against them and consume them, and I will make you i.e. Moshe into "a great nation ... and Hashem repented of the evil He had said He would do to His nation

Paying It Forward

If the Mishkan's primary purpose was as expiation for the sin of the golden calf as the aggadah declares, where does Betzalel fit into that process? He was called by name to head the construction of G-d's Tabernacle, and while one school of thought argues this designation was from the beginning of time, another approach is to see in the appointment of Betzalel - grandson of Hur Ben Hetzron - a reward to Hur for his actions during that infamous episode:

ראו קרא ה' בָּשֵׁם בְּצַלְאֵל בֶּן אוּרִי בֶן חוּר, מֶה רָאָה לְהַזְכִּיר כָּאֵן חוּר, אֵלָּא בְּשַׁעָה שֶׁבִקְשׁוּ יִשְׂרָאֵל לַעֲבֹד עֲבֹדֹת כּוֹכָבִים נָתַן נִפְשׁוֹ עַל הַקְדוּשׁ בְּרוּךְ הוּא וְלֹא הִנִּיחוֹ, עָמְדוֹ וְהִרְגִּוהוּ, אָמַר לוֹ הַקְדוּשׁ בְּרוּךְ הוּא חֲסִידִי שֶׁאֲנִי פּוֹרֵעַ לָךְ. מִשָּׁל לְמַלְךְ שֶׁמָּרְדּוּ עָלָיו לְגִיוֹנוֹתָיו, עָמַד שָׂר הַצָּבָא שָׁלוֹ וְנִלְחַם עִמָּהֶם, אָמַר לָהֶם עַל הַמֶּלֶךְ אַתֶּם מוֹרְדִים, עָמְדוֹ וְהִרְגֹּ אוֹתוֹ. אָמַר הַמֶּלֶךְ אֵלֹהֵי מָמוֹן נָתַן לִי לֹא הֵייתִי צָרִיךְ לְפָרֹעַ לוֹ, עַל אַחַת כַּמָּה וְכַמָּה שֶׁנִּפְשׁוֹ נָתַן עָלַי, מֶה אֲנִי עוֹשֶׂה לוֹ, אֵלָּא כָּל בָּנִים שֶׁיִּצְאוּ מִמֶּנּוּ אֲנִי מַעֲמִידֵם דְּכַסִּים וְאַפְרָכִים. כִּךְ בְּשַׁעָה שֶׁעָשׂוּ יִשְׂרָאֵל הָעֵגֶל עָמַד חוּר וְנָתַן נִפְשׁוֹ עַל הַקְדוּשׁ בְּרוּךְ הוּא, אָמַר לוֹ חֲסִידִי כָּל בָּנִים הַיּוֹצֵאִים מִמֶּךָ אֲנִי מְגַדֵּלֶם שֵׁם טוֹב בְּעוֹלָם, שְׁנָאֶמְרָ: רָאוּ קִרְא ה' בָּשֵׁם בְּצַלְאֵל, וַיִּמְלֵא אוֹתוֹ רוּחַ אֱלֹהִים: ^99^

"See, Hashem has called by name Betzalel Ben Uri Ben Hur'. Why does it mention Hur here? Because when Yisrael wanted to worship Avodah Zarah, Hur gave his life for HaKadosh Baruch Hu and did not let them until they stood up and killed him. HaKadosh Baruch Hu said to him, by your life I will pay you back. A parable: A king whose legions rebelled against him. His general got up and fought against them, saying: You are rebelling against the king. They stood up and killed him. The king then said: If he had given me money I would have to pay him back, how much more so that he has given his life over me. What shall I do for him? I will make all children that come from him great leaders. So too when Yisrael made the calf, Hur got up and gave his life over HaKadosh Baruch Hu, who said to him: By your life, all children that come from you - I shall increase their good name in the world, as it says: 'See, Hashem has called by name Betzalel', 'He is filled with the spirit of G-d'." ⁹⁹

If the Mishkan is a direct response to the incident of the golden calf, who better to take the lead and be appointed in charge of its design than Betzalel, the grandson of Hur? Is that not an appropriate way to commemorate Hur's death and ensure atonement for all of Bnai Yisrael, which thereby fulfills Hur's mission of protecting the people from sin, albeit through *teshuva* rather than preventing the sin to begin with? ¹⁰⁰

Additionally, Hashem wished to show the people not only that He had forgiven them for the grievous sin of *Avodah Zarah*; He had forgiven them for the murder of His servant Hur as well. Having his grandson engineer the vehicle of His presence among the people, signifying His acceptance of their return to Him, demonstrates to Bnai Yisrael that through their contributions and enthusiasm for the Mishkan they have achieved atonement for Hur's gruesome death.

Let us direct our attention to the end of Shmot Rabbah. How specifically does HaKadosh Baruch Hu promise to pay Hur back for his fidelity? By noticing Hur's offspring and being "*megadlam shem tov baolam*", increasing their good name in the world. We see here the appearance of a *shem tov*, a good name, and the midrash is imparting the reward ensured by G-d: although Hur had been reviled by the people, his children and offspring will be beloved by Bnai Yisrael.

However, the phrase "a good name", as discussed earlier in relation to the three crowns, can also mean the name of G-d, and symbolize His active presence and intervention in the world. While Hur was being צדיק ורע לו. If so, this underlines a powerful answer to the accusations of

murdered at the bottom of Har Sinai, HaKadosh Baruch Hu was hidden, seemingly absent, unwilling to intervene and protect his loyal prince. His revenge and payback is therefore the complete opposite of *hester panim*: He personally calls Betzalel, grandson by name, something He rarely does, to highlight how He is involved, how He does care about the fates of His loved ones and pays them back, if not during their lives, then in the lives of their descendants.

We can therefore interpret the words of Shmot Rabbah to mean as follows: HaKadosh Baruch Hu is promising that He will increase, through the children of Hur, His Good Name in the world. Sometimes it is hard to see G-d and His hand playing a role in the world when bad things happen to good people, but know, the midrash comforts us, that "*I will pay you back*". Have faith that just as Hur was rewarded for his righteousness, you too will be rewarded; just as Betzalel was called by name as the descendant of his grandfather Hur, so too HaKadosh Baruch Hu will shower goodness and a Good Name upon your family if you follow in His ways. In effect, then, this aggadic tradition is arguing for a Divine Presence, the ultimate *keter shem tov*, and comforting its readers by saying: while at times it may be hard to see G-d in the world on a personal or even a national level, there is a system of justice in the world, and there will come a time in the days of your descendants where the truth of this system will make itself clear. This idea is a cornerstone of the Rabbinic philosophy and belief, and by weaving the threads of Hur, Betzalel, Kalev, Aharon and Moshe together our midrash lays the groundwork for an important message about Divine Justice.

This idea is buttressed by the Kabbalistic teaching that after leaving his body, Hur's soul enclothed the soul of his father Kalev, and it was that which drove Kalev to act in a similar manner later on during the episode with the spies:

נשמתו של חור נתלבשה בנשמת כלב, זה סוד ועבדי כלב עקב היתה רוח אחרת עמו (במדבר יד, כד), ר"ח אותיות חור: ¹⁰¹

"The soul of Hur was bound up in the soul of Kalev. This is the secret of: 'My servant Kalev had another spirit with him' (Bemidbar 14:24) - the word for spirit has the same letters as Hur." ¹⁰¹

Not only were Kalev and Hur father and son, but Kalev carried on Hur's legacy by standing up against the other spies. Hur was taken unjustly, before his time, and never had the chance

to be "laid to rest" or redeemed in any recognizable way. It is to this larger point that the midrash is hyper-attuned to, and seeks to understand the ramifications from a hashkafic perspective: How are we to make sense of Hur's untimely death in the face of such wanton tragedy? The parallel to Kalev Ben Yefuneh's actions, along with the noteworthy description of Kalev as having been possessed by a "*different spirit*" when he acted the way he did, leads Yalkut Reuveni to draw the natural conclusion: Hur was actually acting through Kalev, and this time his zealotry was rewarded: he was to survive, enter Eretz Canaan and inherit Hevron: the city where Avraham Yitzchak and Yaakov were buried (Breishit 23:19, 49:29), and the place where his descendant David was initially recognized and crowned as king over the tribe of Yehudah (Shmuel Bet 2:4). Although Hur's life was cut short by Bnai Yisrael at the sin of the golden calf, his legacy - indeed, his very soul^{^102^} - lived on through his father, one of only two people who outlived G-d's promise that Bnai Yisrael were destined to die in the desert.

Although Hur was condemned to death because of his fidelity to HaKadosh Baruch Hu, in reality his essence outlived the rest of his generation. Kalev entering Eretz Yisrael represents Hashem fulfilling His promise to the Avot, and Kalev inheriting Hevron, the site of future Davidic rule, represents Hashem fulfilling His promise to the tribe of Yehudah.^{^103^} Hur, though he lay slain before Aharon, lived on in the metaphorical sense - and even the literal sense - beyond Aharon: while his convictions got him killed, they also enshrined him and ensured his legacy would continue. And this in turn, shows how HaKadosh Baruch Hu rewards His righteous servants and runs His world with justice and fairness, even if it is not something easily recognizable. Indeed, it is precisely because it is not readily apparent to the eye that the seeds of such blessing can be planted, to grow and blossom. Aharon saw Hur slaughtered before his eyes, yet it was with that which was "hidden from the eye"^{^104^} that Hur's blessing was able to come to fruition, to receive Divine repayment for his loyalty and receive everlasting life and a portion in HaKadosh Baruch Hu's chosen land.

99 Shmot Rabbah 48:3; Tanchuma Yelamdenu Vayakhel 4.

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Chizkuni to Shmot 31:2 d"l betzalel ben uri ben hur

בצלאל בן אורי בן חור נזכר זקנו של בצלאל מה שאין כן באהליאב בן אחיסמך לפי שנהרג במעשה העגל, ומלאכת המשכן באה לכפר על אותו עון לכך נזכר חור עליה:

Betzalel Ben Uri Ben Hur. The grandfather of Betzalel is mentioned, unlike by Oholiav Ben Achisamach, "because Hur was killed during the incident of the calf, and the construction of the Mishkan came to atone for that sin. This is why Hur is mentioned in connection with it

101 Yalkut Reuveni Parshat Shelach. This work is a compilation of earlier Kabbalistic teachings compiled and edited by Rabbi Reuven HaKohen in the 17th century CE.

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The concept of *gilgul*, or transmigration of souls, can be found in medieval Kabbalah, though its usage is systematized and greatly expanded upon in later Cordoveran and Lurianic Kabbalah respectively, as a solution to the age-old question of *tzaddik vera lo*, how come bad things happen to good people. Here Yalkut Reuveni argues that Hur was reincarnated in some sense in the essence of his father Kalev to explain how he did in fact receive a reward from Above, even though it is not apparent to one who looks purely at the world of material things.

There is precedence for associating Hur with transmigration; none other than the famous Arizal argued that Hur was a *gilgul* of Haran, brother of Avraham Avinu, and that his death actually served a larger, cosmic repair for the sin of *Avodah Zarah* from the days of Adam HaRishon himself

Likutei Torah of the Arizal, Ki Tisa

ענין העגל כתוב בספר הגלגולים. אהרן אותיות הר"ן, והנה הוא גלגול אדם הראשון שעבד עבודה זרה לכן כדי לתקן זה בא בגלגול אהרן בא' וגם זה לא נתקן כי היה צריך ליהרג כשאמרו לו הערב רב לעשות העגל לעבודה זרה והיה לו למסור נפשו למיתה והוא לא עשה כן כי ראה חור זכות לפניו. וחור גם כן בא מאדם הראשון בנחור אחי אברהם וכן עתה הן באהרן ונחור בחור והיה סובר אהרן כי די בהריגת חור:

The explanation of the calf is written in the book of gilgulim. Aharon has the same letters as Haran, and know" that he was the gilgul of Adam HaRishon who worshiped Avodah Zarah. Therefore in order to fix this he returned in the gilgul of Aharon with an Aleph. But even this was not enough to fix it, for he had to let himself be killed when the Erev Rav said to him to make the calf for Avodah Zarah - he should have given his life, but he did not do so because he saw Hur slaughtered before him. Hur was also from Adam HaRishon, and Nachor the brother of Avraham. And so Haran reincarnated as Aharon and Nachor reincarnated as Hur; and Aharon reasoned that "Hur's murder should have been enough to fix the sin of Avodah Zarah

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Ramban gives a lengthy, detailed explanation as to how the promise of Yehudah's kingship is contained within Yaakov's blessing to Yehudah on his deathbed:

Ramban to Breishit 48:10 d"h lo yasur shevet miyehudah

אין ענינו שלא יסור לעולם ... אבל ענינו, שלא יסור שבט מיהודה אל אחד מאחיו, כי מלכות ישראל המושל עליהם ממנו יהיה, ולא ימשול אחד מאחיו עליו:

It does not mean that the scepter will never leave Yehudah ... but rather, it means that the scepter will not leave" from Yehudah to another one of the brothers, for the kingdom of Yisrael ruled over them, but it means that one of "his brothers will not rule over him

:This idea has precedent in the Talmud as well

Talmud Yerushalmi Sotah 8:3

אין מושחין את המלכים אלא מן הקרן. שאול ויהוא נמשחו מן הפך. שהיה מלכותן מלכות עוברת. דוד ושלמה נמשחו מן הקרן. שהיה מלכותן מלכות קיימת. אין מושכין מלכים פהנים. אמר רבי יודן ענתדרויה. על שם לא יסור שבט מיהודה (בראשית מח:):

We do not appoint kings except through a horn. Shaul and Yehu were appointed through a pitcher, because their" kingships were temporary; David and Shlomo were appointed through a horn, because their kingships were permanent. We do not appoint Kohanim as kings. Rabbi Yudan Antodruyah said, as it says: 'The scepter shall not "depart from Yehudah' (Breishit 48:10)

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Bava Metzia 42a

וא"ר יצחק אין הברכה מצוייה אלא בדבר הסמוי מן העין שנאמר (דברים כח, ח) יצו ה' אתך את הברכה באסמך תנא דבי רבי ישמעאל אין הברכה מצויה אלא בדבר שאין העין שולטת בו שנאמר יצו ה' אתך את הברכה באסמך:

Rabbi Yitzchak said, blessing is not found except with something that is hidden from the eye, as it says: 'Hashem" shall command blessing for you in your hidden things' (Devarim 28:8). It was taught in the house of Rabbi Yishmael, blessing is not found except with something that the eye has not control over, as it says: Hashem shall "command blessing for you in your hidden things

Like Children

Grandchildren are just as, if not more, precious to grandparents as their own children, a sentiment any grandparent can attest to.¹⁰⁵ Children cause their parents much heartache and stress, while grandchildren are pure joy and enjoyment.¹⁰⁶ While this emotional

feeling is certainly meaningful, there is halachic debate as to whether this concept has any legal validity;^{^107^} and if so, whether can be applied to the mitzvah of procreation:

תנא רבי נתן אומר בית שמאי אומרים שני זכרים ושתי נקבות ובית הלל אומרים זכר ונקבה ...

בני בנים הרי הם כבנים סבר אביי למימר ברא לברא וברתא לברתא וכל שכן ברא לברתא אבל ברתא לברא לא אמר ליה רבא לשבת יצרה (ישעיה מה, יח) בעינא והא איכא דכולי עלמא מיהת תרי מחד לא ולא והא אמרי ליה רבנן לרב שישת נסיב איתתא ואוליד בני ואמר להו בני ברתא בני נינהו היתם דחויי קמדיחי להו דרב שישת איצקו מפירקיה דרב הונא.

אמר ליה רבא לרבא בר מארי מנא הא מילתא דאמור רבנן בני בנים הרי הן כבנים אילימא מדכתיב הפנות בנותי והבנים בני (בראשית לא, מג) אלא מעתה והצאן צאני הכי נמי אלא דקניית מינאי הכא נמי דקניית מינאי אלא מהכא ואחר בא תצרון אל בת מכיר אבי גלעד ותלד לו את שגוב (דברי הימים א ב, כא) וכתיב מני מכיר ירדו מחוקקים (שופטים ה, יד) וכתיב יהודה מחוקקי (תהלים ס, ט):^{^108^}

"It was taught: Rabbi Natan says, Beit Shammai say two boys are required to fulfill the mitzvah of procreation while Beit Hillel say a boy and a girl ...

It was taught: Grandchildren are like children. Abaye wanted to derive from this that a person fulfills the mitzvah to procreate even if his children die if his son has a son, if his daughter has a daughter, and all the more so if his daughter has a son, but not if his son has a daughter. Rava said to him, we require: 'He formed the world to be inhabited' (Yishayahu 45:18), and here that stands i.e. a son who has a daughter and passes away, she can take his place in order to fulfill the mitzvah. Regardless, everyone agrees that two grandchildren from one child is not enough. But is it not? Did the Rabbis not say to Rav Sheshet, marry a woman and have sons, and he responded to them, the sons of my daughters are my sons indicating that one can fulfill the mitzvah to have a son and a daughter through grandchildren? There Rav Sheshet was pushing them off, for Rav Sheshet had become impotent from the lectures of Rav Huna which were very long and Rav Sheshet did not relieve himself.

Rabbah said to Rava Bar Mari, where do we know that which the Rabbis said, that grandchildren are like children? If you will say from here: 'The girls are my daughters and the boys are my sons' (Breishit 31:43), then when it continues: 'And your flocks are my flocks' does it mean that as well? Rather, Lavan is saying that you acquired them from me; so too here regarding your children you acquired them from me. Rather, say from here: 'Afterwards Hetzron came to the daughter of Machir, the father of Gilad, and she gave birth to Seguv'

(Divrei HaYamim Aleph 2:21), and it says: 'Out of Machir descended governors' (Shoftim 5:14), and it says: 'Yehuudah is my governor' (Tehillim 60:9) i.e. these governors, who were from the tribe of Yehudah, were also called the sons of Machir, who was from the tribe of Menashe; this is because they were the children of Machir's daughter and Hetzron, indicating that grandchildren are like children."¹⁰⁸

All Jewish men are required to have at least two children, a boy and a girl,¹⁰⁹ yet what if a man's children pass away during his lifetime: has he fulfilled his obligation? Grandchildren are in fact able to "replace" their children and enable their grandparents to perform this mitzvah under certain conditions.¹¹⁰ The source for this principle that grandchildren are considered like children should be a familiar one: Hetzron - son of Peretz, and grandson of Yehudah - had grandchildren who are considered as his own children by Divrei HaYamim Aleph. Surely, then, the same principle would apply to Hetzron's own descendant, namely his son Hur: Just as Hetzron's grandsons are considered as his sons, Hur's grandson Betzalel should be considered as his own son. This perhaps strengthens the larger point that Hur was rewarded for his actions through his descendants: although technically it was Hur's grandson who received honor and was "called by name" because of Hur, Betzalel was in practice considered like Hur's own son. In other words: Hur's soul - indeed, his essential nature of zealotry and loyalty towards Hashem - enfolded his father Kalev, who was subsequently rewarded with entry to Eretz Canaan and an inheritance in Hebron the land of his forefathers; and Hur's good name passed onto his son/grandson Betzalel, who was subsequently honored as the main artisan of the Mishkan, meant to house G-d's presence in this world.

Mishlei juxtaposes the concept of a male grandchild with that of a crown:

עֲטֶרֶת זָקֵנִים בְּנֵי בָנִים וְתִפְאֶרֶת בָּנִים אֲבוֹתָם:¹¹¹

"The crown of the elderly is their sons' sons, and the beauty of sons is their father."¹¹¹

This pasuk is applied to the righteous and demonstrates how just as Yaakov inherited the beauty of Avraham, Avraham was retroactively crowned by Yaakov.¹¹² This language of crowning adds yet another layer of depth to Hur's reward. Hur's crown was the crown of Kingship, and here we see that male grandchildren - considered like children - inherit the crowns of their grandparents. Hur's crown of leadership was realized by Betzalel being chosen to construct the Mishkan; in effect he retroactively, even in death, was both crowned through

his offspring and passed his own crown dynastically onto his child, just as kings are expected to do in death.¹¹³ Hur's spirit lived on through his father Kalev, and his crown was passed onto his "son" Betzalel; just as the midrash portrays him as the quintessential leader, both in pedigree and in performance, it also demonstrates how he is the quintessential model of someone who suffers but is rewarded in ways that are not immediately recognizable but, upon reflection and with the proper faith in the Divine order, become self-apparent.

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:A grandparent's love extends to the grandchild, but not further

Breishit Rabbah 54:4

(בראשית כא, כג): ועתה השבעה לי באלהים הנה אם תשקר לי ולניני ולנכדי, עד כאן רחמי האב על הבן:

Now swear to me in the name of G-d, that you will not deal falsely with me, my son or my grandson' (Breishit' ".21:23). This is how far a father's concern goes for his descendant i.e. until his grandson

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Ketubot 50a

וראה בנים לבניך שלום על ישראל (תהלים קכח:ו). אמר רבי יהושע בן לוי פיון שבנים לבניך שלום על ישראל:

And if you see your son's sons, there will be peace in Yisrael' (Tehillim 128:6). Rabbi Yehoshua Ben Levi says, "once your children have children of their own, there will be peace in Yisrael

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Talmud Yerushalmi Gittin 5:3

בני בנים מה הן. רבי מנא אמר. בני בנים הרי הן כבנים. רבי יוסי אמר. אין בני בנים כבנים:

What is the law regarding the sons of sons? Rabbi Mana says, sons of sons are considered like sons. Rabbi Yosi "says, sons of sons are not considered like sons

108 Yevamot 62a-b.

108 Yevamot 62a-b.

Mishneh Torah, Hilchot Ishut 15:4

כַּמָּה בָּנִים יִהְיוּ לְאִישׁ וְתִתְקַיֵּם מִצְוַת זֶה בְּיָדוֹ. זָכָר וּנְקֵבָה. שֶׁנֶּאֱמַר (בראשית ה, ב) "זָכָר וּנְקֵבָה בְּרָאם":

How many children must a man have to fulfill this mitzvah? At least a boy and a girl, as it says: 'He created' ".them male and female' (Breishit 5:2)

Magid Mishneh to Mishneh Torah, Hilchot Ishut 15:4 d"h kama banim yihiyu

במשנה שם (יבמות דף ס"א:) בית שמאי אומרים ב' זכרים וב"ה אומרים זכר ונקבה שנאמר זכר ונקבה בראם (בראשית ה, ב) וידוע שהלכה כב"ה. ופ"י דוקא זכר ונקבה אבל שני זכרים לא ואין צ"ל שתי נקבות וכן מוכיח בגמרא:

In the Mishnah there (Yevamot 61b) Beit Shammai say two boys while Beit Hillel say a boy and a girl, as it" says: 'He created them male and female' (Breishit 5:2), and it is known that the halachah follows Beit Hillel. And this means specifically at least a boy and a girl, but two boys is not enough, and surely two girls is not either, as ".it demonstrated by the Gemara

Even HaEzer 1:5-6

כיון שיש לאדם זכר ונקבה קיים מצות פריה ורביה והוא שלא יהיה הבן סריס או הנקבה איילונית. נולדו לו זכר ונקבה ומתו והניחו בנים הרי זה קיים מצות פריה ורביה:

If a man has a boy and a girl he has fulfilled the mitzvah of procreation, as long as the son is not a eunuch and" the daughter is not barren. If he has a boy and girl but they die, and if they leave behind sons, he has still ".fulfilled the mitzvah of procreation

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There is some debate about if the sons of daughters are considered like sons. Abaye in Yevamot 62b (see above **Note 107**) held that sons of daughters are surely considered like sons, and on this point Rava agreed with him albeit for his own reasons. Abaye does not posit a source for this opinion, but seems to derive it as a *kal vachomer* from the case of sons of sons

Tosafot to Yevamot 62b d"h vekol sheken bra levarta

אע"ג דאמרינן לעיל אין שני זכרים חשובים כבן ובת הכא שבא מכח מי שפטרנו מפריה ורביה פשיטא דקאי שפיר הבן במקום הבת:

Even though we say that two males cannot take the place of a male and a female, here where it's talking about "replacing someone regarding an exemption from procreation, surely it is fine to have a male instead of a female"

One midrash finds an example for this specific case as well, the very source rejected by Yevamot as a source for "sons of sons are considered like sons" before it lands on the lineage of Hetzron instead

Pirkei DeRabbi Eliezer 36

ובני בניו של אדם כבניו, מניין שהם כבניו? מיעקב, שאמ' אפרים ומנשה כראובן ושמעון יהיו לי (בראשית מה, ה) וכי בניו היו והלא בני בניו היו אלא ללמדך שבני בניו של אדם כבניו. ובני בנותיו של אדם כבניו, מניין שהם כבניו? מלבן, שאמ' הבנות בנותי והבנים בני (בראשית לא, מג) וכי בניו היו והלא בני בנותיו היו אלא ללמדך שבני בנותיו של אדם כבניו:

The sons of a man's sons are considered like his sons. How do we know this? From Yaakov, who said that: "Ephraim and Menashe are like Reuven and Shimon to me" (Breishit 48:5). Were they his sons - were they not his son's sons? Rather, learn from here that sons of sons are considered like sons. And the sons of a man's daughters are considered like his sons. How do we know this? From Lavan, who said that: "The girls are my daughters and the boys are my sons" (Breishit 48:5). Were they his sons - were they not his daughters's sons? Rather, learn from here that sons of daughters are considered like sons

There is another school of thought which accepts the general idea that grandchildren are like children, but unlike Abaye and Rava in Yevamot and Pirkei DeRabbi Eliezer it believes that sons of daughters are an exception

Talmud Yerushalmi Yevamot 6:6

בני בנים כבנים בני בנות אינם כבנים. בן בן ובת בת עולין. בת בן ובן בת אינן עולין:

Sons of sons are like sons, while sons of daughters are not like sons. This is the rule: sons of sons and daughters" of daughters count; daughters of sons and sons of daughters do not count

Breishit Rabbah 94:6

וַיָּקָם יַעֲקֹב וְגו' וַיִּקְחוּ אֶת מִקְנֵיהֶם וְגו' בָּנָיו וּבָנֵי בָנָיו וְגו' (בראשית מו, ה-ו). אָמַר רַבִּי יְהוּדָה בַּר אֱלִיעָזַר בְּנוֹת בָּנִים הֵרִי הֵן כְּבָנִים, וּבָנֵי בָנוֹת אֵינָן כְּבָנִים:

Yaakov got up ... and they took their livestock ... their sons and their grandsons' (Breishit 46:5-7). Rabbi" Yehudah Bar Ila'i says, sons of sons are considered like sons, but sons of daughters are not considered like sons

Yefe To'ar to Breishit Rabbah 94:6 d"b bnei banot

הך מילתא לענין פריה ורביה איתמר דבעינן שיהיה לו בן ובת ואם מתו ויש להם בנים קי"ל דבני בנים הרי הן כבנים. ובירושל' פ' הבא על יבמתו איתא בני בנים כבנים בני בנות אינם כבנים בן בן ובת בת עולין בת בן ובן בת אינן עולין. ואחרי כי שטת המדרש הוא בכ"מ כהירושלמי טוב לגרוס גם הכא כן בני בנים הרי הן כבנים. אבל אין זה אליבא דהלכתא כי בני בנות עולים:

These words are said in regards to procreation, since we require according to Beit Hillel a son and a daughter," and if they die and have sons we can apply the principle: sons of sons are considered like sons. In the Talmud Yerushalmi Yevamot 6:6 it says: Sons of sons are considered like sons, but sons of daughters are not considered like sons. This is the rule: sons of sons and daughters of daughters count, while sons of daughters and daughters of sons do not count. Since the opinion of the midrash in a few places is like that of the Talmud Yerushalmi, it is good to correct the words here as well to say, sons of sons are considered like sons. But this opinion in the Talmud Yerushalmi and the midrash is not according to the halachah, which states that the sons of daughters do "count as well and are considered like sons

It follows that the case of a son's daughter is subject to contention in the various sources. The halachah follows Rava who holds that even this permutation is acceptable: -----

Rava, Yevamot 62b	Yes	Yes	Yes	בנו	בנו	בת	בן	בת	בן	בת	בן	בנו	-----	Scenario
Yes Abaye, Yevamot 62b	Yes	Yes	No	Pirkei DeRabbi Eliezer 36	Yes	Yes	N/A	Breishit Rabbah 94:6 (R'	Yes	N/A	----	No Yehudah)	Talmud Yerushalmi Yevamot 6:6	Talmud Yerushalmi Gittin 5:3
	No	No	No		No	No	No	No	No	No	No	No		(R' Yosi)

Regardless, for our purposes of applying this concept to Hur and Betzalel it is a case of the son's son, and so Betzalel can be considered like Hur's son according to virtually all opinions

111 Mishlei 17:6.

111 Mishlei 17:6.

Tanchuma Yelamdenu Toldot 4

ואלה תולדת יצחק. אברהם הוליד את יצחק. זה שאמר הכתוב: עשרת זקנים בני בנים ותפארת בנים אבותם (משלי יז, ו). הצדיקים מתעשרין בבני בניהם ובניהם מתעשרין באבותם. כיצד? אברהם נתעשר בזכות יעקב ... הרי נתעשרו אבות בשביל בנים ומניין שנתעשרו בנים בשביל אבות? בשעה שיצא יעקב מאצל לבן, רדף לבן אחריו, ונגלה עליו הקדוש ברוך הוא בדרך ואמר לו: השמר לך פן תדבר עם יעקב משוב עד רע (בראשית לא, כד). כיון שבאו להתנכח זה עם זה, מה יעקב אומר ללבן, לולי אלהי אבי אברהם ופחד יצחק היה לי (בראשית לא, מב). הרי, זכות אברהם הצילתו ליעקב. אבל יצחק נתעשר באברהם, ואברהם נתעשר ביצחק:

These are the offspring of Yitzchak, Avraham gave birth to Yitzchak. This is as it says: 'The crown of the elderly' is their sons' sons, and the beauty of sons is their father' (Mishlei 17:6). The righteous are crowned with their sons' sons, and their sons are crowned by their fathers. How so? Avraham was crowned in Yaakov's merit ... We see that fathers are crowned because of their sons. But how do we know that sons are crowned because of their fathers? When Yaakov went out from Lavan and Lavan chased after him, HaKadosh Baruch Hu revealed Himself to Lavan on the way and said to him: 'Guard yourself from saying anything to Yaakov, good or bad' (Breishit 31:24). When they began to argue with each other, what did Yaakov say to Lavan: 'Were it not for the G-d of my father, the G-d of Avraham and the fear of Yitzchak, being with me' (Breishit 31:42). So, Avraham's merit saved Yaakov. Also, Yitzchak was crowned by Avraham, and Avraham was crowned by Yitzchak

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This idea ties nicely with the aggadic contention that the Mishkan was commanding as a response to the sin of the golden calf, meaning it was only after Hur was killed that Betzalel was called by name to lead the construction effort. Betzalel was only able to inherit the throne of Kingship once his grandfather - considered like a father - Hur had died. A clear support for this idea is that a similar sentiment is expressed by HaKadosh Baruch Hu when asked by David - ultimate inheritor of the crown of Kingship - why his reign could not last any longer:

Shabbat 30a

וְדִקְאָמֵר שְׁלֹמֹה: "כִּי לְכָלֵב חַי הוּא טוֹב מִן הָאֲרִיָּה הַמֵּת" (קהלת ט, ד), כְּדָרְבַּי יְהוּדָה אָמַר רַב. דְּאָמַר רַב יְהוּדָה אָמַר רַב, מֵאִי דְכֶתִיב: "הוֹדִיעֵנִי ה' קִצֵּי וּמִדַּת יָמֵי מָה הִיא אֲדַעַה מָה חֵדֵּל אֲנִי?" אָמַר דָּוִד לְפָנֵי הַקֹּדֶשׁ בְּרוּךְ הוּא: רַבּוֹנוּ שְׁל עוֹלָם, הוֹדִיעֵנִי ה' קִצֵּי (תהלים לט, ה). אָמַר לוֹ: גְּזֵרָה הִיא מִלְּפָנֵי שְׁאִין מוֹדִיעֵין קִצּוֹ שְׁל בִּשְׁרָן וְדָם. "וּמִדַּת יָמֵי מָה הִיא" גְּזֵרָה הִיא מִלְּפָנֵי שְׁאִין מוֹדִיעֵין מִדַּת יָמֵי שְׁל אָדָם. "וְאֲדַעַה מָה חֵדֵּל אֲנִי". אָמַר לוֹ: בְּשִׁבְתָּ תָמוּת. אָמוּת בְּאֶחָד בְּשִׁבְתָּ? אָמַר לוֹ: כְּבֵר הַגִּיעָה מַלְכוּת שְׁלֹמֹה בְּנֵה, וְאִין מַלְכוּת נִוְגַעַת בְּחִבְרָתָהּ אֶפִּילוּ כְּמֵלֶךְ נִימָא. אָמוּת בְּעָרֵב שִׁבְתָּ? אָמַר לוֹ: "כִּי טוֹב יוֹם בְּחִצְרֵיךְ מֵאֶלֶף". טוֹב לִי יוֹם אֶחָד שְׁאֵתָה יוֹשֵׁב וְעוֹסֵם בְּתוֹרָה מֵאֶלֶף עוֹלוֹת שְׁעָתִיד שְׁלֹמֹה בְּנֵה לְהַקְרִיב לְפָנֵי עַל גְּבֵי הַמִּזְבֵּחַ:

As Shlomo said: 'A live dog is better than a dead lion' (Kohelet 9:4). As Rav Yehudah says in the name of Rav, "why does it say: Hashem, reveal to me my end and the measure of my days; let me know how short-lived I am' (Tehillim 39:5)? David said before HaKadosh Baruch Hu: Master of the Universe: 'Reveal to me my end'. He said to him: It is a decree before Me that one does not reveal the end to flesh and blood. 'And the measure of my days': It is a decree before me that one does not reveal the number of days to flesh and blood. 'Let me know how short-lived I am': He said to him: You will die on Shabbat. David asked: Can I die on Sunday? He said to him: Your son Shlomo's reign starts them, and one reign does not overlap with another by even a hairsbreadth. Can I die on Friday? He said to him: 'One day in your courts is better than a thousand' (Tehillim 84:11) - one day that you sit and learn Torah is better to Me than a thousand offerings that Shlomo your son will bring before Me on

".the altar

The concept of being "called by name" - as Betzalel was - is also juxtaposed to the concept of reigns not being allowed to overlapped

Yoma 38b

אָמַר בֶּן עֲזַאִי: בְּשִׁמְךָ יִקְרְאוּ, וּבְמִקוֹמְךָ יוֹשִׁיבוּ, וּמִשְׁלָךְ יִתְּנוּ לָךְ. אִין אָדָם נִוְגַע בְּמוֹכֵן לְחִבְרֵי. וְאִין מַלְכוּת נִוְגַעַת בְּחִבְרָתָהּ אֶפִּילוּ כְּמֵלֶךְ נִימָא:

Ben Azzai says, by your name they shall call you, and in your place they shall seat you, and from your own they shall give you. A person does not touch that which is set for his fellow, and one reign does not overlap with

".another by even a hairsbreadth

Final Vengeance

We have seen so far the name Hur appear in two distinct contexts: (1) Shmot 17 and Shmot 24 in reference to Aharon's colleague and leader of Bnai Yisrael, and (2) Shmot 31, Divrei HaYamim Aleph 2, and many other places in reference to the son of Kalev Ben Hetzron and the grandfather of Betzalel.

The name Hur comes up in several other places in Tanach as well as people's names,^{^114^} though those references do not appear related and the aggadic literature does not attempt to consolidate them the same way it does in the other instances.^{^115^} There is, however, one other association with the word Hur that refers, not to a person, but to a thing:

ובמלואת | הנמים האלה עשה המלך לכל העם הנמצאים בשושן הבירה למגדול ועד קטן משתה שבעת ימים פחצור
גנת ביתן המלך: חור | כרפס ותכלת אחוזה בחבלי כוץ וארגמן על גלילי כסף ועמודי שש מטות | זזה וכסף על רצפת
בהט ושש וזר וסחרת: והשקות בכלי זזה וכלים מפלים שונים וזין מלכות רב כנד המלך:^{^116^}

"At the end of many days, the king hosted a banquet for seven days in the court of the king's palace garden for all the people who lived in the capital of Shushan, high and low alike. There were hangings of Hur, fine cotton and blue wool, caught up by cords of fine linen and purple wool to silver rods and alabaster columns; and there were couches of gold and silver on a pavement of marble, alabaster, mother-of-pearl, and mosaics. Royal wine was served in abundance, as befits a king, in golden chalices, chalices of varied design."^{^116^}

What does the word 'Hur' mean in this context? The same letters in Aramaic are a root that means *white*; specifically, pure white, like snow or sheep's wool.^{^117^} Indeed, that is how the Amora Shmuel understands the word Hur in Esther as well, while Rav deems it a cognate of a Hebrew root meaning *hole*:^{^118^}

(אסתר א, ו) חור כרפס ותכלת מאי חור רב אמר חרי חרי ושמואל אמר מילת לבנה הציע להם ... איש יהודי היה
בשושן הבירה (אסתר ב, ה) \ ... קרי ליה יהודי אלמא מיהודה קאתי וקרי ליה ימיני אלמא מבנימין קאתי אמר רב
נחמן מרדכי מוכתר בנימוסו היה אמר רבה בר בר חנה אמר רבי יהושע בן לוי אביו מבנימין ואמו מיהודה:^{^119^}

"'Hur, fine cotton and blue' (Esther 1:6). What is Hur? Rav said, a fabric fashioned with lots of holes. Shmuel said, Achashverosh spread out for them carpets of white wool ... 'There was a man from Yehudah in the capital of Shushan' (Esther 2:5) ... Mordechai is called a Yehudi from the tribe of Yehudah, so apparently he was from Yehudah, yet he is called a Yemini from

the tribe of Binyamin? Rav Nachman said, Mordechai was crowned with an honorary title. Rabbah Bar Bar Hanna said in the name of Rabbi Yehoshua Ben Levi, Mordechai's father was from Binyamin and his mother was from Yehudah."¹¹⁹

Hur is the first word on a long list of descriptive phrases intended to portray the lavishness of Achashverosh's feast. Additionally, the word Hur is somewhat unique in that the masoretic written larger than all the other letters. In general, large and small ת tradition has the first letter should be no ת masoretic letters are subject to midrashic interpretation, and this which opens and begins the list of adjectives describing how ת exception.¹²⁰ The large grand and ostentatious the banquet was further emphasizes the sense of royalty and grandeur the party was meant to convey to all of its participants. Yet perhaps there is also another layer of meaning hidden here which ties the concepts of royalty, kingship, even gold - all prominent .in Megillat Esther - to the original Hur, noble wearer of the crown of Kingship

As noted above, Mordechai is described as both a descendant of Binyamin and Yehudah. One solution offered is that Mordechai's *"father was from Binyamin and his mother was from Yehudah"*. His paternal lineage is provided by the text, making his connection to Binyamin indisputable. At the same time, the aggadah understands his mother as belonging to the tribe of Yehudah, the tribe of kingship and royalty. It is attempting to infuse an important Jewish leader with the force and authority of leadership that the tribe of Yehudah commands and connotes. In this respect, the midrash here in Megillah does to Mordechai's character what it did to Hur elsewhere: it connects someone who is clearly an important leader, but without any apparent connection to the paradigmatic tribe of leadership, to that very tribe, while still maintaining their connection to another important tribe through their second parent, namely the tribes of Binyamin and Levi respectively.

The Talmud suggests another explanation for why Mordechai is described as an *ish yehudi*. He was not actually a descendant of the tribe of Yehudah on his mother's side; rather, the term *yehudi* is an epithet of honor and distinction. The language used to describe this is striking: *"Mordechai was crowned with an honorary title"*. This crowning was figurative in the sense that he was a man of distinction, renown and respect, rightfully earning a place in the canon of leadership, the domain of the tribe of Yehudah.

What made Mordechai so deserving of this title, normally reserved for the kings of Yehudah? He refused to bow down to anyone - or anything - other than HaKadosh Baruch Hu.

Mordechai was unwilling to prostrate himself before Haman,^{^121^} even at great personal risk. This reflects Hur's actions many generations earlier, when he also refused to participate in idolatry against the prevailing opinion of the time. These two men, separated by many hundreds of years, were both examples of decision-makers who refused to compromise their beliefs, and took the mantle of responsibility upon themselves in situations of potential uncertainty and catastrophe. Both were great leaders, both stood up to the Jewish masses and to Amalek, and both were eventually honored by their nation and by HaKadosh Baruch Hu.

Not only did Mordechai balk at the mere thought of bowing down to Haman, he was also adamant in his dedication to other mitzvot. Unless all the other Jews of his generation who enjoyed the feast of Achashverosh,^{^122^} Mordechai would not consume any non-Kosher food or drink.^{^123^} This behavior of refusing to eat non-Kosher food is also symbolically a tie to the kingdom of Yehudah, for another important figure from that tribe Daniel acted similarly when presented with non-Kosher food from the royal palace.^{^124^} Again we see Mordechai echoing the deeds of great men from the tribe of Yehudah, from royal stock: he truly was an *ish yehudi*.

The most pronounced thematic thread tying Mordechai and Hur together, however, is undoubtedly that they share a common enemy: Amalek. Hur is introduced on the battlefield, in the first instance in Tanach where Amalek is mentioned. Mordechai is also locked in combat with the wicked Haman, descendant of Agag, king of Amalek, the last instance in Tanach where Amalek is mentioned. Hur was only able to assist in the defeat of Amalek because of the crown of Kingship granted to him at that very moment, just as Mordechai was only able to defeat Haman because he too was crowned with the title of *yehudi*, a man from the tribe of Yehudah, either literally through his mother, or figuratively through his actions.

And yet, when it comes to Amalek, defeat always comes at the hand of the children of Rachel: Yehoshua, from the tribe of Ephraim, commands Bnai Yisrael to victory during the era of Hur, while Mordechai, from the tribe of Binyamin through his father, defeats Haman and destroys the seed of Amalek, finishing the job that Yehoshua and Hur began. As great as Hur was, Amalek's destiny was intertwined with the offspring of Rachel: Ephraim, Menashe and Binyamin. Ultimately it had to be members of those select tribes - from Yehoshua to Shaul to Mordechai - who were destined to stamp out the evil of Amalek; indeed, this was a decree issued in Heaven from the moment Yehoshua took up arms in Rephidim.^{^125^} The justice is poetic: the enemy which attacked the weak stragglers in the back of the camps, instead of

facing the strong soldiers leading in the front, deserve to be weakened and exterminated by the descendants of the one who had been placed last, in the rear of the camp.^{^126^} And yet, although the children of Rachel are the ones locked in eternal combat with Amalek, the tribe of Yehudah also has a role to play in their defeat, as demonstrated through the leadership of Hur and Mordechai.^{^127^}

114

:Hur is listed as one of the five Midianite kings killed in battle against Bnai Yisrael

Bemidbar 31:8

וְאֵת מַלְכֵי מִדְיָן הָרְגוּ עַל חֲלָלֵיהֶם אֶת אֶנְוִי וְאֶת רֶקֶם וְאֶת צֹר וְאֶת חֹר וְאֶת רִבְעֵי הַמִּשָּׁת מַלְכֵי מִדְיָן וְאֵת בְּלָעַם בֶּן בְּעֹר הָרְגוּ בְּחֶרֶב

They killed the kings of Midian: Evi, Rekem, Tzur, Hur and Reva - the five kings of Midian; and they killed" "Bilam Ben Be'or by the sword

Hur is also mentioned as the ancestor of a governor in Jerusalem while the first Beit HaMikdash was being built, :and the chief of half the district of Jerusalem during the second Beit HaMikdash's construction

Melachim Aleph 4:8

וְאֵלֶּה שְׁמוֹתָם בֶּן חֹר בְּהָר אֶפְרַיִם:

And these are the names of the 12 governors Shlomo appointed over all of Bnai Yisrael: Ben Hur in the hills of" "Ephraim

Nehemiah 3:9

וְעַל יָדָם הִתְחַזְקוּ רֵפְיָהּ בֶּן חֹר שֵׁר חֲצֵי פֶלֶךְ יְרוּשָׁלַם:

"Next to them, Rephaiah Ben Hur, chief of half the district of Jerusalem, repaired the wall"

115 Hur, one of the five kings of Midian, was killed in the 40th year of Bnai Yisrael's travels in the desert, and while it is feasible his life overlapped with that of Hur from the 1st year, it is impossible to equate a powerful king of Midian with the crown prince of the tribe of Yehudah. The other two references to Hur is as an ancestor, though the descendants of Hur described in Melachim Aleph and Nehemiah lived 480 and nearly 900 years after the Hur of golden calf fame respectively. Even if the case could be made, little seems gainable from a midrashic perspective by equating the occurrences of Hur from these references.

116 Esther 1:5-7.

116 Esther 1:5-7.

117

Daniel 7:9

תָּזַה הָיִית עַד דִּי כְּרִסְנוֹן רָמִיּוֹ וְעֵתִיק יוֹמִין יִתֵּב לְבוּשָׁה כְּתִלְגַּח חִזָּר וְשַׁעַר רֹאשָׁהּ כְּעֵמֶר נִלְמָא כְּרִסְיָהּ שְׂבִיבִין דִּי נֹר גְּלִגְלוּהִי נֹר דְּלִק:

As I looked on, thrones were set in place, and the Ancient of Days took His seat. His garment was like white snow, and the hair of His head was like lamb's wool. His throne was tongues of flame; its wheels were of blazing fire

118

Yishayahu 11:8

וְשִׁעְשַׁע יוֹנֵק עַל חֵר פֶּתֶן וְעַל מְאוֹרֶת צִפְעוֹנִי גָמוּל יָדוֹ הָדָה:

"A baby shall play over a viper's hole, and an infant shall pass his hand over an adder's den"

119 Megillah 12a.**119 Megillah 12a.**

120 For another example of this phenomenon, see **Part III Note 45**.

121

Mordechai is also described as unifying the Name of HaKadosh Baruch Hu through his actions, a description associated with the unification of the four crowns at the battle of Amalek

Esther Rabbah 6:2

יהודי (אסתר ב, ה), למה נקרא שמו יהודי, והלא ימיני הוא, לפי שיחד שמו של הקדוש ברוך הוא כנגד כל באי עולם, הדא הוא דכתיב לא יכרע ולא ישתחוה (אסתר ג, ב):

'Yehudi' (Esther 2:5). Why was Mordechai called a 'Yehudi' - was he not from Binyamin? Because he unified the name of HaKadosh Baruch Hu before all people in the world, as it says: 'Did not bow down and did not prostrate' (Esther 3:2)

122

Megillah 12a

שָׂאֵלוּ תַלְמִידָיו אֶת רַבִּי שְׁמַעוֹן בֶּר יוֹחָאי: מִפְּנֵי מָה נִתְחַיְבוּ שׁוֹנְאֵיהֶן שֶׁל יִשְׂרָאֵל שְׂבָאוֹתוֹ הַדּוֹר כְּלֵיהָ? אָמַר לָהֶם: אָמְרוּ אִתָּם. אָמְרוּ לוֹ: מִפְּנֵי שֶׁנִּהְיָנוּ מְסַעֲדָתוֹ שֶׁל אוֹתוֹ רָשָׁע:

Rabbi Shimon Bar Yochai's students asked him: Why did the enemies of Yisrael i.e. a euphemism for Yisrael of that generation deserve destruction? He said to them: You tell me. They said to him: Because they partook in the feast of that wicked one Achashverosh

123

Chiddushei Aggadot on Megillah 12a d"h kirtzon

ונראה כפירוש התרגום: למעבד כרעות גברא דבית ישראל וכרעות גברא דכל אומה ולשון. ומדכתיב איש ואיש בלשון יתר אמרו כי שתלה הכתוב כלל ישראל במרדכי והיינו כרצונו שלא להאכילן ולשתותן דבר איסור דמרדכי גופיה ודאי דלא היה נהנה כלל מאותה סעודה. וכן תלה כלל העובדי כוכבים בהמן שרצונו בכל אכילות:

It appears to be like the Targum interprets: 'To do according to the will of the men of Beit Yisrael and the will of the men of every other nation and people'. From the fact that it says 'every man' in hyperbolic language, they said that the text attached the rest of Yisrael on Mordechai, since his will was not to eat or drink anything forbidden, for Mordechai himself surely did not benefit whatsoever from that feast. And similarly the text "attached the rest of the nations on Haman, since his will was to eat all the foods available at the feast

124

Daniel 1:8

וַיֵּשֶׁם דָּנִיֵּאל עַל לִבּוֹ אֲשֶׁר לֹא יִתְגַּאֲל בַּפֶּת בֶּג הַמֶּלֶךְ וּבִיַּיִן מִשְׁתֵּיו וַיִּבְקֹשׁ מִשָּׁר הַסְּרִיסִים אֲשֶׁר לֹא יִתְגַּאֲל:

Daniel resolved not to defile himself with the king's food or the wine he drank, so he sought permission from the "chief eunuch not to defile himself

Malbim to Daniel 1:8 d"h vayasem daniel al libo

שדניאל חשב כי ייחד אותו לעבודת אלילים וירצה להעבירו על דת ושגם המאכלים והיין שיחד לו יהיו מזבחי מתים ויין נסיכם, ובאמת יש מפרשים שפי' שם פת בג פת הנקרב לעבודת אלילים:

Daniel through that he had been set aside for idol worship, and that the king wished for him to violate his" religious beliefs, and that the food and wine that had been set aside for him were from idolatrous sacrifices and libations, and indeed there are mefarshim who interpret the phrase 'pat bag' as bread that was brought for the "sake of idol worship

Pesikta Rabbati 13

מני אפרים שרשם בעמלק אחריך בנימין (שופטים ה' י"ד) ... כיון שמלך שאול אמר הקדוש ברוך הוא אין זרעו של עמלק נופל אלא ביד בנה של רחל כן אתה מוצא ברפידים נפל ביד יהושע שנאמר ויחלוש יהושע את עמלק (שמות יז, יג) אמר הקב"ה לעולם השבט הזה מוכן להיפרע מן עמלק מניין ממה שהשלים בנביא מני אפרים שרשם בעמלק אחריך בנימין ... דבר אחר מהו מני אפרים אלא שמימיו של יעקב היה השבט הזה מתוקן להיפרע מן עשו ... ואחר כך ואת רחל ואת יוסף (בראשית לג, ב) אמר יעקב אם יהרגו כל בניו וישתייר בנה של רחל שאני ניצל על יד בנה של רחל והיה המחנה הנשאר לפלטה (בראשית לב, ט) ולמה כך אלא שנימנו בני רחל להיפרע מן הזרע הרע הזה מני אפרים שרשם בעמלק:

When Shaul became king HaKadosh Baruch Hu said, the seed of Amalek shall not fall except through the hand" of one of Rachel's offspring. Similarly you find in Rephidim that Amalek fell at the hand of Yehoshua, as it says: 'Yehoshua weakened Amalek' (Shmot 17:13). HaKadosh Baruch Hu said: This tribe shall always be ready to exact vengeance from Amalek. How do we know this? From what it says in the Navi: 'Out of Ephraim are those whose roots are in Amalek, after Binyamin' (Shoftim 5:14) ... Another idea: What does 'out of Ephraim' mean? From the days of Yaakov Avinu this tribe was destined to exact vengeance from Esav ... after that: 'And Rachel and Yosef' were placed last in Yaakov's camp (Breishit 33:2). Yaakov said: If they kill all the boys and only the son of Rachel is left, I will be saved by his hand: 'And the remaining camp shall be a refuge' (Breishit 32:9). Why? Because the children of Rachel had been appointed to exact vengeance from this evil seed: 'Out of Ephraim are those whose roots are in Amalek

Pesikta Rabbati 12:1

דבר אחר: למה אמר משה ליהושע צא הלחם? מפני שהוא מבני בניה של רחל: "אשר קרך בדרך ויזנב בך כל הנחשלים אחריך ... ולא ירא אליקים" (דברים כה, יח):

Another idea: Why did Moshe tell Yehoshua to go out and fight Amalek? Because he was from the descendants" of Rachel: 'Who happened upon you along the way and attacked the weak among you in the rear ... and Amalek "did not fear G-d' (Devarim 25:18)

Rachel and Yosef were strategically selected by Yaakov to go last in order to maximize their likelihood of survival in the event of a slaughter from Esav

Breishit 33:2

וַיִּשֶׁם אֶת הַשְּׁפָחוֹת וְאֶת יְלָדֵיהֶן רִאשֹׁנָה וְאֶת לֵאָה וְיְלָדֶיהָ אַחֲרָיִם וְאֶת רָחֵל וְאֶת יוֹסֵף אַחֲרָיִם:

Yaakov placed the maidservants and their children first, followed by Leah and her children, with Rachel and" Yosef bringing up the rear

In the future, it was Esav's grandson Amalek who specifically attacked the rear of Bnai Yisrael's camp, attempting to thwart Yaakov's desperate ploy to protect his loved ones, the most vulnerable of his family units. Because of this, it is fitting that Amalek be routed time and again throughout Jewish history by the descendants of Rachel. Specifically, it is just for Amalek to be defeated at the hands of a descendant of Binyamin, who at the time of Esav's meeting with Yaakov had not yet been born; it was not even the weak one that Amalek would have targeted who ended up defeating him, but the one who did not even yet exist

Another example is David's war with Amalek, during which he wipes them out completely save for 400 Amalekites who manage to escape on camelback

:Shmuel Aleph 30:1-2, 5, 10, 17-18

וַיְהִי כִּבְּאֵה דָּוִד וְאֶנְשָׁיו צָקְלָג בַּיּוֹם הַשְּׁלִישִׁי וַעֲמֻלֵּקִי פָּשְׁטוּ אֶל לִגְבֹּ וְאֶל צָקְלָג וַיִּכּוּ אֶת צָקְלָג וַיִּשְׁרְפוּ אֹתָהּ בָּאֵשׁ: וַיֵּשְׁבוּ אֶת הַנָּשִׁים אֲשֶׁר בָּהּ מִקֶּטָן וְעַד גָּדוֹל לֹא הָמִיתוּ אִישׁ וַיִּגְהָגוּ וַיִּלְכּוּ לְדֶרֶךְ: ... וַתֵּצֵר לְדָוִד מֵאֵד כִּי אָמְרוּ הָעָם לְסַקְלֹו כִּי מָרָה גִבָּשׁ כָּל הָעָם אִישׁ עַל בְּנוֹ וְעַל בְּתֻלְתּוֹ וַיִּתְחַזַּק דָּוִד בַּיהוָה אֱלֹהָיו: ... וַיִּרְדֹּף דָּוִד הוּא וְאַרְבַּע מֵאוֹת אִישׁ וַיַּעֲמְדוּ מֵאֲתָיִם אִישׁ אֶשֶׁר פָּגְרוּ מֵעֵבֶר אֶת גִּחַל הַבָּשׂוֹר: ... וַיָּבֶם דָּוִד מִתְנַשֵּׁף וְעַד הָעֶרֶב לְמַחֲרָתָם וְלֹא נִמְלֹט מֵהֶם אִישׁ כִּי אִם אַרְבַּע מֵאוֹת אִישׁ גַּעַר אֲשֶׁר רָכְבוּ עַל הַגְּמֵלִים וַיִּגָּסוּ: וַיֵּצֵל דָּוִד אֶת כָּל אֲשֶׁר לָקְחוּ עִמָּלְק וְאֶת שְׁתֵּי נָשָׁיו הַצֵּיל דָּוִד:

By the time David and his men came to Tziklag on the third day, Amalek had made a raid into the desert against" Tziklag. They had struck Tziklag and burned it down with fire. They captured the women in it, from small to big; they did not kill anyone, but took them and went on their way ... David was very distressed because the people spoke of stoning him, for the entire nation's spirit was very bitter, each man about his sons and daughters. But David strengthened himself in Hashem his G-d ... David chased Amalek with four hundred men, while two hundred stayed behind, too faint to cross Nahal Besor ... David struck them from before dawn until the following evening. Not a man escaped save for four hundred young men who rode on camelback and fled. David saved "everyone who Amalek had taken, and David saved his two wives as well

The number four hundred appears twice in this story: the number of men that accompanied David to attack Amalek, and the number of Amalekites that survived and fled the battle. This reminds us of Amalek's grandfather Esav, who took four hundred men to confront his brother Yaakov

Breishit 32:7

וַיָּשְׁבוּ הַמְלָאכִים אֶל יַעֲקֹב לֵאמֹר בָּאוּ אֶל אֶחָיו אֶל עֵשָׂו וְגַם הֵלֵךְ לְקִרְיַתְךָ וְאַרְבַּע מֵאוֹת אִישׁ עִמּוֹ:

The messengers returned to Yaakov saying: We came to your brother Esav; he is coming to meet you, and he" "has four hundred men with him

Just as the episode of Yaakov and Esav meeting set the tone for Rachel's children defeating Amalek in the future, it also was a sign and starting point for the tribe of Yehudah's role in weakening Amalek as well

Additionally, the language used to describe David is reminiscent of Kalev Ben Yefuneh: just as the people wanted to stone him, and he took strength in Hashem, so too David was under threat of stoning, but took comfort in G-d. Kalev was channeling his son Hur during that episode; so too here David is echoing that same leadership in the face of adversity. And just as Hur was able to strengthen Moshe - and thereby the rest of the troops - David was able to find the strength within himself to rally and energize the people fighting with him. **Chapter II Har**

Sinai - הר סיני

Chapter II: Har Sinai

General Introduction

הר סיני

משה ♦ אהרן ♦ נדב ♦ אביהוא

שבעים זקנים

Har Sinai - הר סיני

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Notes for Part 3

General Introduction

(שמות כד: א, ט-יא) וְאֵל מֹשֶׁה אָמַר עֲלֶה אֵל ה' אֶתְּהָ וְאַהֲרֹן נָדָב וַאֲבִיהוּא וְשִׁבְעִים מִזִּמְנֵי יִשְׂרָאֵל וְהִשְׁתַּחֲוִיתֶם מִרְחֹק: וַיַּעַל מֹשֶ�ה וְאַהֲרֹן נָדָב וַאֲבִיהוּא וְשִׁבְעִים מִזִּמְנֵי יִשְׂרָאֵל: וַיֵּרְאוּ אֶת א-לֵקֵי יִשְׂרָאֵל וַתַּחַת רַגְלָיו כְּמַעֲשֵׂה לַבֶּנֶת הַסַּפִּיר וַיִּכְעֲצֻם הַשָּׁמַיִם לְטָהָר: וְאֵל אֲצִילֵי בְנֵי יִשְׂרָאֵל לֹא שָׁלַח יָדוֹ וַיַּחֲזֹז אֶת הָא-לֵקִים וַיֹּאכְלוּ וַיִּשְׁתּוּ:

"And He said to Moshe, ascend to Hashem: You, Aharon, Nadav, Avihu and seventy elders of Yisrael, and bow down to Me from afar ... Moshe, Aharon, Nadav, Avihu and seventy elders of Yisrael ascended. They saw the G-d of Yisrael, and underneath His legs was like a pavement made of sapphire, like the essence of the sky in purity. And He did not send His hand against the nobility of Bnai Yisrael; they perceived G-d, ate and drank." (Shmot 24: 1, 9-11)

Perhaps no single episode in all of Jewish history can be considered more fundamental than that of *ma'amad har sinai*. And yet, despite this story's centrality to Jewish faith and tradition, the Torah itself records two very distinct accounts of Divine revelation, and separated by several chapters no less. The more famous account, found in Shmot 20, is bombastic, theatrical, and overwhelming. The pinnacle of religious experience enshrined and retold for generations: the Creator spoke directly to the entire Jewish nation, declaring and revealing Himself to them in a sensory encounter so overwhelming that the entire cosmos was forced into stillness; independent existence was silenced and nullified by the sheer power of HaKadosh Baruch Hu's utterance. ^{^128^}

Shmot 24 describes a much different revelation: impersonal, not personal; elitist, not egalitarian. Shrouded in mystery and esotericism, the revelation is theophanic: the G-d of Yisrael appears to a select group of nobility, who upon seeing Him proceed to eat and drink. The description is mystical, other-worldly; we do not understand the true nature of this experience, and any meaningful context explaining what led up to it is conspicuously lacking. These select pesukim raise several questions that historically bothered many an aggadic interpreter. In particular: Shmot 24:1 states that the *atzilei bnai yisrael* are commanded to 'bow down from afar'. Was the fact that they beheld G-d on His throne up close seen as good, or improper? The text is ambiguous: what does it mean that 'He did not send His hand against the nobility of Bnai Yisrael' - are they being rewarded, or punished? And why did they subsequently partake in eating and drinking, in some sense the ultimate paradigm of a corporeal, animalistic act? ^{^129^}

There is another glaring question which demands our attention as well: the nobles observed G-d directly, and survived; yet man is not able to "*see Me and live*" (*Shmot 33:20*).^{^130^} Indeed, Bnai Yisrael feared for their lives after hearing the Ten Commandments;^{^131^} for how could they, mere mortals of flesh and blood, possibly rendezvous with G-d Himself, creator and master of the universe? And they are not alone: there are other examples of people terrified of death because they suspect themselves of having observed G-d.^{^132^} Clearly, the ineluctable death awaiting one who G-d chooses to reveal Himself to was common knowledge in those days. How did the nobles of Bnai Yisrael escape their encounter with the Divine unscathed?

When the order of stories recorded in the Torah is difficult to understand, two medieval giants of Torah commentary place themselves into two different camps: Ramban tends towards a chronological reading unless forced to do otherwise, while Rashi is quick to invoke the aggadic principle of *ein mukdam ume'uchar batorah*.^{^133^} The Torah's parallel, but distinct, descriptions of Matan Torah are no exception: whereas Rashi is comfortable placing Shmot 24 on the 4th of Sivan, two days prior to the giving of the Torah recorded in Shmot 20,^{^134^} Ramban is inclined to place it on the 7th of Sivan, one day afterwards.^{^135^} Each one has midrashic precedent to support his respective view, as both approaches can be found scattered throughout the earlier midrashim. Critically, however, the argument revolves around the logistics of those most exceptional days, the technicalities of what happened when, in what order. All *mefarshim* agree that Shmot 20 and Shmot 24 happened in close proximity to one another.

The Ten Commandments are rehashed by Moshe a second time in Devarim 5, albeit with slight variations, but are then never mentioned again in Tanach.^{^136^} We do find another example of revelation at Har Sinai, namely Eliyahu's journey as told in Melachim Aleph 19. Upon close examination it becomes clear that, rather than paralleling the national telling of Shmot 20, Eliyahu's experience more closely resembles that of Moshe and the nobility in Shmot 24.^{^137^} Yet notwithstanding the above, there is surprisingly little mention of what happened on Har Sinai after the revelation is complete; an implication or consequence of the nobles perceiving G-d and His sapphire footstool is nowhere to be found. Could it really be that such a bizarre, intense and surreal story, while pithy and terse, is relayed merely for its own sake, without any ramifications for those involved? The midrashic perspective cannot tolerate such a rich story being devoid of any noticeable after-effects; it cannot accept such a

pivotal story in which no less than G-d and all the leaders of Bnai Yisrael are involved does not have relevance or repercussions beyond itself. How could the lives of these nobles be the same after going through such a profound, life-altering event?

In fact, the midrash's sharp eye and penetrating insight leads it to quite the opposite conclusion: far from being an isolated incident on top of a mountain, Bnai Yisrael's top brass having a rendezvous with the Divine and miraculously living to tell the tale sheds many rays of light, and uncover many layers of depth, on some of the most puzzling narratives in the entire Torah. The midrash even identifies for us the central key to unlocking the mystery of Shmot 24, the key which binds all the nobles of Bnai Yisrael together: they ended up dying for either ambiguous or unknown reasons. Recall that the nobles told to ascend to Hashem were: Moshe and Aharon, Nadav and Avihu, and seventy elders of Yisrael. Nadav and Avihu were punished for offering a foreign fire which was not commanded, though why they had to die because of this infraction is not made clear:

וַיִּקְחוּ בְנֵי אֱהֲרֹן נָדָב וַאֲבִיהוּא אִישׁ מִחֶמְתּוֹ וַיִּתְּנוּ בָהֶן אֵשׁ וַיִּשְׂמִי עָלֶיהָ קִטְרֶת וַיִּקְרִיבוּ לִפְנֵי יְהוָה אֵשׁ זָרָה אֲשֶׁר לֹא צִוָּה אֹתָם: וַתֵּצֵא אֵשׁ מִלִּפְנֵי יְהוָה וַתֹּאכַל אוֹתָם וַיָּמָתוּ לִפְנֵי יְהוָה: וַיֹּאמֶר מֹשֶׁה אֶל אֱהֲרֹן הוּא אֲשֶׁר דִּבֶּר יְהוָה | לֵאמֹר בְּקִרְבִּי אֶקְדֹּשׁ וְעַל פְּנֵי כָל הָעָם אֶפְבֹּד וַיָּדַם אֱהֲרֹן: ¹³⁸

"Nadav and Avihu, the sons of Aharon, each took his fire pan, and put fire and incense on it. They brought before Hashem a foreign fire which He did not command them. A fire went out from before Hashem and consumed them, and they died before Hashem. Moshe said to Aharon, this is as Hashem spoke, saying: 'I will be sanctified through those that are close to Me, and I will be honored before all the nation.' And Aharon was silent." ¹³⁸

The above-mentioned seventy elders do not make another appearance, at least not explicitly. However, another group of seventy elders is appointed by Moshe to help him handle the demands of shepherding G-d's unruly and stubborn nation:

וַיְהִי הָעָם כְּמִתְאַנְּנִים רָע בְּאַנְוֵי יְהוָה וַיִּשְׁמַע יְהוָה וַיַּחַר אָפּוֹ וַתִּבְעַר בָּם אֵשׁ יְהוָה וַתֹּאכַל בְּקִצָּה הַמַּחֲנֶה: וַיִּצְעַק הָעָם אֶל מֹשֶׁה וַיִּתְפַּלֵּל מֹשֶׁה אֶל יְהוָה וַתִּשְׁקַע הָאֵשׁ: וַיִּקְרָא שֵׁם הַמָּקוֹם הַהוּא תִּבְעָרָה כִּי בָעֲרָה בָּם אֵשׁ יְהוָה: וְהִיא סִפְסָפָה אֲשֶׁר בְּקִרְבּוֹ הִתְאַוּוּ תַּאֲוָה וַיִּשְׁכּוּ וַיִּכְזּוּ גַם בְּנֵי יִשְׂרָאֵל וַיֹּאמְרוּ מִי יֵאָכְלֵנוּ בָּשָׂר: ...

וַיִּשְׁמַע מֹשֶׁה אֶת הָעָם בֹּכָה לְמִשְׁפַּחְתּוֹ אִישׁ לִפְתָּח אֹהֶלוֹ וַיַּחַר אָף יְהוָה מְאֹד וַיַּעֲיִיב מֹשֶׁה רָע: וַיֹּאמֶר מֹשֶׁה אֶל יְהוָה לִמָּחָה הִרְעַלְתָּ לַעֲבָדְךָ וְלָמָּה לֹא מָצַתִּי חֵן בְּעֵינֶיךָ לְשׁוּם אֶת מַעֲשֵׂא כָל הָעָם הַזֶּה עָלַי: ...

וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה אֲסֹפֶה לִּי שִׁבְעִים אִישׁ מִזִּקְנֵי יִשְׂרָאֵל אֲשֶׁר יִדְעֶתָ כִּי הֵם זִקְנֵי הָעָם וְשִׁטְרֵי וְלִקְחָתָהּ אִתָּם אֶל אֹהֶל מוֹעֵד וְהִתְנַצְּבוּ שָׁם עִמָּדִי וְיִדְבַּרְתִּי עִמָּדֶיךָ וְאֶצְלָתִי מִן הָרוּחַ אֲשֶׁר עָלֶיךָ וְשָׁמְתִי עֲלֵיהֶם וְנִשְׁאָו אִתָּךְ בְּמִשְׁאֵל הָעָם וְלֹא תִשָּׂא אִתָּהּ לְבָדָד: ...

וַיֵּצֵא מֹשֶׁה וַיְדַבֵּר אֶל הָעָם אֵת דְּבָרֵי יְהוָה וַיֹּאסֹף שִׁבְעִים אִישׁ מִזִּקְנֵי הָעָם וַיַּעֲמֵד אִתָּם סְבִיבֹת הָאֹהֶל: וַיֵּרֶד יְהוָה וַיִּבָּעַן וַיְדַבֵּר אֵלָיו וַיֹּאצֵּל מִן הָרוּחַ אֲשֶׁר עָלָיו וַיִּתֵּן עַל שִׁבְעִים אִישׁ הַזִּקְנִים וַיְהִי כְנֹחַ עֲלֵיהֶם הָרוּחַ וַיִּתְנַבְּאוּ וְלֹא יָסֹפוּ: ... וַיֹּאסֹף מֹשֶׁה אֶל הַמִּתְנַהֵּה הוּא וְזִקְנֵי יִשְׂרָאֵל: ¹³⁹

"The nation was complaining bitterly, and it was wicked in the ears of Hashem; Hashem heard and was incensed. A fire of Hashem burnt them, and consumed the edge of the camp. The nation cried out to Moshe, and Moshe prayed to Hashem, and the fire subsided. That place was then named Tav'eira, for a fire of Hashem had burnt there. And the riffraff in the nation's midst had a great desire, and they sat and cried along with Bnai Yisrael, and they said, who will feed us meat ...

Moshe heard the nation crying to their families, each man in the entrance of his tent; Hashem was incensed, and it was wicked in Moshe's eyes. Moshe said to Hashem, why have you dealt wickedly with your servant, and why have I not found favor in your eyes, that you have placed the burden of this nation upon me ...

Hashem said to Moshe, gather for me seventy people from the elders of Yisrael who you know, for they are the elders of the nation and its officers. You shall take them to the Ohel Moed and they shall take their places there with you. And I will descend and speak with you there, and I will draw from the spirit which is upon you and place it on them. They shall bear the burden of the nation with you, so you won't have to bear it alone ...

Moshe went out and told the nation the words of Hashem. He gathered seventy elders from the nation, and stood them around the tent. Hashem came down in a cloud and spoke to him, and He drew from the spirit that was upon Moshe and gave it to the seventy elders. Once the spirit rested upon them, they prophesied and did not cease ... Moshe and the elders of Yisrael gathered back into the camp." ¹³⁹

Implied in the command to gather and appoint seventy elders is the disappearance of seventy elders described as being in a similar position of authority just over a year earlier. While it is possible to argue that HaKadosh Baruch Hu commanded Moshe to appoint seventy elders even though another group of seventy elders - the group present at Har Sinai - was still active

in national leadership, this is difficult to maintain: if that were indeed the case, why was Moshe so distraught at having to carry the burden of leadership by himself? And why would HaKadosh Baruch Hu not simply have Moshe delegate some responsibility to the existing elders? A more plausible explanation seems to be that the elders who saw the G-d of Yisrael at Har Sinai had disappeared, yet why would that be the case?

Furthermore, arguably the most famous example of a death sentence in the Torah whose punishment does not seem to fit the crime would be that of Moshe and Aharon:

וַיִּקַּח מֹשֶׁה אֶת הַמַּטֵּה מִלִּפְנֵי יְהוָה כַּאֲשֶׁר צֻוְּהוּ: וַיִּקְהֲלוּ מֹשֶׁה וְאַהֲרֹן אֶת הַקְהָל אֶל פְּנֵי הַסֵּלַע וַיֹּאמְרוּ לָהֶם שְׁמְעוּ נָא הַמַּלְאִים הָאֵלֶּם הַסֵּלַע הַזֶּה נוֹצֵיא לָכֶם מַיִם: וְיָרֶם מֹשֶׁה אֶת יָדוֹ וַיִּד אֶת הַסֵּלַע בְּמַטְהוֹ פַּעַמַּיִם וַיֵּצְאוּ מַיִם רַבִּים וַתִּשְׁתַּהֲעַדָּה וּבְעֵינֵיהֶם: וַיֹּאמְרוּ יְהוָה אֵל מֹשֶׁה וְאַל אַהֲרֹן יֵעַן לֹא הֶאֱמַנְתֶּם בִּי לְהַקְדִּישֵׁנִי לְעֵינֵי בְנֵי יִשְׂרָאֵל לָכֵן לֹא תָבִיאוּ אֶת הַקְהָל הַזֶּה אֶל הָאֶרֶץ אֲשֶׁר נָתַתִּי לָהֶם: הִנֵּה מִי מֵרִיבָה אֲשֶׁר רָבוּ בְנֵי יִשְׂרָאֵל אֶת יְהוָה וַיִּקְדַּשׁ בָּם: ¹⁴⁰

"Moshe took the staff from before Hashem as he had been commanded. Moshe and Aharon gathered the assembly before the rock and Moshe said to them, listen here you rebels: shall we get water for you out of this rock? Moshe raised his hand and struck the rock twice with his staff. Copious amounts of water came out, and the assembly and their beasts drank from it. Hashem said to Moshe and Aharon, because you did not believe in Me to sanctify me in the eyes of Bnai Yisrael; therefore, you shall not bring this assembly into the land which I have given to them. Those are the waters of strife - in that Bnai Yisrael strove with Hashem - and He was sanctified through them." ¹⁴⁰

Comparing the three cases yields that each group's death was unique in several respects. The deaths of Nadav and Avihu were instantaneous, occurring immediately after the act which condemned them to their fate. In contrast, we have no idea when the deaths of the original seventy elders occurred, though we can logically infer they died within a year of Ma'amad Har Sinai. ¹⁴¹ And while the deaths of Moshe and Aharon were delayed - as fire did not descend from the heavens and consume them right after their sin - their deaths did come earlier than expected had they been permitted to lead Bnai Yisrael into Eretz Canaan; their final breaths occurred within a year of HaKadosh Baruch Hu's fatal decree. ¹⁴²

Nevertheless, the intriguing and perplexing nature of each groups' death may be more than just a coincidence, given that they all shared a strange yet unifying experience. To understand how the midrash weaves together a theory on how all these incidents are interrelated, it first

behooves us to critically break down each episode independently within its own context, and delineate the relevant linguistic and thematic questions which surround the glaring quandaries which piqued the Rabbis' interest, such as:

- Nadav and Avihu What drove Aharon's two eldest sons to bring their incense pans, and what was so terrible about their offering that it warranted such a sensational punishment? What did Moshe mean when he said Hashem will be sanctified through it, and why was Aharon silent?
- Seventy Elders What exactly happened to the first group of elders that a new group needed appointing? And does it relate somehow to the narratives of bitter complainers and the riffraff which precede the new groups' designation and appointment?
- Moshe and Aharon When exactly did the incident at Mei Merivah take place? And what explains Hashem's response to Moshe's actions, given that this story is nearly identical to the story of Masa U'Merivah which happened just after Bnai Yisrael left Egypt?^**143**^

Looking closely at the linguistic and thematic anomalies in each of these stories, and using them as a springboard for exegetical midrashic analysis, will set the stage for a deeper and more profound understanding of these stories. Seeing as the first of these groups to perish is Nadav and Avihu, it is to that disturbing episode which we will turn our attention to.

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אֲרִיָּה שֶׁאֵג מִי לֹא יִירָא (עמוס ג, ח), הִדָּא הוּא דְּכִתִּיב: אֲחֵרֵי ה' יִלְכּוּ בְּאַרְיֵה יִשְׂרָאֵל (הושע יא, י), אָמַר רַבִּי סִימּוֹן, מִשָּׁל לְמַלְךְ שְׂוֹנָנִים בְּפִלְטִין שָׁלוֹ, שְׂמַעְהָ מִטְרוּנָהּ שָׁלוֹ וְנִתְנָה מְקוֹם וְהִיתָה מְרֻמָּתָה, אִם תִּמְטְרוּנָהּ מִתְנַרְאֵת מֵהָ יַעֲשׂוּ הַנְּשִׁפָּחוֹת וְהַעֲבָדִים. כִּךְ כְּשֶׁנִּגְלָה הַקְּדוֹשׁ בְּרוּךְ הוּא לְתַנּוּ תוֹרָה לְיִשְׂרָאֵל שְׂמַעוּ קוֹלוֹת וּמִתְנוּ, שְׂנֵאָמַר: נִפְשֵׁי יִצְאָה בְּדַבְּרוֹ (שיר השירים ה, ו), אִם יִשְׂרָאֵל כִּךְ עוֹבְדֵי כּוֹכָבִים עַל אַחַת בִּמְהָ וְכִמְהָ ... אָמַר רַבִּי אֲבָהוּ בְּשֵׁם רַבִּי יוֹחָנָן, כְּשֶׁנִּתְּנָה הַקְּדוֹשׁ בְּרוּךְ הוּא אֶת הַתּוֹרָה, צָפוֹר לֹא צָנַח, עוֹף לֹא פָּרַח, שׁוֹר לֹא גָעָה, אוֹפְנִים לֹא עָפוּ, שְׂרָפִים לֹא אָמְרוּ קְדוֹשׁ קְדוֹשׁ, הֵינִם לֹא גִדְּעָעוּ, הַבְּרִיּוֹת לֹא דָּבְרוּ, אֲלֵא הָעוֹלָם שׁוֹמֵק וּמַחְרִישׁ, וְנִצָּא הַקּוֹל: אֲנֹכִי ה' אֱלֹהֶיךָ (שמות כ, ב), וְכֵן הוּא אוֹמֵר: אֶת הַדְּבָרִים הָאֵלֶּה דָּבַר ה' אֶל כָּל קְהֵלְכֶם קוֹל גָּדוֹל וְלֹא יָסַף (דברים ה, יט) ... כְּשֶׁדָּבַר הַקְּדוֹשׁ בְּרוּךְ הוּא עַל הַר סִינַי, הוֹשְׁתִּיק כָּל הָעוֹלָם, כִּדִּי שִׁדְעוּ הַבְּרִיּוֹת שְׂאִין חֵיץ מִמֶּנּוּ, וְאָמַר: אֲנֹכִי ה' אֱלֹהֶיךָ:

A lion roars, who does not fear?' (Amos 3:8). This is as it says: 'Walk after Hashem like a roaring lion' (Hoshea 11:10). Rabbi Simon says, a parable: as a king goes into his palace, his matron hears him and out of fear makes room for him and shudders. If a matron is so fearful, what will the maidservants and slaves do? So too when HaKadosh Baruch Hu revealed Himself to give the Torah to Yisrael, they heard His voices and died, as it says: 'My soul left Me as He spoke' (Shir HaShirim 5:6). If this is the case with Yisrael, how much more so with idol worshippers ... Rabbi Abbahu says in the name of Rabbi Yochanan, when HaKadosh Baruch Hu gave the Torah, no bird chirped or took flight, no ox lowed, no Ofanim flew, no Seraphim said 'holy holy', the sea did not move, the creations did not speak. Rather, the world was utterly silent, as the voice went out: 'I am Hashem your G-d' (Shmot 20:2). Similarly it says: 'Hashem spoke these words to your entire assembly, a great voice that did not continue' (Devarim 5:19) ... When HaKadosh Baruch Hu spoke on Har Sinai, the whole world was silent, so that the creations would know that there is nothing other than Him, and He said: 'I am Hashem your G-d' (Shmot 20:1) *

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There is an approach in the Talmud recorded in the name of Rav which understands eating and drinking here to be a metaphor for basking in the Shechinah's countenance. Understood this way, the nobility beholding G-d and then "eating and drinking" denotes something positive and metaphorical: as a result of having seen G-d directly, the nobles had the special opportunity to benefit from a heightened level of Divine glory; Rav even compares what Moshe and his companions experienced to the World to Come, *Olam HaBa*, a state entirely spiritual and devoid of worldly corruption.

Berachot 17a

מִרְגְּלָא בְּפֻמִּיהָ דְּרַב: לֹא בְּעוֹלָם הַזֶּה הָעוֹלָם הַבָּא. הָעוֹלָם הַבָּא אֵין בּוֹ לֹא אֲכִילָה וְלֹא שְׁתִּיָּה וְלֹא פְרִיָּה וְרִבְיָה וְלֹא מִשָּׂא וּמִתֵּן וְלֹא קִנְיָה וְלֹא שְׂנְאָה וְלֹא תַּחְרוּת, אֲלֵא צְדִיקִים יוֹשְׁבֵין וְעֹטְרוֹתֵיהֶם בְּרָאשֵׁיהֶם וְנִגְנִים מְזִין הַשְׂכִּינָה, שְׁנֵאמַר: "וַיַּחְזֹּוּ אֶת הָאֱלֹהִים וַיֹּאכְלוּ וַיִּשְׁתּוּ" (שמות כד:יא):

A pearl saying in the mouth of Rav: Olam HaBa is not like this world. It does not have eating or drinking or procreation, or business or jealousy or hatred or competition: only the righteous sitting with their crowns on their heads and basking in the Shechinah's countenance, as it says: 'They saw G-d, and ate and drank'.metaphorically' (Shmot 24:11)

:This approach is also found elsewhere in Rabbinic literature

Kallah Rabbati 2:3

א"ר אחי בר רבי ישיה כל הצופה בנשים סוף בא לידי עבירה כל המפנה עצמו מן העבירה ולא עשאה אפילו ישראל הוא ראוי לעלות עולה ככה גדול על גבי המזבח שנאמר וישלח את נערי בני ישראל וגו' אבל מי ששם עצמו עצל מן העבירה ולא עשאה ניזון מזיו השכינה שנאמר ויחזו את הא-לקים ויאכלו וישתו:

Rabbi Achi Bar Rabbi Yishayah said, whoever looks at women will end up sinning, but whoever turns away from sin and does not commit it, even if he is just a Yisrael he is worthy to bring an offering like the Kohen Gadol on the altar, as it says: 'He sent the youth of Bnai Yisrael'. Anyone who makes himself lazy from sin and does not commit it, will be nourished from the glory of the Shechinah, as it says: 'They saw G-d, and ate and drank

While Rav and Rav Achi Bar Rabbi Yishayah both interpret the nobility's eating and drinking both non-literally and favorably, it is also possible to interpret their consumption literally and favorably

Ramban Shmot 24:11 d"h vayishtu

וטעם וישתו שעשו שמחה ויום טוב, כי כן חובה לשמוח בקבלת התורה ... ואמר רבי אלעזר מכאן שעושין משתה לגמרה של תורה (שהש"ר א ט). ונאמר בדוד אביו בהתנדבם לבנות בית המקדש ויזבחו לה' זבחים ויעלו עולות לה' וגו' ויאכלו וישתו לפני ה' ביום ההוא בשמחה גדולה (דה"א כט כא-כב), ואף כאן ביום חתונת התורה כן עשו:

The reason they ate and drank was because they took joy in the holiday, because it is required to be joyous in accepting the Torah ... Rabbi Elazar said, from here we know of the mitzvah to make a great feast upon the completion of the Torah (Shir HaShirim Rabbah 1:9). It says by David Shlomo's father when he contributed to the building of the Beit HaMikdash: 'And they offered sacrifices and burnt offerings to Hashem ... and they ate and drank before Hashem on that day with great gladness' (Divrei HaYamim Aleph 29:21-22). Here too on the

"wedding day of the Torah, they acted similarly

.Ibn Ezra also interprets this incident literally and favorably, albeit for a different reason; see **Note 51**

The predominant approach found in various midrashic tradition, however, is to interpret the nobles' eating and drinking non-literally and unfavorably as inopportune at best, and horribly offensive at worst

Vayikra Rabbah 20:10

אמר רבי הושעיה וכי קילורין עלת עמהן מסיני דאת אמר (שמות כד, יא): ויחזו את הא-לקים, אלא מלמד שזנו עיניהם מן השכינה, ויחזו את הא-לקים, כאדם שמביט בחברו מתוך מאכל ומשתה. רבי יוחנן אמר אכילה ודאי, כמה דאת אמר (משלי טז, טו): באור פני מלך חיים. אמר רבי תנחומא מלמד שפרעו את ראשיהן וגיסו לבם וזנו עיניהם מן השכינה:

Rabbi Hoshayah said, did they take delicacies with them to Sinai, that it says: 'They saw G-d' (Shmot 24:11)? Rather, this teaches that they glanced at the Shechinah in a disrespectful way, like a man who glances at his friend when he is eating and drinking. Rabbi Yohanan said, it was eating, like that which says: 'Life in the light of the face of the king' (Mishlei 16:15). Rabbi Tanhuma said, this teaches that they uncovered their heads and "were arrogant of heart, and let their eyes stray from the Shechinah

Nor is this relationship between eating and drinking and a violated sense of seriousness an isolated association. A similar theme pervades what is arguably one of the most scathing condemnations of the sale of Yosef in the midrashic literature

Midrash Shocher Tov 10

אמר הקב"ה לשבטים אתם מכרתם אחיכם מתוך מאכל ומשתה שנאמר (בראשית לז כה) וישבו לאכל לחם. הרי בניכם נמכרים בשושן מתוך אכילה ושתיה שנאמר (אסתר ג טו) והמלך והמן ישבו לשתות:

HaKadosh Baruch Hu said to the tribes, you sold your brother Yosef into slavery while eating and feasting, as it says: 'They sat to break bread' (Breishit 37:25). As a punishment, your children will be sold into potential annihilation in Shushan during eating and drinking, as it says: 'The King and Haman sat down to drink' (Esther 3:15)

As for the fourth possible approach, namely literally and unfavorably, this is arguably the simplest reading of the pasuk, the *peshat*, leading us to the following summary: -----

--- **Was the eating and Literal Metaphorical drinking: Positive** Ramban, Ibn Ezra Rav, Rav Achi Bar Rabbi
----- **Yishayah Negative Peshat** Rabbis Hoshayah / Yohanan / Tanhuma

As Rabbi Hoshayah notes, there is no mention of the nobles bringing any food with them to the top of Har Sinai, which raises the question according to the approach of Ramban and Ibn Ezra that the feast should be taken literally to mean a physical feast. However, one could simply respond that from the fact that the nobility feasted we can infer that they brought the food up with them, despite the Torah not mentioning it explicitly beforehand

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Megillah 19b

ואמר רבי חייא בר אבא אמר רבי יוחנן: אלמלי נשתתיר במערה שעמד בה משה ואליהו כמלא נקב מחט סדקית, לא היו יכולין לעמוד מפני האורה, שנאמר: "כי לא יראני האדם וחי" (שמות לג, כ):

Rabbi Chiya Bar Abba said in the name of Rabbi Yochanan: if a crack even as small as the point of a sewing needle had been left in the cave where Moshe and Eliyahu stood, they could not have survived the intensity of His light, as it says: 'No person can see Me and live' (Shmot 33:20)

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Shmot 20:15-16

וכל העם ראים את הקולות ואת הלפידים ואת השופר ואת הקר עשן וירא העם ויזעו ויעמדו מרחק: ויאמרו אל משה דבר אתה עמנו ונשמעה ואל תדבר עמנו אלהים פן נמות:

The nation saw the voices and torches and the voice of the Shofar and the mountain smoking. The nation was "afraid, and trembled, and they stood from afar. And they said to Moshe, you speak with us and we will hear, but don't let G-d speak with us, lest we perish from the encounter

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Both Gideon the judge, son of Yoash, and Manoah, father of Shimshon the judge, thought they were going to die for this very reason. They were both mistaken and corrected, ostensibly because they had each seen an angel of G-d and not G-d Himself

Shoftim 6:22-23

וַיֵּרָא גִדְעוֹן כִּי מַלְאָךְ יְהוָה הוּא וַיֹּאמֶר גִּדְעוֹן אֶתֶּה אֱדֹנִי יְהוָה כִּי עַל כֵּן רָאִיתִי מַלְאָךְ יְהוָה פָּנִים אֶל פָּנִים: וַיֹּאמֶר לוֹ יְהוָה שְׁלוֹם לָךְ אֵל תֵּיגָרָא לֹא תָמוּת:

Gideon saw that it was an angel of Hashem, and Gideon said: Oh, G-d Lord, for I have seen an angel of Hashem face to face and survived. Hashem said to him, do not be afraid; you shall not die

Shoftim 13:21-23

וְלֹא יָסַף עוֹד מַלְאָךְ יְהוָה לִהְיוֹתָהּ אֵל מְנוּחַ וְאֵל אִשְׁתּוֹ אִזְ יָדַע מְנוּחַ כִּי מַלְאָךְ יְהוָה הוּא: וַיֹּאמֶר מְנוּחַ אֶל אִשְׁתּוֹ מוֹת נָמוּת כִּי אֱלֹהִים רָאִינוּ: וַתֹּאמֶר לוֹ אִשְׁתּוֹ לוֹ חֲפִיץ יְהוָה לְהַמִּיתָנוּ לֹא לָקַח מִיָּדֵינוּ עֲלֵה וּמִנְחָה וְלֹא הִרְאֵנוּ אֶת כָּל אֱלֹה וְכַעַת לֹא הִשְׁמִיעֵנוּ כְּזֹאת:

The angel of Hashem never again appeared to Manoah or his wife; then Manoah knew that it was an angel of Hashem. Upon realizing this Manoah said to his wife, we shall surely perish, for we have seen G-d. His wife said to him, if Hashem had wanted to kill us He would not have taken an offering and gift from us, and He would not have shown us all these things, and He would not have made this announcement to us

Apparently man can outlive an encounter with an angel of G-d, but it is important to note that such an encounter was enough to strike horror in the heart of a warrior like Gideon. Clearly, one who actually does see G-d should not be able to survive, as noted above

133 See **Part I** Notes **87** and **88** for another example of this phenomenon.

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Shabbat 88a

תָּא שְׁמַע, רַבִּי יוֹסִי אוֹמֵר: בִּשְׁנֵי עָלָה מֹשֶׁה וַיֵּרֶד, בִּשְׁלִישִׁי עָלָה וַיֵּרֶד, בְּרִבְעִי יָרַד וְשׁוּב לֹא עָלָה. וּמֵאַחֵר שָׁלָא עָלָה, מֵהֵיכָן יָרַד? אֵלָּא: בְּרִבְעִי עָלָה וַיֵּרֶד, בְּחַמִּישִׁי בָּנָה מִזְבֵּחַ וְהִקְרִיב עָלָיו קָרְבָּן, בִּשְׁשִׁי לֹא הָיָה לוֹ פָּנָא:

Come and listen: Rabbi Yosi says, Moshe went up and came down on the second of Sivan; on the third he went up and came down; on the fourth he came down and didn't go up again. But if he didn't go up, where did he later come down from? Rather, on the fourth he went up and came down; on the fifth he built an altar and offered a sacrifice on it; and on the sixth day he had no extra time due to the Revelation

Rashi to Shmot 24:1 d"h ve'el moshe amar

פֶּרֶשֶׁה זֹאת נִאֲמָרָה קֹדֶם עֲשֻׁרַת הַדְּבָרוֹת, בְּד' בְּסִינּוֹן נִאֲמָרָה לוֹ עָלָה (שבת פ"ח):

This episode happened before the Ten Commandments, and on the fourth of Sivan he was told to go up (Shabbat" 88).

Mechilta DeRabbi Yishmael Shmot 19:10

כיון שראה שקבלו עליהם נטל הדם וזרק על העם, שנאמר (שמות כד, ח) ויקח משה את הדם ויזרק על העם. אמר להם, הרי אתם קשורים ענובים תפוסים, מחר בואו וקבלו עליכם המצות כולן. ר' יוסי בר' יהודה אומר, בו ביום נעשו כל המעשים:

Once Moshe saw that they had accepted the Torah upon themselves, he took the blood and sprinkled it on the" nation, as it says: 'Moshe took the blood and sprinkled it on the nation' (Shmot 24:8). He said to them, you are tied, bound and trapped; tomorrow come and accept all the mitzvot upon yourselves. Rabbi Yosi BeRabbi "Yehudah says, everything happened on the same day the sixth of Sivan

Ramban to Shmot 24:1 d"h ve'el moshe amar

והנה מעשה הברית ביום המחרת למתן תורה, ובו היתה העליה שעלה משה אל ההר (שמות כ"ד:י"ג), וממנה נתעכב שם ארבעים יום. והוא שפירש הכתוב (שמות כ"ד:ט"ז) ויקרא אל משה ביום השביעי וגו', ונאמר (שמות כ"ד:י"ח) ויבא משה בתוך הענן. וכל זה מתוקן ומבואר.

וראיתי במכילתא (לעיל יט י) שנחלקו בדבר, יש שאמרו שהיה קודם מתן תורה בחמישי, ואמר להם הרי אתם קשורים תפוסים וענובים מחר באו וקבלו עליכם את כל המצות ורבי יוסי בר' יהודה אמר בו ביום נעשו כל המעשים, כלומר בו ביום לאחר מתן תורה נעשו המעשים של סיפור העם וכתובת ספר הברית, הכל כמו שפירשנו:

For behold, the covenant happened the day after Matan Torah i.e. the seventh of Sivan, and on that day there" was an ascent since Moshe went up the mountain (Shmot 24:13). For that you count forty days. This is as it says: 'He called to Moshe on the seventh day' (Shmot 24:16), and it says: 'Moshe entered inside the cloud' (Shmot 24:18). All of this is set and clear

I saw in Mechilta 19:10 that they argued about this pont. There were those that said it was before Matan Torah on the fifth of Sivan, and Moshe said to them: you are tied, bound and trapped; tomorrow come and accept all the mitzvot upon yourselves. Rabbi Yosi BeRabbi Yehudah said that everything happened on the same day, meaning on that day right after Matan Torah all the stories about the reading over of the Torah to the nation and "the writing of the Book of the Covenant happened, as we have explained

:Other commentaries also agree with Ramban's conclusion

Chizkuni to Devarim 9:9 d"h va'eishev bahar

מעלות השחר של יום אחד בשבת שבעה בסיון עד עלות השחר של יום שישי בשבת שבעה עשר בתמוז:

Moshe was atop Har Sinai for forty days and nights from dawn on Sunday the 7th of Sivan until dawn on Friday" "the 17th of Tammuz

Targum Yonatan to Shmot 24:1

וַיֵּלֶן מֹשֶׁה אָמַר מִיכָאֵל סָרְכֻן חֻמָּתָא בְּיוֹמָא שְׁבִיעָא לִירְחָא סָק קֳדָם יְיָ אֱלֹהֵי נָדָב וְאַבְיָהוּא וְשִׁבְעִין מְסָבֵי יִשְׂרָאֵל וְתַסְגְּדוּן מִרְחִיק:

Michael, the Prince of wisdom, said to Moshe on the seventh day of the month, come up before Hashem: you," "Aharon, Nadav, Avihu and seventy elders of Yisrael, and bow down from a distance

4th of Sivan - Rashi to Shmot 24:1 based on Rabbi Yosi in Shabbat 88a - 5th of Sivan - Tanna Kamma in - Mechilta DeRabbi Yishmael Shmot 19:10 - 6th of Sivan - Simple reading of Rabbi Yosi BeRabbi Yehudah in the Mechilta - 7th of Sivan - Ramban to Shmot 24:1 in his reading of Rabbi Yosi BeRabbi Yehudah, Chizkuni to Devarim 9:9, Targum Yonatan to Shmot 24:1

Tehillim 68:16-17

Shmot Rabbah 2:6

Shabbat 89b

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Aside from the fact that both stories occurred on the same mountain geographically, both stories refer to a period of forty days and forty nights preceding a theophanic revelation atop the mountain. Both also take care to mention eating and drinking before those forty days and nights began, perhaps in preparation for the superhuman task ahead.

Eliyahu somehow had the energy to fast for forty days and nights from a final feast he partook in beforehand. Moshe relates how he also fasted for forty days and nights, yet mentions no feast having preceded it, unless of course we understand the eating and drink of Shmot 24:11 to mean actual food and drink and believe as Ramban and Chizkuni did in **Note 8**, namely that this happened on the 7th of Sivan immediately preceding Moshe's ascension which officially marked the beginning of the forty days

Devarim 9:9

וַאֲשֶׁב בְּהָרָא אַרְבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה לֶחֶם לֹא אָכַלְתִּי וּמַיִם לֹא שָׁתִיתִי:

"I sat on the mountain for forty days and forty nights; I did not eat bread or drink water"

Melachim Aleph 19:8

וַיָּקָם וַיֵּאָכֵל וַיִּשְׁתָּה וַיֵּלֶךְ בְּכַח הָאֲכִילָה הַהִיא אַרְבָּעִים יוֹם וְאַרְבָּעִים לַיְלָה עַד הָרֵא-לֵהִים חֹרֵב:

Eliyahu got up, ate and drank, and walked from the strength of that meal for forty days and forty nights until he "reached the mountain of G-d at Horev"

This concept of going forty days and nights in conjunction with encountering G-d at Har Sinai is extended by the midrash even to the cattle of Yitro

Midrash Aggadah, Shmot 3:1

וינהג את הצאן אחר המדבר ויבא אל הר הא-לקים חורבה (שמות ג, א). ארבעים יום וארבעים לילה הלכה צאנו של יתרו ולא טעמו כלום, כשם שהלך אליהו, שנאמר וילך בכח האכילה ההיא ארבעים יום וארבעים לילה עד הר הא-לקים חורב (מלכים א יט, ח):

"He led the cattle into the wilderness, and came to the mountain of G-d at Horev' (Shmot 3:1). The cattle of Yitro" walked for forty days and forty nights without tasting anything, just as Eliyahu had walked, as it says: 'He walked from the strength of that meal for forty days and forty nights until he reached the mountain of G-d at Horev' (Melachim Aleph 19:8)"

While technical differences between these three episodes should be noted - for example, Moshe's forty days and nights were during his time on Har Sinai with G-d, unlike Eliyahu and the cattle where it was during the journey to Har Sinai - the larger thematic similarity of abstaining from food and drink, a period of forty days and nights, Har Sinai, and an encounter with G-d is what the midrashim are emphasizing

138 Vayikra 10:1-3.

138 Vayikra 10:1-3.

139 Bemidbar 11:1-4, 10-11, 16-17, 24-25, 30.

139 Bemidbar 11:1-4, 10-11, 16-17, 24-25, 30.

140 Bemidbar 20:9-13.

140 Bemidbar 20:9-13.

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Bnai Yisrael left Har Sinai on the twentieth of the second month Iyyar, roughly two weeks shy of one year after the incident described in Shmot 24. They then traveled for three days before arriving and resting in the desert of Paran on the twenty-third of the second month Iyyar, and it was there that a new set of seventy elders was appointed:

Bemidbar 10:11-12, 33

וַיְהִי בַשָּׁנָה הַשְּׁנִיָּה בַּחֹדֶשׁ הַשְּׁנִי בְּעֶשְׂרִים נִעְלָה הָעֶנָּן מֵעַל מִשְׁכַּן הָעֵדֻת: וַיֵּסְעוּ בְּנֵי יִשְׂרָאֵל לְמִסְעֵיהֶם מִמִּדְבַּר סִינַי וַיֵּשְׁכּוּ הָעֶנָּן בְּמִדְבַּר פָּאָרָן: ... וַיֵּסְעוּ מִהָר הַזֶּה דָּרֹךְ שְׁלֹשֶׁת יָמִים וְאַרְיוֹן בְּרִית יְהוָה נָסַע לִפְנֵיהֶם דָּרֹךְ שְׁלֹשֶׁת יָמִים לְתוֹר לָהֶם מִנוֹחָה:

In the second year, in the second month on the twentieth of the month, the cloud lifted from atop the Mishkan of" testimony. Bnai Yisrael journeyed on their journeys from the desert of Sinai, and the cloud rested in the desert of Paran ... Bnai Yisrael traveled from the mountain of G-d i.e. Har Sinai a distance of three days, and the ark of ".the covenant of Hashem journeyed before them a distance of three days to scout out a place for them to rest

:Aharon died four months after Mei Merivah on the first of the fifth month of Av

Bemidbar 33:38

וַיַּעַל אֶהֱרֹן הַכֹּהֵן אֶל הַר הָהָר עַל פִּי יְהוָה וַיָּמָת שָׁם בְּשַׁנַּת הָאָרְבָּעִים לְצֵאת בְּנֵי יִשְׂרָאֵל מֵאֶרֶץ מִצְרָיִם בַּחֹדֶשׁ הַחֲמִישִׁי בְּאַחַד לַחֹדֶשׁ:

*Aharon the Kohen ascended to Hor HaHar at Hashem's command and died there in the fortieth year after Bnai"
".Yisrael left the land of Egypt, in the fifth month on the first of the month*

:Moshe died eleven months after Mei Merivah on the seventh of the eleventh month of Adar

Kiddushin 38a

תִּנָּיֵא אִידֻף בְּשִׁבְעָה בְּאַדָּר מֵת מֹשֶׁה וּבְשִׁבְעָה בְּאַדָּר נִוְלַד מִנֵּין שְׁבַעֲשָׁנָה בְּאַדָּר מֵת שְׁנָאֲמַר וַיָּמָת שָׁם מֹשֶׁה עֶבֶד ה' וּכְתִיב וַיָּכּוּ בְנֵי יִשְׂרָאֵל אֶת מֹשֶׁה בְּעֶרְבַת מוֹאָב שְׁלֹשִׁים יוֹם וּכְתִיב וַיָּהִי אַחֲרֵי מוֹת מֹשֶׁה עֶבֶד ה' וּכְתִיב מֹשֶׁה עֶבְדִּי מֵת וְעַתָּה קוּם עֲבֹר וּכְתִיב עָבְרוּ בְּקֶרֶב הַמִּדְבָּר וְצִוּוּ אֶת הָעָם לֵאמֹר הִכִּינוּ לָכֶם צֹדֶה כִּי בְּעוֹד שְׁלֹשֶׁת יָמִים תַּעֲבְרוּ אֶת הַיַּרְדֵּן וּכְתִיב וְהָעָם עָלוּ מִן הַיַּרְדֵּן בְּעֶשְׂרִי לַחֹדֶשׁ הָרִאשׁוֹן צֹא מִהֵן שְׁלֹשִׁים וּשְׁלֹשָׁה יָמִים לְמַפְרָע הָא לְמִדָּת שְׁבַעֲשָׁנָה בְּאַדָּר מֵת מֹשֶׁה:

It was taught elsewhere, Moshe died on the seventh of Adar and was born on the seventh of Adar. How do we" know he died on the seventh of Adar? As it says: 'Moshe the servant of Hashem did there ... Bnai Yisrael cried over Moshe at Arvot Moav for thirty days ... and after the death of Moshe the servant of Hashem ... Moshe My servant is dead; now you Yehoshua get up and cross ... 'Pass through the camp and command the nation saying, prepare your things, for in three days you will cross the Yarden ... the nation went up from the Yarden on the tenth of the first month.' Subtract thirty three days, and retroactively you learn that Moshe died on the seventh of Adar

Shmot 17:1-7

וַיֵּצְאוּ כָּל עַדְת בְּנֵי יִשְׂרָאֵל מִמִּדְבַּר סִין לְמַסְעֵיהֶם עַל פִּי יְהוָה וַיִּחַנּוּ בְּרַפְדִּים וְאִין מַיִם לְשִׁתָּת הָעָם: וַיִּגְרַב הָעָם עִם מֹשֶׁה וַיֹּאמְרוּ תָנוּ לָנוּ מַיִם וְנִשְׁתֵּה וַיֹּאמֶר לָהֶם מֹשֶׁה מִה תִּרְיבוּן עִמָּדִי מִה תִּנְסֹן אֶת יְהוָה: וַיִּצְמָא שָׁם הָעָם לַמַּיִם וַיֵּלֶן הָעָם עַל מֹשֶׁה וַיֹּאמֶר לָמָּה זֶה הָעֲלִיתָנוּ מִמִּצְרַיִם לְהָמִית אֹתִי וְאֶת בְּנֵי וְאֶת מִקְנֵי בְצִמָּא: וַיִּצְעַק מֹשֶׁה אֶל יְהוָה לֵאמֹר מִה אֶעֱשֶׂה לָּעָם הַזֶּה עוֹד מְעַט וּסְקַלְנִי: וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה עֲבֹר לִפְנֵי הָעָם וְקַח אֶת־הָאֶרֶץ בְּיָדְךָ וְהִלַּכְתָּ: הִנְנִי עִמָּד לִפְנֵיךָ שָׁם עַל הַצּוּר בְּחֹרֵב וְהִכִּיתָ בַּצּוּר וַיִּצְאֻ מִמֶּנּוּ מַיִם וְשָׁתָה הָעָם וַיַּעַשׂ כֹּן מֹשֶׁה לְעֵינֵי זִקְנֵי יִשְׂרָאֵל: וַיִּקְרָא שָׁם הַמָּקוֹם מַסָּה וּמֵרִיבָה עַל רִיב בְּנֵי יִשְׂרָאֵל וְעַל נִסְתָּם אֶת יְהוָה לֵאמֹר הֲיֵשׁ יְהוָה בְּקִרְבָּנוּ אִם אֵין:

All the assembly of Bnai Yisrael journeyed from the desert of Sin on their journeys at the command of Hashem, and they encamped in Rephidim; there was no water for the nation to drink. The nation fought with Moshe and said, give us water and we shall drink. Moshe said to them, why are you fighting with me? Why are you challenging Hashem? But the nation was parched there and in need of water, and the nation complained about Moshe and said, why did Moshe take us out of Egypt just to kill me, my children and my cattle from thirst? Moshe cried out to Hashem and said, what can I do for this nation? A little more and they will stone me. Hashem said to Moshe, go before the nation and take with you from the elders of Yisrael, and take the staff which you struck the river with in your hand and go. I will stand before you there on the rock in Horev, and you shall strike the rock and water will come out of it, and the nation shall drink. Moshe did so before the eyes of the elders of Yisrael. That place was named Masa U'Merivah because of the fight of Bnai Yisrael, and because they "challenged Hashem and said, is Hashem in our midst or not

Part 1: Two Instead of Four

Introduction

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Introduction

In discussing the procedure the Sanhedrin is instructed to follow when administering capital punishment, the Talmud records an argument over where these laws are derived from:

רבי אלעזר אמר אתיא שריפה שריפה מבני אהרן מה להלן שריפת נשמה וגוף קיים אף כאן שריפת נשמה וגוף קיים ... ומאן דיליף מבני אהרן מנא ליה דכתי' (ויקרא י, ב) וימותו לפני ה' כעין מיתה. ואידך ההוא שריפה ממש הואי ומאי דכתיב וימותו דאתחיל בהו מגואי כעין מיתה דתניא אבא יוסי בן דוסתאי אומר שני חוטין של אש יצאו מבית קודש הקדשים ונחלקו לארבע ונכנסו שנים בחוטמו של זה ושנים בחוטמו של זה ושרפום והכתיב (ויקרא י, ב) ותאכל אותם ולא בגדיהם: ¹⁴⁴

"Rabbi Elazar said, we derive the burning process of the Sanhedrin for capital cases from the burning of the sons of Aharon: just as there it was a burning of the soul but the body remained intact, so too here we should burn the soul but the body should remain intact ... where does this opinion relating to the sons of Aharon derive this from? It says: 'They died before Hashem' (Vayikra 10:2), like a natural death in that the body remains intact. But according to the other opinion which says that their bodies were burned, why does it say they died in a natural way? It means that the flame started inside them, similar to how natural death is within a person. As it was taught: Abba Yosi Ben Dostai says, two streams of fire went out from the Kodesh HaKodashim and split into four: two went into the nostrils of this one and two went into the nostrils of this one, and burned them both. Yet does it not say: 'It consumed them' (Vayikra 10:2)? Yes, but that can be understood to mean them, but not their clothes." ¹⁴⁴

What exactly happened when Nadav and Avihu were consumed by fire? According to the Tanna Kamma they were burnt alive by the flame; though their bodies were completely charred, their clothes remained miraculously undamaged. Rabbi Elazar disagrees, contending that it was their souls which were burnt by the fire while their bodies remained unscorched. What lies behind this disagreement - are these Rabbis arguing about what actually happened, or is the debate about something more fundamental, perhaps a clash of worldviews, with the story of Nadav and Avihu acting as a pedagogical tool to flesh out the conflict?

144 Sanhedrin 52a.

144 Sanhedrin 52a.

Above and Below

Among the exegetical techniques employed by midrash to gain insight into a puzzling word or description is to look at the first time that word or description appears in Tanach and use it as a paradigm from which to derive and extrapolate information on later occurrences. A beautiful example of this technique can be found in a discussion surrounding the description of Moshe as being good in the eyes of his mother:

וַתֵּרָא אוֹתוֹ כִּי טוֹב הוּא (שמות ב, ב) תִּנָּא רַבִּי מֵאִיר אֹמֵר טוֹב שָׁמוּ רַבִּי יְהוּדָה אֹמֵר טוֹבִיָּה שָׁמוּ רַבִּי נְחֵמְיָה אֹמֵר הִגִּינוּ לְנִבְיָאוֹת אַחֲרֵים אֹמְרִים נֹלֵד כְּשֶׁהוּא מְהוּל וְחֻכָּמִים אֹמְרִים כְּשֶׁעָה שְׁנוּלֵד מִשָּׁה נִתְמַלֵּא הַבַּיִת כּוֹלּוֹ אוֹר כְּתִיב הִכָּא וַתֵּרָא אוֹתוֹ כִּי טוֹב הוּא וְכְתִיב הֵתֵם וַיֵּרָא אֱלֹהִים אֶת הָאוֹר כִּי טוֹב (בראשית א, ד):¹⁴⁵

"She saw that he was good' (Shmot 2:2). It was taught: Rabbi Meir says, his name was Tov good. Rabbi Yehudah says, his name was Toviah. Rabbi Nehemiah says, he was worthy of prophecy. Others say, he was born circumcised. And the Rabbis say, when Moshe was born the entire house was filled with light. It says here: 'She saw that he was good', and it says there: 'G-d saw that the light was good' (Breishit 1:4)."¹⁴⁵

What does it mean that Yocheved saw her three month old son was good - don't all mothers have a protective maternal instinct over their babies, and would be willing to do anything to help them? Surely the description of Moshe being good is meant to teach something more than how his mother viewed him, and as it is the first descriptive term ever used to describe Moshe, it is interpreted as a tool to describe his character. The Rabbis employ this rule of paradigms¹⁴⁶ and look to the first time 'good' is found in the Torah, and discover it is in the context of Creation: G-d saw that the light was good. The Rabbis are then able to connect the concept of light with Moshe's birth, which in turn lays the foundation for highlighting Moshe's messianic role in the deliverance of G-d's people and the fulfillment of Hashem's promise to Avraham. Great men such as Moshe, argues the midrash, are chosen from birth by G-d, and Moshe was born set apart for a unique mission, brought into the world to receive the Torah and bring Bnai Yisrael to the Promised Land.¹⁴⁷

In a similar vein, to understand the nature of the supernatural flame which consumed Nadav and Avihu, it behooves us to analyze the first occurrence of a supernatural flame in the Torah:¹⁴⁸

וַיֵּרָא מִלֵּאף יְהוָה אֵלָיו בְּלִבַּת אֵשׁ מִתּוֹךְ הַסִּיָּה וַיֵּרָא וְהִנֵּה הַסִּיָּה בֹעֵר בָּאֵשׁ וְהַסִּיָּה אֵינָהּ אֵכָל: וַיֹּאמֶר מֹשֶׁה אֶסְרָה נָא וְאַרְאֶה אֶת הַמִּרְאֶה הַגָּדֹל הַזֶּה מִדּוּעַ לֹא יִבָּעַר הַסִּיָּה:¹⁴⁹

"An angel of Hashem appeared to Moshe in a blazing fire from within the bush. He saw and behold, the bush was aflame, yet the bush was not consumed. Moshe said, I must turn aside and see this wonderful sight: why doesn't the bush burn up?"¹⁴⁹

Moshe is so shocked by the unusual behavior of this flame that he feels compelled to investigate further. What sets this Heavenly flame apart from regular, earthly flames? The

Torah reveals the answer: the Divine flame burns, but does not consume.¹⁵⁰ It should follow that the fire which destroyed Nadav and Avihu also burned but did not consume, yet there is a problem with this assertion: the Torah explicitly describes the fire of Nadav and Avihu as *"consuming them, and they died before Hashem"*. Perhaps despite their destruction involving consumption, it must have also involved non-consumption, for as we have seen flames from above are set apart in that they burn, but do not consume.

The opinions of Rabbi Elazar and Abba Yosi Ben Dostai support this very contention.¹⁵¹ According to Abba Yosi Ben Dostai the bodies of Nadav and Avihu were burned by the fire but their clothes were left intact, similar to how the bush burned on the inside but was not consumed externally. Rabbi Elazar contends that Nadav and Avihu's physical bodies were spared and survived the encounter; it was their souls, not their bodies and not their clothes, that were burnt. It follows that the unique nature of Divine fire from above burning the inner layer but not consuming the outer layer is maintained by both Rabbis, and their argument becomes transformed into a debate surrounding the details of that consumption.¹⁵²

This connection to the burning bush, while providing a compelling thematic motivation for this midrashic exercise, does not tell the whole story. It does not explain why the Rabbi Elazar and Abba Yosi Ben Dostai disagree about the non-consumption, even while they both link the deaths of Aharon's son to the miracle at the burning bush. Does anything more substantive lie beneath Rabbi Elazar's contention that their souls were destroyed by the fire, as compared to Abba Yosi Ben Dostai's insistence on the scorching of their physical bodies?

145 Sotah 12a.

145 Sotah 12a.

146

Pirkei DeRabbi Eliezer 42

רבי ראובן אומר, הכל הולך אחר הראש:

"Rabbi Reuven said, everything follows the head i.e. the first instance"

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:This idea can also be found in Hashem's opening words to Yirmiyahu

Yirmiyahu 1:4-5

וַיְהִי דְבַר ה' אֵלַי לֵאמֹר: בְּטֶרֶם אֶצְרְךָ בְּטֶטֶן יִדְעָתִיךָ וּבְטֶרֶם תֵּצֵא מִרֶחֶם הַקִּדְשִׁיךָ נִבֵּיא לְגוֹיִם נִתְּתִיךָ:

The word of Hashem came to me, saying: Before I created you in the stomach I selected you, and before you left "the womb I consecrated you; I have made you a prophet unto the nations"

Light filling the room as Moshe was born indicates that he too was selected and consecrated primordially. Indeed, his main legacy and life purpose - the Torah - is compared to light as well

Megillah 16b

"ליהודים היתה אורה ושמחה וששון ויקר". אמר רב יהודה: אורה זו תורה, וכן הוא אומר: "כי נר מצוה ותורה אור" (משלי ו, כג):

The Jews had light, gladness, joy and honor. Rabbi Yehudah said, light is Torah, as it says: 'For the mitzvah is a "lamp and the Torah is light' (Mishlei 6:23)

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Although the day of Nadav and Avihu's death was the first time fire is described as having *descended* from Heaven down to earth, Divine fire from Heaven actually does appear earlier in the Torah

Bemidbar Rabbah 13:6

נמצאת אומר עשר עטרות נטל אותו היום, ראשון לקריאת עולם, ראשון לכהנה, ראשון לנשיאות, ראשון לשכינה, דכתיב (שמות כה, ח): ועשו לי מקדש ושכנתי בתוכם. ראשון לעבודה, ראשון לברכת כהנים, ראשון לראשי חידשים, ראשון לאסור במה, ראשון לאכילת קדשים, ראשון לירידת האש, דכתיב (ויקרא ט, כד): ותצא אש מלפני ה' ותאכל על המזבח וגו'.

There were ten crowns taken on that day: (1) The first for the creation of the world; (2) The first time for "Kehunah; (3) The first time there were princes; (4) The first time the Shechinah rested in Yisrael, as it says: 'Make for Me a sanctuary and I shall dwell among them' (Shmot 25:8); (5) The first time there was Temple worship; (6) The first time Birkat Kohanim was recited; (7) The first time Rosh Chodesh was sanctified; (8) The first time the prohibition of bamot was in force, as it says: 'Be careful lest you offer your offerings' (Devarim 12:13); (9) The first time kodashim were eaten; (10) The first time first descended from Heaven, as it says: 'Fire went out from before Hashem and consumed the altar' (Vayikra 9:24)

Bemidbar Rabbah 13:10

וקרפנו, למה וי'ו יתרה, כנגד ששה דברים שנתחדשו באותו היום בעולם, ראשון לשכינה ששרתה בישראל, שנאמר (שמות כה, ח): ועשו לי מקדש ושכנתי בתוכם. ראשון לנשיאים, ראשון לברכת כהנים, שנאמר (ויקרא ט, כב): וישא אהרן את ידיו אל העם וברכם. ראשון למחצת מחנה שכינה. ראשון לאסור הבמה, דכתיב (דברים יב, יג): השמר לך פן תעלה עלתיד וגו'. ראשון לירידת האש, דכתיב (ויקרא ט, כד): ותצא אש מלפני ה' ותאכל על המזבח וגו'.

And his offering' is written with an extra vav. Why? Because of the six things which were first brought into the world on that day: (1) The first time the Shechinah rested in Yisrael, as it says: 'Make for Me a sanctuary and I shall dwell among them' (Shmot 25:8); (2) The first time there were princes; (3) The first time Birkat Kohanim was recited, as it says: 'Aharon raised his hands towards the nation and blessed them' (Vayikra 9:22); (4) The first time the camp of the Shechinah was cordoned off; (5) The first time the prohibition of bamot was in force, as it says: 'Be careful lest you offer your offerings' (Devarim 12:13); (6) The first time first descended from Heaven, as it says: 'Fire went out from before Hashem and consumed the altar' (Vayikra 9:24)

149 Shmot 3:2-3.

149 Shmot 3:2-3.

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The midrash notes this point and expands on it, also arguing that the color and direction of Heavenly flames are different from those in this world

Midrash Tanchuma Yelamdenu, Shmot 15

וַיֵּרָא וַיִּהְיֶה הַסֵּנֶה בָּעֵשׂ בְּאֵשׁ וְהַסֵּנֶה אֵינָנו אֹכֵל (שמות ג, ב). מִכָּאן אָמְרוּ, הָאֵשׁ נֶשֶׁל מֵעֵלָה מֵעֵלָה לְלִבִּים וְשׁוֹרְפֶת וְאֵינָה אוֹכֶלֶת וְשׁוֹחֶרֶה. וְהָאֵשׁ נֶשֶׁל מִטָּה אֵינָה מֵעֵלָה לְלִבִּים וְהִיא אֲדָמָה אוֹכֶלֶת וְאֵינָה שׁוֹרְפֶת. לְפִיכֹךְ הַסֵּנֶה בָּעֵשׂ בְּאֵשׁ וְהַסֵּנֶה אֵינָנו אֹכֵל:

He saw and behold, the bush was aflame, yet the bush was not consumed' (Shmot 3:2). From here they said, "fire from above branches upwards; it burns, but it does not consume; and it is black. Fire from below does not branch upwards; it consumes, but does not burn; and it is red. That is why it says: 'The bush was aflame, yet the bush was not consumed"

The claim that Divine flames branch upward is consistent with Abba Yosi Ben Dostai's description in **Note 18** of the flames as two streams exiting the Kodesh Kodashim, splitting into four, and entering Nadav and Avihus' nostrils from underneath.

151 The opinion that Nadav and Avihus' clothes remained unburned is not Abba Yosi Ben Dostai's opinion directly but rather inferred by the Talmud as the opinion of the Tanna Kamma based on his agreement with Abba Yosi Ben Dostai. Nevertheless, for simplicity's sake we will refer to this as Abba Yosi Ben Dostai's opinion.

152 See the summary of each opinion in the table below. -----
 --- **Opinion Clothes Body Soul** Rabbi Elazar Not Consumed Not Consumed Burnt Tanna Kamma / Not Consumed Burnt Burnt Abba Yosi Ben Dostai -----

Note: Clothes Not Consumed and Soul Burnt are not mentioned in the Talmud but inferred by applying kal vachomer to each respective opinion.

Skin and Bones

A closer look at what unfolds immediately after Nadav and Avihus' inferno brings with it additional complexity. The Torah informs us that Moshe instructed kinsmen Mishael and Eltzafan to remove Nadav and Avihu from inside the Mishkan and take them outside of the camp.^{**153**} This is all well and good for Rabbi Elazar, who held that while their souls were charred, their bodies remained intact, but according to Abba Yosi Ben Dostai who argued that their bodies were incinerated, what exactly did Mishael and Eltzafan carry out of the camp?

בת"כ איכא ב' ברייתות שנויות סתם דפליגי מעיקרא קתני כיצד היתה מיתתן שני חוטין כו' ונשרף גופן ובגדיהן קיימין שנאמר ותצא אש מלפני ה' ותאכל אותם וימותו (ויקרא י, ב) ובתר הכי גבי יבכו את השריפה (ויקרא י, ו) קתני שריפת נשמה וגוף קיים.

וא"ת והא אמרי' בפ' הישן (סוכה דף כה: ושם) מישאל ואלצפן היו שנדחו לפסח שני ואי שריפה ממש הואי לא נטמאו ויש לומר דשלדן קיימת הוה כדאמר בהמפלת (נדה דף כז:): מת שנשרף ושלדו קיימת טמא: ¹⁵⁴

"It is brought in Torat Kohanim i.e. Sifra in two separate teachings which are recorded anonymously. The first one teaches: how did they die? Two streams went out and burned their bodies, but their clothes remained intact in accordance with Rabbi Elazar, as it says: 'A fire went out from before Hashem and consumed them and they died' (Vayikra 10:1). Yet the second one teaches: after that in regards to: 'They shall weep over the incineration' (Vayikra 10:6) - this means their souls were incinerated, but their bodies remained intact.

And if you will ask, does it not say in Sukkot 25b that Mishael and Eltzafan were the ones who were pushed off to Pesach Sheni because they had been made impure while tending to Nadav and Avihu's bodies? If their bodies were incinerated, how could Mishael and Eltzafan have become impure? We could say that even if their bodies were charred their skeleton survived, and it says in Niddah 27b that a dead person who is incinerated but his skeleton survives conveys impurity." ¹⁵⁴

Tosafot notes that the debate between Rabbi Elazar and Abba Yosi Ben Dostai is also found in the Sifra between two competing anonymous teachings. He then asks: according to the opinion proffered by Abba Yosi Ben Dostai that their bodies were incinerated, how could Mishael and Eltzafan have become impure from carrying them? The solution suggested by Tosafot is quite gruesome: indeed, nothing was left of Nadav and Avihu for their kinsmen to take outside of the camp except their skeletons; the rest of their bodies were burnt out of existence. The good news, however, is that even skeletons of the dead carry impurity, so Abba Yosi Ben Dostai is not in conflict with the midrash that identifies the men who were unable to celebrate Pesach in the desert with Mishael and Eltzafan. ¹⁵⁵ We can also employ Tosafot's explanation to answer the question posed earlier: for Abba Yosi Ben Dostai, even though no bodies remained, Mishael and Eltzafan were able to carry Nadav and Avihu's charred skeletons out of the Mishkan.

Mishael and Eltzafan also figure prominently in a related aggadic discussion involving Rabbis Eliezer and Akiva concerning Nadav and Avihu's deaths:

"וימותו לפני ה'". רבי אליעזר אומר, לא מתו אלא בחוץ, מקום שהלויים מותרים לכנס לשם שנאמר: "ויקברו וישאום בכתנתם". אם כן למה נאמר: "וימותו לפני ה'"? נגפן מלאך ודחפן לחוץ והוציאן. רבי עקיבא אומר, לא מתו

אלא בפנים שנאמר: "וימותו לפני ה'". אם כן למה נאמר: "ויקרבו וישאום בכתנתם"? מלמד שהטילו חנית של ברזל וגררום והוציאו לחוץ: ^{^156}

"They died before Hashem' (Vayikra 10:2). Rabbi Eliezer says, they died outside of the Kodesh Kodashim, in a place where Leviim were allowed to enter, as it says: 'They i.e. the Leviim approached and carried them by their tunics' (Vayikra 10:5). If so, why does it say 'They died before Hashem'? An angel struck them and pushed them outside, and removed them. Rabbi Akiva says, they died inside of the Kodesh Kodashim, as it says: 'They died before Hashem'. If so, why does it say 'They approached and carried them by their tunics'? The Leviim took a spear of iron and dragged Nadav and Avihu and brought them out of the Kodesh Kodashim." ^{^156}

There is a difficulty inherent in how events are said to have unfolded. Nadav and Avihu must have been in the innermost sanctum of the Mishkan where only Kohanim were permitted, as they are described as having been removed *"from before the Kodesh"* ^{^153}. Yet only Kohanim were allowed to enter there, so how could Mishael and Eltzafan, who after all were Leviim and not Kohanim, be commanded to take them outside of the camp?

Rabbi Eliezer resolves the issue by maintaining the fire occurred outside, but an angel ^{^157} ejected them from the Kodesh HaKodashim as they were being consumed by fire; their bodies landed in a place where Leviim were permitted to reach them. Rabbi Akiva, in contrast, argues they never left the innermost area of holiness, for we know they died *"before Hashem"*. Rather, the Leviim must have managed to remove them - their bodies according to Rabbi Elazar, their skeletons according to Abba Yosi Ben Dostai - by prodding them with a sharp metal spear while they remained in a permissible area for Leviim.

While either opinion in the debate on how Nadav and Avihu were punished can work with either opinion in the debate on where they died, there does seem to be an intuitive alliance between Abba Yosi Ben Dostai and Rabbi Eliezer on one side, and Rabbis Elazar and Akiva on the other.

Fundamentally, Abba Yosi Ben Dostai is focused on the physical aspect of their deaths: their bodies were destroyed and their clothes were spared, yet no mention is made of their souls. In contrast, Rabbi Elazar is more concerned with the Divine flame snuffing out their spiritual, rather than their physical, existence. In a similar vein, the debate between Rabbis Eliezer and

Akiva can be framed as a question on primacy between the physical and spiritual repercussions of Nadav and Avihu's sin. Rabbi Eliezer depicts them as being forcefully expelled from G-d's holiest chamber by a powerful, spiritual force; the miraculous nature of the incident is amplified and magnified to new heights, adding an angelic being with incredible strength to a supernatural fire from above. Rabbi Akiva paints a picture that is more naturalistic, more subdued; when Nadav and Avihu were killed they simply remained in the same spot, same as any normal death. Rabbi Akiva's depiction of Misha'el and Eltzafan stabbing their corpses - or skeletons - with spears and dragging them out of the Kodesh HaKodashim is viscerally physical and down-to-earth, contrasting profoundly with the lofty imagery employed by Rabbi Eliezer.¹⁵⁸

This dichotomy between the spiritual and physical nature of Nadav and Avihu's punishments is largely a reflection of the ambiguity surrounding what Nadav and Avihu actually did wrong in the first place. The fundamental question therefore becomes: was their sin primarily physical, or spiritual? If their sin was physical, it would follow that their punishment should emphasize physicality as well: charred bodies that had to be stabbed with spears and dragged across the floor. On the other hand, if their sin was spiritual in nature they would be punished in kind: souls snuffed out of existence, exiled from holiness by an angel of fire.¹⁵⁹

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.Vayikra 10:4-5

וַיִּקְרָא מֹשֶׁה אֶל מִישָׁאֵל וְאֶל אֶלְצָפָן בְּנֵי עֲזִיזֶלֶךְ דֹּד אַהֲרֹן וַיֹּאמֶר אֲלֵהֶם קִרְבּוּ שָׂאוּ אֶת אֲחֵיכֶם מֵאֶת פְּנֵי הַקֹּדֶשׁ אֶל מַחֲוֵיז לַמִּתְּנָה: וַיִּקְרְבוּ וַיִּשְׂאֻם בְּכַתְּנֵתָם אֶל מַחֲוֵיז לַמִּתְּנָה כַּאֲשֶׁר דִּבֶּר מֹשֶׁה:

Moshe called out to Mishael and Eltzafan, the sons of Uzziel who was the uncle of Aharon, and said to them: "Come close and take your brethren from before the Kodesh HaKodashim outside of the camp. They came close and carried them by their cloaks outside of the camp as Moshe had spoken"

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Tosafot, Sanhedrin 52a d"h hahee sereifah mamash havei. The passage in Niddah he quotes brings an example to confirm this is the halachah for a burnt corpse

Niddah 27b

רבי יצחק מגדלאה אמר בשם רבי שבתאי, מת שנשרף ושלדו קיימת טמא. מעשה היה וטמאו לו פתחים גדולים, וטהרו לו פתחים קטנים:

Rabbi Yitzhak from Gadla'ah said in the name of Rabbi Shabtai, a dead person who is burnt but his form i.e. "skeleton is intact, is impure. Once it happened and the Rabbis ruled impure all large openings under the same roof but ruled pure all small openings"

154

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Bemidbar 9:6

וַיְהִי אֲנָשִׁים אֲשֶׁר הָיוּ טְמֵאִים לְגִפְשׁ אָדָם וְלֹא יָכְלוּ לַעֲשׂוֹת הַפֶּסַח בַּיּוֹם הַהוּא וַיִּקְרָבוּ לִפְנֵי מֹשֶׁה וְלִפְנֵי אַהֲרֹן בַּיּוֹם הַהוּא:

There were men who had become impure because of a corpse, and therefore were unable to offer the Pesach on"
".that day; they came before Moshe and Aharon on that day

Of course, another way to resolve this would be to say that Abba Yosi Ben Dostai does not agree with the opinion that it was Mishaël and Eltzafan in the story of Pesach Sheni. There are other options offered in the :midrash he can rely on instead

Sifrei Beha'alotcha 68

מי היו? נושאי ארונו של יוסף היו דברי רבי ישמעאל. רבי עקיבא אמר, מישאל ואלצפן היו, ונטמאו לנדב ואביהוא. רבי יצחק אמר, אם נושאי ארונו של יוסף היו יכולים לטהר, ואם מישאל ואלצפן היו יכולים לטהר. מי היו? למת מצוה נטמאו:

Who were they? Rabbi Yishmael said, they were the bearers of Yosef's coffin. Rabbi Akiva said, they were" Mishaël and Eltzafan, who had become impure due to Nadav and Avihu. Rabbi Yitzchak said, if they had been the bearers of Yosef's coffin they would have had enough time to become pure, and if they were Mishaël and Eltzafan they would have had enough time to become pure. Rather who were they? People who had become impure ".because of a corpse on the road which must be buried

156 Sifra, Shemini Mechilta DeMilu'im 2.

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.Vayikra 10:4-5

וַיִּקְרָא מֹשֶׁה אֶל מִישָׁאֵל וְאֶל אֶלְצָפָן בְּנֵי עֲזִיזֶל דֹּד אַהֲרֹן וַיֹּאמֶר אֲלֵהֶם קְרָבוּ שָׂאוּ אֶת אֲחֵיכֶם מֵאֵת פְּנֵי הַקֹּדֶשׁ אֶל מַחֲוֵיז לַמִּתְנָה: וַיִּקְרָבוּ וַיִּשְׂאֻם בְּכַתְנֵיהֶם אֶל מַחֲוֵיז לַמִּתְנָה כַּאֲשֶׁר דִּבֶּר מֹשֶׁה:

Moshe called out to Mishaël and Eltzafan, the sons of Uzziel who was the uncle of Aharon, and said to them:" Come close and take your brethren from before the Kodesh HaKodashim outside of the camp. They came close ".and carried them by their cloaks outside of the camp as Moshe had spoken

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Perhaps Rabbi Eliezer inserts an angel into the narrative as his tribute to the methodology used above about using the first flame from above as a case study for all future flames. The Torah informs us that "*an angel of Hashem appeared to Moshe in a blazing fire from within the bush*" (see **Note 22**), so Divine flames seem to be accompanied by angels at their centers

Rashi, Shmot 3:2 d"h belabat esh

בְּשֵׁלֶהֶבֶת אֵשׁ -- לְבוֹ שֵׁל אֵשׁ, כְּמוֹ "לֵב הַשָּׁמַיִם" (דברים ד, יא):

"In the flame of a fire i.e. in the heart of a fire, similar to: 'Heart of the heavens' (Devarim 4:11)"

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This perception of Rabbi Eliezer as inclined to the spiritual and supernatural explanation, as opposed to Rabbi Akiva who favors more realistic, earthly depictions, finds an echo in the well-known controversy surrounding the holiday of Sukkot and what it is meant to commemorate

Sukkah 11b

"כִּי בְּסוּכּוֹת הוֹשַׁבְתִּי אֶת בְּנֵי יִשְׂרָאֵל", עֲנִנֵי כְבוֹד הָיוּ, דִּבְרֵי רַבִּי אֱלִיעֶזֶר. רַבִּי עֲקִיבָא אוֹמֵר: סוּכּוֹת מִמַּשׁ עָשׂוּ לָהֶם:

For I i.e. Hashem placed Bnai Yisrael in Sukkot' (Vayikra 23:43). Rabbi Eliezer says, these were clouds of" glory. Rabbi Akiva says, these were actual booths

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It follows that the argument between Rabbis Eliezer and Akiva, and between Rabbi Elazar and Abba Yosi Ben Dostai, regarding the punishment inflicted upon Nadav and Avihu is at its core an argument about the nature of their sin, and that inherent in their debate is the principle that HaKadosh Baruch Hu metes out judgment measure for measure; the nature of their death is indicative of the nature of their crime

This principle is a core belief of Rabbinic theology, so much so that it has existed since the creation of the world and is the only attribute of Divine justice that has not been nullified

Breishit Rabbah 9:11

אמר רבי סימון בשם רבי שמעון בר אבא, כל המדות בטלו, מדה כנגד מדה לא בטלה. רב הונא בשם רבי יוסי אמר, מתחלת בריתו של עולם צפה הקדוש ברוך הוא שבמדה שאדם מודד בה מודדין לו:

Rabbi Simon said in the name of Rabbi Shimon Ben Abba, all the rules regarding punishment were nullified" except for the rule of 'measure for measure'. Rav Huna said in the name of Rabbi Yosi, from the beginning of creation HaKadosh Baruch Hu saw that by the measure which one uses to measure others, that is how he will be measured

Tragic Scapegoats

There is no shortage of midrashic responses to the question of the nature of Nadav and Avihu's offense. The simplest approach would be to take the Torah at face value and attribute their sin to them bringing an offering of their own volition.¹⁶⁰ Yet this explanation merely suffers from the same challenge as the account it faithfully tries to defend: what exactly was so terrible as to deserve such an unnatural death?

Another tradition goes to the other extreme and suggests completely unrelated possibilities for Nadav and Avihu's sin, while simultaneously ignoring the foreign fire:

רבי מני דשׂאב ורבי יהושע דסכנין ורבי יוחנן בשם רבי לוי אָמְרוּ בְּשִׁבִּיל אֲרֻבָּה דְּבָרִים מָתוּ בְּנֵי אֶהֱרֹן, וּבְכֻלָּן כְּתִיב בְּהֵן מִיתָה, עַל שֶׁהָיוּ שְׂתוּיֵי יַיִן, וּכְתִיב בּוֹ מִיתָה, שֶׁנֶּאֱמַר (ויקרא י', ט): יַיִן וְשִׁכָּר אַל תִּשְׁתּוּ. וְעַל יָדֵי שֶׁהָיוּ מְחֻסְרֵי בְּגָדִים, וּכְתִיב בּוֹ מִיתָה, שֶׁנֶּאֱמַר (שמות כח, מג): וְהָיוּ עַל אֶהֱרֹן וְעַל בָּנָיו, וּמָה הָיוּ חֲסֻרִּין, מְעִיל, שֶׁכְּתוּב בּוֹ מִיתָה, שֶׁנֶּאֱמַר (שמות כח, לה): וְהָיָה עַל אֶהֱרֹן לְשָׂרֵת, וְעַל יָדֵי שֶׁנֶּאֱמַר בְּלֹא רְחִיצַת יָדַיִם וְרַגְלָיִם, שֶׁנֶּאֱמַר (שמות ל, כא): וְרָחֲצוּ יְדֵיהֶם וְרַגְלֵיהֶם וְלֹא יָמָתוּ, וּכְתִיב (שמות ל, כ): בְּבֹאֵם אֶל אֹהֶל מוֹעֵד יִרְחֲצוּ מֵיִם, וְעַל יָדֵי שֶׁלֹּא הָיוּ לָהֶם בָּנִים, וּכְתִיב בּוֹ מִיתָה, הֵדָא הוּא דְּכְתִיב (במדבר ג, ד): וַיָּמָת נָדָב וַאֲבִיהוּא. אֲבָא חֲנִין אֹמֵר עַל יָדֵי שֶׁלֹּא הָיוּ לָהֶם נָשִׁים, דְּכְתִיב (ויקרא טז, ו): וְכִפֹּר בְּעֶדּוֹ וּבְעֵד בֵּיתוֹ, בֵּיתוֹ זֶה אִשְׁתּוֹ: ¹⁶¹

"Rabbi Manai from Sheav and Rabbi Yehoshua from Sichnin and Rabbi Yochanan in the name of Rabbi Levi said, the sons of Aharon died because of four things, and regarding each of them the Torah prescribes death. (1) They were drunk on wine, and it prescribes death, as it says: 'You shall not drink wine and beer during sacrificial service' (Vayikra 10:9). (2) They were missing priestly garments, and it prescribes death, as it says: 'They shall be on Aharon and his sons' (Shmot 28:43). Which garments were missing? The Me'il, and it prescribes death, as it says: 'It shall be on Aharon to serve' (Shmot 28:35). (3) They went in without washing their hands and feet first, as it says: 'They shall wash their hands and feet and not die' (Shmot 30:21), and it says: 'When they come to the Ohel Moed they shall wash with water' (Shmot 30:20). (4) They did not have sons, and it prescribes death, as it says: 'Nadav and Avihu died' (Bemidbar 3:4). Abba Hanin says, because they did not have wives, as it says: 'He shall atone for himself and his house' (Vayikra 16:6) - his house means his wife."¹⁶¹

All these sins, along with many others detailed in the midrashim¹⁶², are essentially actions that Nadav and Avihu could have prevented directly by conducting themselves in a different way. Even the fourth possibility, namely that they didn't have children, is still considered a

fault to them for choosing not to fulfill the mitzvah of procreation.¹⁶³ HaKadosh Baruch Hu conducts Himself in a way that is just and fair; surely if Nadav and Avihu were punished in such a spectacular way, it must have been as a direct result of their having committed some personal, avoidable transgression. These midrashim are motivated at least in part by a desire to emphasize this central theological principle, defending the appropriateness of HaKadosh Baruch Hu's actions and seeing in them a justification for the belief that He operates in the world *middah keneged middah*, measure for measure.

There is another, later tradition which radically subverts this commonly asserted aggadic belief. If one claims that Nadav and Avihu's death was not due to their having committed a sin, the ambiguity of the pesukim on what they did wrong becomes somewhat less problematic. Yet if they were innocent, or at least not guilty of a sin serious enough to warrant the death penalty, there is an obvious question to ask: why did HaKadosh Baruch Hu kill them?

ומנין שהתפילה מבטלת חצי הגזירה שכן אתה מוצא באהרן שנאמר ובאהרן התאנף ה' מאד להשמידו (דברים ט' כ') אמר רבי יהושע דסיכנן בשם ר"ל אין להשמידו אלא עקירת בנים ובנות שנאמר ואשמיד פריו ממעל ושרשיו מתחת (עמוס ב' ט') לא עשה אלא כיון שנתפלל משה עליו שנאמר ואתפלל גם בעד אהרן בעת ההיא (דברים שם) אמר לו הקדוש ברוך הוא הואיל שנתפללת עליו ביטלת חצי הגזירה ממנו ואל אלעזר ואל איתמר הנותרים (ויקרא י' י"ב) מלמד שאף הן היו בכלל הגזירה אמר רבי מנא דשאב בשם ר' יהושע ב"ל הצל לקוחים למות (משלי כ"ד י"א) נמצאת אומר שעל ידי התפילה ניצולו אלעזר ואיתמר אמר הקב"ה חייך כך הייתה הגזירה שימותו כל בניך והואיל שנתפלל משה הריני מבטל חצי הגזירה ומבטל שנים ומניח שנים מניין ממה שקרינן בענין אחרי מות שני בני אהרן:¹⁶⁴

"How do we know that prayer nullifies half of a decree? You find in regards to Aharon, as it says: 'And Hashem was angry enough with Aharon to destroy him' (Devarim 9:20). Rabbi Yehoshua from Sichnin said in the name of Rabbi Yehoshua Ben Levi, the language of destroying is only in regards to the uprooting of male and female children, as it says: 'I will destroy his fruits from above and his roots from below' (Amos 2:9). HaKadosh Baruch Hu did not do so i.e. did not destroy Aharon because Moshe prayed on his behalf, as it says: 'I also prayed for Aharon at that time' (Devarim 9:20). HaKadosh Baruch Hu said to him, since you prayed for him, you have nullified half of the decree. 'To Elazar and Itamar the remaining sons' (Vayikra 10:12) - this teaches that they had also been included in the original decree. Rabbi Mana from Sheav said in the name of Rabbi Yehoshua Ben Levi: 'If you refrained from those taken off to die' (Mishlei 24:11) - you find that because of Moshe's prayer, Elazar and

Itamar were saved. HaKadosh Baruch Hu said, by your life the decree was that all four boys should die, but since Moshe prayed I have nullified half of the decree, and nullified it for two sons and left it for two sons. This is as it says: 'After the death of Aharon's two sons.'"¹⁶⁴

Nadav and Avihu were killed as an act of collective punishment: their deaths provided an atonement for their father Aharon's active participation in the sin of the golden calf. Hashem wanted to destroy Aharon as a response to his behavior of condoning and supporting *avodah zarah*, and He would have done so had Moshe not interceded on Aharon's behalf and prayed that his brother's life be spared. Pesikta Rabbati argues that prayer nullifies half a decree, but not an entire decree: instead of destroying Aharon, taken to mean the death of all his children, Hashem spared half of them, namely Elazar and Itamar; Nadav and Avihu were condemned to die for Aharon's actions through no fault of their own.

This explanation seems to run counter to key dogmas of Rabbinic theology and is quite disturbing at first glance, but upon closer inspection it stylistically ties together many loose strands and open questions in a cohesive way. For example, after Nadav and Avihu were consumed, the Torah famously and cryptically informs us that their father Aharon was silent. What does his silence mean? There are three major suggestions offered in the aggadic tradition which can all be found echoed in the classical commentaries on Chumash:

- **Shock** - Mourners "have no mouth" on the day of a loved one's death, as the pain and trauma of loss renders them speechless. In recognition of this very human response to tragedy, a halachic custom developed to serve lentils at a house of mourning.¹⁶⁵

- **Acceptance** - Silence on the part of the mourner indicates a reconciliation of G-d's justice even in times when such justice is difficult to see, intellectually or emotionally. Such silence is praiseworthy and leads to great reward.¹⁶⁶

- **Comfort** - If a mourner knows his loved one lived a good life, full of proper deeds and righteousness, perhaps he can take comfort in a death that can be eulogized as an example of a life well lived.¹⁶⁷

While the last two ideas are similar in some sense, there is a difference between them. Acceptance is *tzidduk hadin*, internalizing that there was a reason why your loved one had to die, while comfort is seeing in your loved one's death something positive. Acceptance may therefore still be plausible if the loved one who died deserved it on account of sinful behavior,

while comfort makes more sense as a reason for silence when the deceased was someone righteous. The first answer, of course, can apply in all cases, regardless of how good or evil the loved one happened to be.

Given the above, we can understand how the approach of Aharon's silence stemming from raw, emotional shock makes sense if Nadav and Avihu died on account of their own sins: his silence conveys intense grief at his sons' death mingled with horror at the knowledge and realization that his sons had acted so unacceptably. Similarly, a willing acceptance of Divine authority and justice aligns with the tradition that attributes various sinful acts to Nadav and Avihu: they died because they committed one or multiple sins, and Aharon's silence was then an acceptance that actions have consequences and his sons deserved to die. Yet how can we accept the third opinion presented above, espoused in Midrash Tanchuma HaYashan and other places, that Moshe comforted Aharon through his effusive praise of Nadav and Avihu, given all the midrashim that fault Nadav and Avihu for their deaths?

The answer lies in removing the burden of sin - or at least sin worthy of such extreme punishment - from Nadav and Avihu. Why was Aharon silent once informed by Moshe that his sons' deaths were in order to glorify G-d's name? This question falls away if we turn to Pesikta Rabbati's explanation of the incident, which instead turns the relatively straightforward interpretation of silencing being a manifestation of acceptance or comfort on its head.

Silence signaling Aharon's *tzidduk hadin* is a plausible explanation, but not because Aharon made peace with the deaths of his sons. Quite the opposite: Aharon made peace with the fact that his own actions would not go unpunished, that his acquiescence to assist in the building of the golden calf should have led to his own death, as Moshe himself testifies to in Devarim 9:9. Aharon's silence is an acceptance that his sons' deaths are in lieu of his own, and as difficult and unbearable as that knowledge is, he accepts it silently. The explanation of comfort is also understandable; Aharon was comforted by the survival of his two remaining sons, and the efficacy of Moshe's prayer. Yet there is another, selfish dimension to Aharon's comfort as well: Aharon was not silent because he was comforted his sons' deaths were a response to their righteousness; he was comforted because, as Moshe himself had assumed, their deaths meant that he was now safe from Divine fury, that his being worthy of punishment was no longer hanging over him. While the death of his two eldest sons must have caused him immeasurable pain, it is also understandable that in parallel he felt some

level of relief knowing that his ledger was no longer blood red, that the slate of his past had been wiped clean in the Heavenly court.

When all the dust settles, removing the guilty behavior from Nadav and Avihu and instead placing it squarely at the feet of Aharon allows for every interpretation of Aharon's silence, albeit for different reasons than those given in most mainstream midrashim. Aharon's silence stemming from raw shock makes sense if Nadav and Avihu died on account of their own sins: grief at his sons' passing combined with abject disgust at the realization that it was on his account, the fault of his sins. It also works as a manifestation of Aharon's acceptance of G-d's actions, of his sons' deaths being the will of the Creator as a result of his behavior; one could go so far as to suggest that we would not be surprised if a father would gladly sacrifice his own life for those of his children, and the *tzidduk hadin* present here is Aharon wishing beyond anything to die in his sons' stead, yet accepting that HaKadosh Baruch Hu inscrutably wanted him to live and his sons to die in his stead. And thirdly, we can understand how Aharon's silence indicates comfort, a twisted, psychologically complex sense of relief that, despite the unspeakable tragedy of his sons' death, he was now off the hook. ^168^

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Vayikra Rabbah 20:8

בר קפרא בשם רבי ירמיה בן אלעזר אמר בשביל ארבעה דברים מתו בניו של אהרן, על הקריבה, ועל הקרבה, על אש זרה, ועל שלא נטלו
עצה זה מזה:

*Bar Kappara said in the name of Rabbi Yirmiyah Bar Elazar, the sons of Aharon died because of four things:"
".coming close, offering, foreign fire, and that they did not seek one another's advice*

161 Vayikra Rabbah 20:9.**161 Vayikra Rabbah 20:9.**

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Sanhedrin 52a

וכבר היו משה ואהרן מהלכין בדרך ונדב ואביהוא מהלכין אחריהן וכל ישראל אחריהן אמר לו נדב לאביהוא אימתי ימותו שני זקנים הללו
ואני ואתה ננהיג את הדור אמר להן הקב"ה הנראה מי קובר את מי אמר רב פפא היינו דאמרי אינשי נפישי גמלי סבי דטעיני משכי דהוגני:

*Moshe and Aharon were walking on their way, and Nadav and Avihu were walking behind them, and all of"
Yisrael behind them. Nadav said to Avihu, when will these two old men die and you and I will lead the
generation? HaKadosh Baruch Hu said to them, we'll see who buries whom. Rav Papa said, this is as people
".say: there are many old camels loaded with the skins of young camels*

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We are told that Nadav and Avihu had no children by the Torah not, as one would perhaps expect, in the context of their deaths, but rather following the detailed counting of Bnai Yisrael in the desert

Bemidbar 3:4

וַיָּמָת נָדָב וַאֲבִיהוּא לִפְנֵי יְהוָה בְּהַקְרִבָם אֵשׁ זָרָה לִפְנֵי יְהוָה בְּמִדְבָּר סִינַי וּבָנִים לֹא הָיוּ לָהֶם וַיִּכְהֹן אֶלְעָזָר וְאִיתָמָר עַל פְּנֵי אֲהֵרֹן אֲבִיהֶם:

*Nadav and Avihu died before Hashem in the desert of Sinai when they brought a foreign fire before Hashem,"
"and they did not have any sons; Elazar and Itamar were made priests during the lifetime of their father Aharon*

The midrash is likely picking up on the similarity of language found when comparing the deaths of Nadav and Avihu and those of Er and Onan, the first two sons of Yehudah. The Torah uses the singular word *vayamot* to describe the deaths of Nadav and Avihu - instead of the expected plural *vayamutu* - followed by the location of their passing. This same sentence structure of the singular verb followed by location is also found in the recounting of Er and Onan's deaths

Breishit 46:12

וּבְנֵי יְהוּדָה עֵר וֹנָן וְשִׁלָּה וְיִצְחָק וְזֵרַח וַיָּמָת עֵר וֹנָן בְּאֶרֶץ כְּנָעַן וַיְהִי בְנֵי פֶרֶץ חֲצֹרֹן וְחַמּוּל:

*The sons of Yehudah were Er, Onan, Shelah, Peretz and Zerach; Er and Onan died in Eretz Canaan, and the
"sons of Peretz were Hetzron and Hamul*

The midrash is puzzled by this singular form and find in it an allusion to the idea that Er and Onan committed the same sin: that of spilling their seed so as not to procreate

Yevamot 34b

בְּשִׁלְמָא אוֹנָן, דְּכָתִיב בֵּיהּ "וַיִּשְׁחַת אֶרְצָה", אֵלָּא עֵר מְנַלָּן? אָמַר רַב נַחְמָן בַּר יִצְחָק: דְּכָתִיב "וַיָּמָת גַּם אוֹתוֹ", אָף הוּא בְּאוֹתָהּ מֵיָמָה מֵת. בְּשִׁלְמָא אוֹנָן, מִשּׁוּם "לֹא לוֹ יִהְיֶה הַנָּרֶע", אֵלָּא עֵר מֵאִי טַעְמָא עֲבַד הֵכִי? כְּדִי שְׂלֵא תַתְּעִיבַר וְיִכְחִישׁ יָפִיָּה:

*By Onan all is well i.e. we know what his sin was that caused Hashem to kill him, as it says: 'He spilled his seed'. But why was Er killed? Rav Nachman Bar Yitzchak said, it says: 'He also killed him', meaning he died for the same reason. By Onan all is well, as it says: 'The offspring would not be considered his'. But why did Er
"behave this way and spill his seed? So that Tamar should not get pregnant and have her beauty compromised*

In a similar vein, our midrash draws a comparison to Nadav and Avihu and argues they too died for the same sin as Er and Onan, such that all four of them are connected in some sense by the common denominator of that singular *vayamot*. Having said that, naturally there are differences between each individual's sin. The Talmud distinguishes Er's motivation - not wanting to get Tamar pregnant and ruin her looks - from Onan's motivation of wanting children to carry on his name: So too the reason why Nadav and Avihu did not have children was their own: they thought themselves too important to settle down and get married

Vayikra Rabbah 20:10

רבי לוי אמר שחזים היו, הרבה נשים היו יושבות עגונות ממתינות להם, מה היו אומרים, אחי אבינו מלך, אחי אמנו נשיא, אבינו כהן גדול ואנו שני סגני כהנה, אי זו אשה הוגנת לנו. רבי מנחם ב"ש רבי יהושע בן נחמיה אמר (תהלים עח, סג): בחוריו אכלה אש, למה בחוריו אכלה אש, משום: בתולתיו לא הוללו:

Rabbi Levi said, Nadav and Avihu were arrogant. Many women sat and pined away and waited for them, but they used to say, our paternal uncle is a king, our maternal uncle is a prince, our father is the Kohen Gadol and we are princes of the Koehunah - what woman is worthy of us? Rabbi Menachma said in the name of Rabbi Yehoshua Ben Nehemiah: 'His young men were consumed by fire' (Tehillim 78:63). Why were His young men consumed by fire? Because: 'His young women remained unmarried

Yalkut Shimoni on Torah Remez 524

נדב ואביהוא מה ת"ל בני אהרן כמשמע שנאמר נדב ואביהוא איני יודע שבניו היו מה ת"ל בני אהרן שלא חלקו כבוד לאהרן. נדב ואביהוא לא נטלו עצה משה. איש מחתתו איש מעצמו ולא נטלו עצה זה מזה:

Nadav and Avihu'. Why does it say also 'the sons of Aharon' - from the fact that it says 'Nadav and Avihu' don't'I know that they were his sons; why does it say also 'the sons of Aharon'? Because they didn't give Aharon the proper respect. Nadav and Avihu also did not seek advice from Moshe. 'Each man took his pan' - each man on his own, and they did not even seek advice from one another

It follows that all four men were killed by G-d for not having children. Er got married, but spilled his seed for fear of making his wife ugly; and Onan got married, but spilled his seed for fear of having a child that would not bear his name. Nadav and Avihu never got married due to their inflated sense of self-entitlement, and they - unlike Er and Onan - committed the exact same sin

Sifra Acharei Mot 1

מנין שכשם שעבירת שניהם שוה כך מיתת שניהם שוה? ת"ל "אחרי מות שני בני אהרן":

How do we know that just as the sin of Nadav and Avihu was the same, so too their death was the same? As it says: 'After the death of the two sons of Aharon

Another linguistic curiosity our midrash addresses is the Torah's need to tell us explicitly that *"they did not have any sons"*. While a reasonable explanation for this can be readily offered, namely that it is to explain why Elazar and Itamar were anointed as priests during Aharon's lifetime and not the sons of the elder priests Nadav or Avihu, nevertheless the midrash sees in this superfluous piece of information an explanation of what caused their death. Rather than connecting *"and they did not have any sons"* to the pasuk's conclusion about Elazar and Itamar, the midrash instead connects it to the pasuk's beginning about Nadav and Avihu's death. Bemidbar 3:4 as understood by the midrash then reads as follows

Nadav and Avihu died before Hashem in the desert of Sinai when they brought a foreign fire before Hashem, and they were killed was because they, in their arrogance, chose not to have any sons; Elazar and Itamar were made priests during the lifetime of their father Aharon

164 Pesikta Rabbati 47:1.

164 Pesikta Rabbati 47:1.

Bava Batra 16b

דְּכָתִיב וְיָבֵא עֲשׂוֹ מִן הַשְּׂדֵה וְהוּא עֵינֵף (בראשית כה:כט) וְתָנָא אוֹתוֹ הַיּוֹם נִפְטָר אַבְרָהָם אָבִינוּ וְעָשָׂה יַעֲקֹב אָבִינוּ תַבְשִׁיל שֶׁל עֲדָשִׁים לְנַחֵם אֶת יִצְחָק אָבִיו וּמֵאִי שָׁנָא שֶׁל עֲדָשִׁים אֶמְרֵי בְּמַעֲרָבָא מִשְׁמִיָּה דְרַבָּה בַר מְרִי מָה עֲדָשָׁה זֶה אֵין לָהּ פֶּה אֶף אֶכֶל אֵין לוֹ פֶּה:

As it says: 'Esav came from the field and he was tired' (Breishit 25:29). It was taught: Avraham Avinu passed away on that same day, and Yaakov Avinu was preparing a stew of lentils to comfort his father Yitzchak. Why do we feed lentils to a mourner? They said in the West in the name of Rabbi Bar Mari, just as a lentil has no mouth, "so too a mourner has no mouth

:A later version of this midrash spells out the connection between Yaakov's lentils and the silence of Aharon

Midrash Aggadah, Breishit 25:29

שְׁאוֹתוֹ יוֹם שְׁמַת אַבְרָהָם הָיָה יַעֲקֹב מִבְּשֵׁל תַבְשִׁיל שֶׁל עֲדָשִׁים, כְּדִי לְהַאכִּיל לִיצְחָק אָבִיו. וְלָמָּה מֵאֲכִילִין לְאֵבֶל עֲדָשִׁים, מִיֵּכֵן שְׁאוֹר לְאֵבֶל לְדַבֵּר, מָה עֲדָשִׁים אֵין לָהֶם פֶּה, כִּךְ אֲבֵל אֲסוּר לְדַבֵּר, שְׁנֵאמַר וִידוּם אַהֲרֹן (ויקרא י ג):

Avraham passed away on that same day, and Yaakov was cooking a stew of lentils to feed his father Yitzchak." Why do we feed lentils to a mourner? From here we derive that mourners are not allowed to speak: just as lentils "have no mouth, so too mourners should not speak, as it says: 'Aharon was silent' (Vayikra 10:3)

:This interpretation of Aharon's silence is arguably the most loyal to the *peshat*

Rashbam Vayikra 10:3 d"h vayidom aharon

מֵאֲבִלוֹתוֹ וְלֹא בָכָה וְלֹא הִתְאַבֵּל, שֶׁכֵּן כָּתִיב בִּיחֻזְקָאֵל: בֶּן אָדָם הִנֵּנִי לֹקֵחַ מִמֶּךָ אֶת מַחְמַד עֵינֶיךָ בְּמַגְפָּה וְגו' הָאֵנָּק דָּם מֵתִים אֲבֵל לֹא תַעֲשֶׂה ... וְזֶה מוֹסֵר וְאִמִּיתֵת פְּשוּטוֹ:

Aharon was silent from his mourning; he did not cry or outwardly mourn, as it says: 'Son of man, behold I am' taking from you the beloved of your eyes in a plague ... sigh in silence, make no mourning for the dead "(Yechezkel 24:16-17) ... this is the most straightforward, truthful understanding of the peshat

:As an aside, this custom to serve lentils at a house of mourning is preserved as a custom in halachah

Shulchan Aruch, Yoreh De'ah 378:9

מִקּוֹם שֶׁנִּהְיָג לְהַבְרֹת בְּבֶשֶׂר וַיֵּין וּמֵינֵי מִטְעָמִים עוֹשִׂים וּמְבָרִין תַּחֲלִילָה בְּבָצִים אוֹ בְּתַבְשִׁיל שֶׁל עֲדָשִׁים זָכַר לְאֲבִילוֹת וְאֶחָ"כ אֹכְלִים כָּל צָרָכָם:

In a place where the custom was to fill up on meat and wine and all sorts of tasty foods, they can do so but first "fill up on eggs or a stew of lentils, as a remembrance of the mourning, and afterwards eat whatever they want

Siftei Kohen (Shach), Yoreh De'ah 378:9 d"h bebeitzim

שְׁאִין לָהֶם פֶּה כְּמוֹ אֲבֵל שְׁאִין לוֹ פֶּה:

"For lentils do not have a mouth, just like a mourner who has no mouth"

Zevachim 115b

היכא רמיזא דכתיב (שמות כט, מג) ונועדתי שמה לבני ישראל ונקדש בכבודי אל תקרי בכבודי אלא במכובדיי דבר זה אמר הקב"ה למשה ולא ידעו עד שמתו בני אהרן כיון שמתו בני אהרן אמר לו אהרן אחי לא מתו בניך אלא להקדיש שמו של הקב"ה כיון שידע אהרן שבניו ידועי מקום הן שתק וקבל שכר שנאמר (ויקרא י', ג) וידום אהרן וכן בדוד הוא אומר (תהלים לו, ז) דום לה' והתחולל לו אע"פ שמפיל לך חללים חללים את שתוק וכן בשלמה הוא אומר (קהלת ג, ז) עת לחשות ועת לדבר פעמים ששותק ומקבל שכר על השתיקה פעמים מדבר ומקבל שכר על הדבור:

Where is the statement that Moshe told Aharon HaKadosh Baruch Hu had made about being glorified through His close ones hinted to? As it says: 'I will meet Bnai Yisrael there and be sanctified in My honor' (Shmot 29:43) - don't read it as My honor but rather My honored ones. This is what HaKadosh Baruch Hu said to Moshe, but Moshe did not know its meaning until the sons of Aharon died. When they died, Moshe said to him, Aharon my brother; your sons have not died except to sanctify the name of HaKadosh Baruch Hu. When Aharon knew that his sons were beloved by Makom, he was silent and received reward for it, as it says: 'Aharon was silent' (Vayikra 10:3). Similarly with David it says: 'Be silent for Hashem and wait patiently for Him' (Tehillim 37:7) - even though he throws upon you many corpses, you should be silent. And so too Shlomo says: 'There is a time to be silent and a time to speak' (Kohelet 3:7) - there are times when one who is silent receives reward over his silence, and there are times when one who speaks receives reward over his speech

Yalkut Shimon on Torah Remez 525

נכנס משה אצלו והיה מפייסו אמר לו אהרן אחי מסיני נאמר לי עתיד אני לקדש את הבית הזה באדם גדול אני מקדשו והייתי אומר או בי או בך הבית מתקדש עכשיו נמצאו בניך גדולים ממני וממך שבהן הבית נתקדש ... ויאמר משה הוא אשר דבר ה' לאמר בקרובי אקדש זה דבור נאמר למשה בסיני ולא ידעו עד שבא מעשה לידו וכיון שבא מעשה לידו א"ל משה לאהרן אהרן אחי לא מתו בניך אלא בשביל קדושת שמו של מקום שנאמר ונועדתי שמה לבני ישראל ונקדש בכבודי:

Moshe went to Aharon and appeased him, and said to him, Aharon my brother; it was said to me at Sinai that in the future I i.e. HaKadosh Baruch Hu will sanctify this house with a great man, and I figured it meant through me or you this house would be sanctified. Now it seems your sons are greater than me or you, for through them this house was sanctified ... Moshe also said, this is what Hashem meant when he said: 'I shall be sanctified' - this was said to Moshe at Sinai but he did not know what it mean until this deed came before him, and once this deed came before him Moshe said to Aharon, Aharon my brother; your sons only died in order to sanctify the name of Makom, as it says: 'I shall appear there before Bnai Yisrael and be sanctified through My honor

Rashi, Vayikra 10:3 d"h vayidom aharon

קבל שכר על שתיקתו, ומה שכר קבל? שנתחד עמו הדבור, ששנאמר לו לבדו פרשת שתויי יין:

Aharon received reward for his silence. What was his reward? That he received a unique Divine command, that "the laws prohibiting drinking before service were said just to him

Silence is not only praiseworthy for the mourner himself: family and friends who go to comfort him are also encouraged to do so in silence

Berachot 6b

אמר רב פפא: אגרא דבי טמא שתיקוהא:

Rav Papa said, the reward for going to a mourner's house is on account of silence i.e. silence is the best form of "comfort for a mourner"

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:While the midrash does not make this exact argument, it does see in Aharon's silence a sign of comfort

Midrash Tanchuma HaYashan, Shemini 1

וכן אמר משה לאהרן, העת שאמר לי בקרובי אקדש, חשבתי כי בי או בך יפגע, ועכשו אני יודע כי הם גדולים ממני וממך. וידם אהרן, היה לו הדבר לנחמה. לך נאמר: שומר מצוה לא ידע דבר רע (קהלת ח:ה):

Moshe said to Aharon, when HaKadosh Baruch Hu said to me 'I will be sanctified through My close ones', I" thought he meant me or you, but now I know that they were greater than me and you. 'Aharon was silent' - it was "a source of comfort for him. As it says: 'Whoever keeps a mitzvah will not know any bad thing (Kohelet 8:5)

Seforno, Vayikra 10:3 d"h vayidom aharon

שהתנחם בקידוש ה' שנקדש במוותם:

"Aharon was comforted in the sanctification of Hashem's name that their deaths enabled"

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Alongside a myriad of other motivations, the midrash's unapologetic declaration that HaKadosh Baruch Hu kills children for the sins of their fathers - namely Nadav and Avihu's deaths for Aharon's participation in the sin of the Golden Calf - is an explanation into what is meant when the Torah records the following

Shmot 34:7

נִצַּר הַסֵּדֶר לְאַלְפִים נֶשְׂאָה עֵן וְנִשְׁעָה וְחִטָּאָה וְנִקְהָל לֹא יִנָּקֶה פֶקֶד עֵן אָבוֹת עַל בְּנֵיהֶם וְעַל בְּנֵי בָנֵיהֶם עַל שְׁלִשִּׁים וְעַל רִבְעִים:

Extending kindness to the thousandth generation, forgiving sin, transgression, and iniquity; yet not forgiving all" punishment, but still visiting the sins of fathers on their children and children's children, upon the third and "fourth generations

In the aftermath of the Golden Calf, Moshe is pleading with Hashem for mercy and begging Him to spare those who sinned. During his intercession the 13 attributes of mercy are recited, yet what immediately follows them is a caveat: G-d forgives sin, but not entirely, as He punishes descendants for the sins of their ancestor. There are numerous examples of this phenomenon scattered throughout Tanach; one extreme example is the punishment visited upon Eli the Kohen Gadol, where Hashem seems to punish his house not only up to four generations but :for all time

Shmuel Aleph 3:12-14

בַּיּוֹם הַהוּא אָמְרוּ אֵלַי אֵת כָּל אֲשֶׁר דִּבַּרְתִּי אֵל בֵּיתוֹ הַזֶּה וְכָל־הַחֵל וְכָל־הָאֵל וְהַגְדַּתִּי לוֹ כִּי שִׁפְטָה אֲנִי אֶת בֵּיתוֹ עַד עוֹלָם בָּעֵן אֲשֶׁר יָדַע כִּי מְקַלְלִים לָהֶם בְּנֵיו וְלֹא כָהֵן בָּם: וְלָכֵן נִשְׁבַּעְתִּי לְבֵית עָלִי אִם יִתְכַפֵּר עֵן בֵּית עָלִי בְּזָבַח וּבְמִנְחָה עַד עוֹלָם:

On that day I shall fulfill towards Eli that which I spoke regarding his house, from beginning to end. And I" declare to him that I condemn his house to endless punishment for the sin he knew about - that his sons committed sacrilege and he did not rebuke them. Therefore, I swear concerning the house of Eli that the sin of ".the house of Eli shall never be atoned for by any sacrifice or offering

One way to understand the 13 attributes of mercy - and their apparent qualification - is that G-d's traits are being stated as a form of praise, meant to mollify Him in an attempt to prevent the destruction of Bnai Yisrael. Yet the question could theoretically be asked: this was said in the context of the sin of the Golden Calf, perhaps the greatest sin ever embedded in the national consciousness, yet we find no evidence of G-d actually punishing the children of those who participated in the *avodah zarah*. There is punishment visited upon those who sinned both from below - at the hands of Shevet Levi - and from above via Divine plague; but where do we see children punished for the Golden Calf? Perhaps Pesikta Rabbati addresses this by realizing this attribute of how G-d .relates to the world through the main actor of the Golden Calf: Aharon himself

It is worth noting here that Pesikta Rabbati's unabashed embrace of this idea in its most straightforward sense is in contrast to most Rabbinic opinions which are uncomfortable with attributing such a quality to G-d and instead offer some explanation which ameliorates the seeming injustice of this approach. In particular, one solution argues that this should be taken to mean that the offspring must follow in the footsteps of the wicked parent in :order to be similarly punished

Sanhedrin 27b

ובנים בעון אבות לא והכתיב (שמות לד, ז) פוקד עון אבות על בנים התם כשאוחזין מעשה אבותיהן בידיהן כדתניא (ויקרא כו, לט) ואף בעונות אבותם אתם ימקרו כשאוחזין מעשה אבותיהם בידיהם אתה אומר כשאוחזין או אינו אלא כשאין אוחזין כשהוא אומר איש בחטאו יומתו הרי כשאוחזין מעשה אבותיהן בידיהן:

Are sons not put to death for the sins of their fathers? Doesn't it say: 'Visiting the sins of fathers on their children' (Shmot 34:7)? There, it is when the sons hold onto the deeds of the fathers in their hands but if they do not behave similarly they are not punished. As it was taught: 'In the sins of their fathers they will pine away for them' (Vayikra 26:39) - this is when the sons hold onto the deeds of the fathers in their hands. Do you say only when they hold onto them, or perhaps even when they don't hold onto them? When it says: 'A man shall die for his sin', that teaches that this is only when the sons hold onto the deeds of the fathers in their hands

This approach seems to conflict with Pesikta Rabbati, for while other midrashim do find fault with Nadav and Avihu as discussed earlier, Pesikta Rabbati states very clearly they were killed specifically as a result of Aharon's sin. Of course, the opinions could be reconciled by interpreting Pesikta Rabbati to be saying that because of their own sins, Nadav and Avihu were punished instead of Aharon since they held onto the deeds of their father. Yet, this is a difficult argument to make, for Aharon himself is spared; Pesikta Rabbati clearly sees Nadav and Avihu's deaths as a sacrifice meant to atone for Aharon, not a similar punishment because they continued what he had done.

Another approach is that perhaps HaKadosh Baruch Hu did indeed use to govern the world with this quality, but that He does not any longer

Makkot 24a

אמר ר' יוסי בר חנינא ארבע גזירות גזר משה רבינו על ישראל באו ארבעה נביאים וביטלו ... משה אמר (שמות לד, ז) פוקד עון אבות על בנים בא יחזקאל וביטלה (יחזקאל יח, ד) הנפש החוטאת היא תמות:

Rabbi Yosi Bar Hanina said, Moshe Rabbeinu decreed four decrees on Yisrael, and four prophets came and nullified them ... Number three: Moshe said: 'Visiting the sins of fathers on their children' (Shmot 34:7); Yechezkel came and nullified it: 'The soul that sins shall die but not those of its descendants' (Yechezkel 18:4)

This opinion could work with Pesikta Rabbati, for it would admit that in the generation of Moshe and Aharon HaKadosh Baruch Hu administered punishment on children for the sins of their fathers. After Yechezkel, however, there was a shift in the rules of engagement of Divine judgment.

It is not unlikely that polemical undertones underlie this discussion as well, as the concept of a son being sanctified through death and sacrifice because of the peoples' sins has an unnerving similarity to central Christian doctrine. The level of comfort Rabbinic opinion has with including this idea in a Jewish context can be viewed through the lens of these different aggadic traditions: Pesikta Rabbati fully embraces it, Sanhedrin makes strenuous efforts to distance itself from it, and Makkot lands somewhere in between, arguing it belongs to the past but not to what was for them contemporaneous events.

The full theological implications of this idea along with how the interplay between Jewish and Christian thought influences midrashic opinion are beyond the scope of this sefer.

At the Border

This tradition found in Pesikta Rabbati also illuminates and interplays with other midrashim commenting on another perplexing story revolving around Aharon, incense and death:

וידבר יהוה אל משה לאמר: הרמו מתוך העדה הזאת ואכלה אתם כרגע ויפלו על פניהם: ויאמר משה אל אהרן קח את המִקְטָה ותן עליה אש מעל המזבח ושים קטרת והולך מהרה אל העדה וכפר עליהם כי יצא הקצף מלפני יהוה התל הגגף: ויקח אהרן כַּאֲשֶׁר | דבר משה וירץ אל תוך הקהל והנה התל הגגף בעם ויתן את הקטרת וכפר על העם: ויעמד בין המתים ובין החיים ותעצר המגפה: ויהיו המתים במגפה ארבעה עשר אלף ושבע מאות מלבד המתים על דבר קרח: וישב אהרן אל משה אל פתח אהל מועד והמגפה נעצרה: ¹⁶⁹

"Hashem spoke to Moshe, saying: Remove yourselves from this assembly and I shall consume it in an instant. They fell on their faces. Moshe said to Aharon, take the pan and put fire from the altar on it and place incense, and go quickly to the assembly and atone for them, for the anger has gone out from before Hashem; the plague has begun. Aharon took as Moshe commanded, and he ran into the congregation and saw that indeed the plague had begun in the nation. He placed the incense and atoned for the nation. He stood between the dead and the living, and the plague was stopped. 14,700 had died from the plague, not counting those who had died on account of Korach. Aharon returned to Moshe to the entrance of the Ohel Moed, and the plague stopped." ¹⁶⁹

In the aftermath of Korach's failed rebellion, the nation is defiant and mutinous. The people accuse Moshe and Aharon of having a direct hand in the deaths of Hashem's nation. This garnered an angry response from Hashem, who perhaps - as it were - had hoped the silencing of Korach and his followers would similarly cow the people into submission. For some inexplicable reason, in contrast to all previous instances where Hashem threatened to wipe out Bnai Yisrael, Moshe does not stand up and supplicate on the nation's behalf; he somehow intuits that there is no hope in preventing the oncoming destruction, instead adopting a strategy of minimizing the damage. Why Moshe's response in this episode should be set apart in this way is not immediately obvious from the pesukim.

Several other questions also present themselves from even a cursory reading of this story:

- How did Moshe know what needed to be done in order to stop the plague? ¹⁷⁰
- Why was incense specifically the magic antidote needed to stop the plague? ¹⁷¹

- HaKadosh Baruch Hu had expressed a clear desire to destroy Bnai Yisrael. He was the one who controlled the plague's initial spread and eventual containment. What was it about Aharon carrying the incense that could have compelled Him to end the plague?

- Why did Moshe ask Aharon to go stop the plague instead of dealing with it himself?

- Aharon's acquiescence to Moshe's request, despite the clear mortal danger, implies he implicitly knew it was his task to complete. Why didn't Aharon object?

The answer to all of these questions lies in understanding the deeper relationship between the sin of Nadav and Avihu and that of the nation in response to Korach's rebellion:

קח את אהרן ואת בניו (ויקרא ח, ב) ... למה נאמר כאן, קח. אמר לו הקדוש ברוך הוא למשה, חייב אני לקיחה, אלא קום אתה וגדלו בלקיחה, שנגאמר: קח את אהרן. ואימתי לקח אהרן, בשעה שיצא הקצף מלפני ה' לחבל שונאיהם של ישראל. כיון שראה משה, אמר ליה: מה אתה עומד, קח את המחתה ותן עליה אש (במדבר יז, יא). אמר ליה אהרן, מרי משה, להרגני אתה מבקש. בני מפני שהקריבו לפניו אש הדיוטות, נשרפו, שנגאמר: ויקריבו לפני ה' אש זרה, ויצא אש מלפני ה' ותאכל אותם (ויקרא י, א-ב). ולי אתה אומר, קח את המחתה. בני הכניסו אש זרה ונשרפו, ואני מוציא אש קדוש לחוץ ואיני מת ואיני נשרף. אמר לו משה, לך ועשה מהרה מה ששמעת. עד שאתה עומד ומשית, הם מתים. אלא עשה מהרה, שנגאמר: והולך מהרה אל העדה וכפר עליהם כי יצא הקצף (במדבר יז, יא). כיון ששמע אהרן כן, אמר, ואלו אני מת על ישראל, איני כדאי, מיד, ויקח אהרן כאשר דבר משה (במדבר יז, יב). לכה אמר הקדוש ברוך הוא למשה, קח את אהרן, גדלהו בלקיחה. מה אהרן הציל את בני בלקיחה, שנגאמר: קח את המחתה (במדבר יז, יא), אף אתה גדלהו בלקיחה. לכה בתיב: קח את אהרן: ¹⁷²

"Take Aharon and his sons' (Vayikra 8:2) ... why does it say 'take' here? HaKadosh Baruch Hu said to Moshe, I require taking - you stand up and make Aharon great through taking, as it says: 'Take Aharon'. And when did Aharon take? When the anger went out from before Hashem to destroy the enemies of Yisrael. When Moshe saw, he said to Aharon, why are you standing here? 'Take the pan and put fire on it' (Bemidbar 17:11). Aharon said to him, my teacher Moshe, are you trying to have me killed? My sons were burned because they brought a non-consecrated fire before Him, as it says: 'They brought before Hashem a foreign fire ... a fire went out from before Hashem and consumed them' (Vayikra 10:1-2); and now you tell me to 'take the pan'? My sons brought a non-holy fire inside and were burned, and I should take a holy fire outside - will I not be killed and burned as well? Moshe said to him, go do quickly what you heard; as you stand and wax on, people are dying. Do it quickly, as it says: 'Go quickly to the assembly and atone for them; for the anger has gone out from before Hashem,

the plague has begun (Bemidbar 17:11). When Aharon heard this he said, if I die on account of Yisrael, even for that I am not worthy. Immediately: 'Aharon took as Moshe commanded' (Bemidbar 17:12). Therefore HaKadosh Baruch Hu said to Moshe, take Aharon, make him great through taking. Just as Aharon saved My children through taking, as it says: 'Take the pan' (Bemidbar 17:11), so too you should make him great through taking, as it says: 'Take Aharon.'"¹⁷²

Tanchuma Yelamdenu inserts into Aharon's reaction to Moshe's command the proverbial elephant in the room. Aharon's two sons had died precisely because of this exact sin: bringing fire and incense in an improper way that had not been commanded. Why now should Aharon think that his doing something nearly identical would not lead to his death? *Kal vachomer*, his death should be expected, for unlike his sons he had the opportunity to learn the fatal consequences from their fate. Moshe does not assuage Aharon's concerns, but doubles down. Action is not merely preferable to inaction; it is necessary, no matter the cost. We must act, even if it is a suicide mission, for inaction in the face of such a crisis would be inexcusable.

Another midrashic tradition has Moshe arguing that Aharon should specifically and intentionally act similarly to Nadav and Avihu in order to teach the people an important lesson:

מיד כל אחד ואחד מן המלאכים למד לו דבר, ואף מלאך המות למדו מעשה הקטורת, כשיצא הקצף שיקח את המחתה, ויתן עליה מאותו הקטורת כדי שימנע הקצף, וכשיצא הקצף והחל הנגף בעם, מיד אמר משה אל אהרן קח את המחתה ותן עליה קטרת. מפני מה נמנע הקצף, אלא אמר הקב"ה הם מרננים על הקטורת כי הוא המית נדב ואביהוא, לכך אמר הקב"ה למשה אמור אל אהרן שיקטיר על העם (להודיעך) להודיעם כי הקטורת אינו ממית, אלא העון הוא הממית, לפיכך זכה הקטורת וכפר על העם:¹⁷³

"Immediately each one of the angels came and taught Moshe something, and even the Angel of Death taught him about the secret of the incense, namely that when the angel would go out he should take the pan and place on it from that very incense in order to prevent the anger. When the anger went out and the plague began among the nation, Moshe immediately said to Aharon: 'Take the pan and place incense on it'. Why did that stop the anger? HaKadosh Baruch Hu said, they are badmouthing the incense because it killed Nadav and Avihu; therefore, HaKadosh Baruch Hu said to Moshe, say to Aharon that he should offer incense on the nation's behalf, in order to inform them that it is not the incense that kills but rather the sin that kills. The incense therefore merited to atone for the nation."¹⁷³

This teaching boldly asserts that HaKadosh Baruch Hu told Moshe how to stop the plague, which certainly seems to clash with these pesukim's emotionally destructive weight. It seems odd to interpret HaKadosh Baruch Hu bent on destroying the people while simultaneously teaching Moshe and Aharon how to save the people in order to convey a lesson about the illusion of incense. And yet, having to accept this difficulty is outweighed in the eyes of the midrash by an important thematic closure gained from such an explanation: because Moshe knew about the secret of the incense from the Angel of Death, and because he was specifically commanded to use it, any contradiction from Nadav and Avihu being killed for also offering incense that had "not been commanded" disappears. It also allows the midrash to impart an important hashkafic lesson as well, one whose message is somewhat subversive: This episode could have one mistakenly believe that incense, and by extension other supplications, do have the power to force G-d Himself to act in a certain way. Such a belief would not be unheard of, as certain pagan belief systems felt that gods were coerced to automatically and by necessity respond to offerings or rituals performed in a certain way. To dissuade us of such a heretical view of HaKadosh Baruch Hu, the midrash emphasizes explicitly this core Rabbinic belief: G-d cares less about the motions than about the intention behind them.^{^174^} A hashkafic lesson on Divine providence is contained within this teaching as well: even as G-d administers punishment to His nation, He still cares for them and protects them, ensuring that the punishment is contained.^{^175^}

Yet another approach which addresses Aharon's silence here acknowledges that some dialogue is missing from the text: Aharon did voice his concerns, to which Moshe responded by reassuring him that there is an important difference between his situation and that of his sons. While outwardly the two actions - bringing incense which was not explicitly sanctioned - may be comparable, the intentions behind them are diametric opposites. Nadav and Avihu acted with arrogance, for themselves^{^176^}; their deed was inherently sinful due to its selfish nature. Aharon, however, would be acting selflessly, putting his life in jeopardy to rescue Bnai Yisrael from certain death; this, argued Moshe, makes all the difference.^{^177^}

All the answers proposed by the midrash so far do provide some level of collective comfort, but they still fail to satisfactorily explain why Aharon - and not Moshe - had to stop the plague. If the reason for hope was the brothers' laudable motivation to protect Bnai Yisrael, surely Moshe himself could also have carried the incense pan. Alternatively, if Aharon's designation was to teach the people that it is sin, not incense, which kills, here too the act of

redemption via incense could have been accomplished regardless of the identity of its carrier. So the question remains: was Aharon's selection arbitrary, or deliberate?^178^

Enter Pesikta Rabbati, which posits that all four of Aharon's sons were destined to die after the golden calf catastrophe had it not been for Moshe's intercession on their behalf. Nadav and Avihu died due to Aharon's sin in a way that was somehow entangled with their bringing incense, while Elazar and Itamar survived despite Aharon's sin and were not affected in any way. And yet, all four of Aharon's sons were supposed to die instead of him - after all, to really fulfill Aharon's destruction through his children, all of them would need to perish as if even one survives he can continue Aharon's name. Moshe, however, had prayed on Aharon's behalf so that only two sons died, not all four. In effect, then, Moshe "*stood between the dead and the living*" when he supplicated G-d on behalf of Aharon: his prayers led to a separation between the dead sons of Aharon - Nadav and Avihu - and the live sons of Aharon - Elazar and Itamar.

Aharon, with the deaths of his sons seared into his memory, therefore identified with the concept of standing "*between the dead and the living*" in a visceral way, had a tragically personal familiarity with the fine line between death and survival. He was saved as a result of Moshe's prayers, but did not escape unscathed. It is this Moshe is instructing Aharon on: Aharon, whose very life and the lives of his two children had been spared because of another's intercession, needed closure. Aharon, enabler of nationwide idol worship, was to blame for the first plague to sweep through and claim the lives of Bnai Yisrael.^179^ Aharon, not Moshe, was the only choice for achieving a similar annulment of Divine wrath on behalf of all Bnai Yisrael, for through that, he too would be redeemed. For just as Aharon had been punished through the death of his two eldest sons, with incense as the lightning rod of Divine retribution, he could now save Bnai Yisrael by ending the suffering brought about by a second plague. And instead of incense being the tool leading to his sons' death, it became instead a tool leading to the sparing of countless lives.^180^

Even this expanded explanation of Pesikta Rabbati, while shedding light on pesukim whose meanings are vague or unexplained, while simultaneously explaining the relationship between seemingly unrelated stories and connecting them all thematically, may not go far enough, and still hides some loose threads. In **The Introduction** we noted that Nadav and Avihu appear among the *atzilei bnai yisrael* atop Har Sinai, and in **Above and Below** we discussed how midrash looks to the first time a word or character appears in order to draw conclusions from

it. What about Nadav and Avihu's first appearance in Shmot 24 has to do with their sin in Vayikra 10? Surely an experience such as that one should have lasting effects - could it be that perhaps Nadav and Avihu's sin was a consequence, an after-effect, of their overwhelming vision on Har Sinai? How, truly, could one encounter the Creator of the Universe in such a manner and not come out profoundly affected? And should we not expect the midrash to explore the full gamut of possibilities laden within this idea?

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169 Bemidbar 17:9-15.

169 Bemidbar 17:9-15.

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Moshe's seemingly magical, superhuman intuition is attributed by one tradition to the magical and superhuman. When Moshe ascended Har Sinai to receive the Torah, the Talmud records a debate between the angels and him over the merits of mankind as its recipients. After Moshe bested the angels each of them gave him a gift, including the Angel of Death

Shabbat 89a

מיד כל אחד ואחד נעשה לו אוהב ומסר לו דבר, שנאמר: "עלית למרום שבית שבי לקחת מתנות באדם" (תהלים סח, יט) - בשכר שקראוהו "אדם", לקחת מתנות. אף מלאך המוות מסר לו דבר, שנאמר: "ויטן את הקטרת וכפר על העם" (במדבר יז, יב), ואומר: "וישמד בין המתים ובין החיים וגו'" (במדבר יז, יג) - אי לאו דאמר ליה מי הוה ידע?

Immediately after Moshe bested the angels each one of them became an admirer of his and gave him something," as it says: 'You ascended to the heavens, you captured spoils, you took gifts on account of man' (Tehillim 68:19) - as a reward for your being called a man, you took gifts. Even the Angel of Death gave him something, as it says: 'Aharon placed the incense and atoned for the nation' (Bemidbar 17:12), and it says: 'He stood between the dead and the living' (Bemidbar 17:13) - if Moshe had not been told by the Angel of Death, how could he have known "what to do

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Another, related question is the nature of this plague that spread among the nation: what kind of plague was it? The description reminds us of the behavior of some virus or contagion, which raises the question of why incense should have been useful in stopping it

Ibn Ezra, Bemidbar 17:11 d"v vesim ketoret

ולא אמר הקטרת והמשכיל יבין:

"Moshe said incense and not the incense with a definite article 'the'. He who is intelligent will understand"

Ibn Ezra famously uses phrases like the one above to allude to a deeper, perhaps controversial interpretation of a particular pasuk. Here, he notes the incense Moshe commanded Aharon to take is not preceded by a *hei hayedi'ah*, implying it was not the known incense but rather some other incense. What does the intelligent understand

Avi Ezer, Bemidbar 5:18 d"v mei hamarim

עיין פרשת קרח כתב הרב ושים קטרת ולא אמר הקטרת והמשכיל יבין עד כאן דברו ופירושו לפי פשוטו כיון דלא נאמר בה"א הדעת מוכח דאין סודו ידוע רק למשכילים אשר יערכו בשמות הקדושים ובכונות שונות אבל כאן נאמר המרים סודו ידוע דהיינו שיודעין הכהנים והעם אותו המים ואין בהם שום דבר הממית רק היה על צד הפלא:

See Parshat Korach where Ibn Ezra wrote: 'Moshe said incense and not the incense with a definite article 'the'.' He who is intelligent will understand.' This means according to its straightforward meaning that since it is not preceded by a hei hayedi'ah this demonstrates its secret was not known except to those intelligent ones who know how to set the Holy Names and different chants. Here, however, it says 'hamarim', meaning the Sotah water's secret was known, meaning the Kohanim and the people knew about this water and that it didn't have anything in it that killed, rather that it was miraculous

Avi Ezer is a supercommentary on Ibn Ezra. Notwithstanding Ibn Ezra using some variation of the phrase *"the intelligent will understand"* multiple times in his commentary, Avi Ezer chooses to interpret it not as a note of caution for the reader but rather as an explanation of the pasuk. Only the intelligent will understand how this incense works, since it is different from the regular incense which is known by everybody, and so the secret of how the incense stopped the plague is known only to those - according to Avi Ezer - who are steeped in spiritual insight and holiness. In other words, we cannot know why incense magically stopped the plague in this story unless we are intelligent enough to know the secrets of the Holy Names and different chants

However, perhaps Ibn Ezra's laconic interpretation should be understood not as implying only those who are mystically inclined would understand, but rather quite the opposite: the secret of this incense is revealed only to those steeped in naturalistic inquiry and knowledge. Perhaps the incense used was of a kind that thoroughly cleaned the air of any pollutants, dispersing or perhaps even killing the bacterial agents responsible for spreading the plague. Alternatively, the incense may have acted as a social-distancing tool, physically separating and quarantining the sick and dead from the healthy which would then prevent further exposure. This could be a more naturalistic explanation of: *"Aharon stood between the dead and the living, and the plague was stopped"* - as a result of Aharon standing between them, creating a smoke barrier between the two groups, the plague was no longer able to spread from those already infected to everyone else

It follows that Aharon's incense stopped the plague, not because the Angel of Death gave Moshe some secret knowledge of an incense with the power to counteract Divine wrath, but rather quite simply because it acted as science would dictate and provided the equivalent vaccine-like immunity to Bnai Yisrael. This understanding of Ibn Ezra may be more in line with his broader tendency to disguise very rational explanations in his commentary.

A similar debate could be had regarding the laws of *tzara'at*, often mistranslated as leprosy. While clearly a spiritual disease, the laws of quarantining someone who is affected are reminiscent of this concept as well. Indeed, the concept of separating between the living and the dead parallels the requirement to excommunicate a *metzora* outside the camp, since the *metzora* is considered as if we were dead

Nedarim 64b

תניא ארבעה חשובין כמת: עני, ומצורע, וסומא, ומי שאין לו בנים. עני דכתיב: "כי מתו כל האנשים". מצורע דכתיב: "אל נא תהי כמת". וסומא דכתיב: "במחשכים הושיבני כמתי עולם". ומי שאין לו בנים דכתיב: "הבה לי בנים ואם אין מתה אנכי":

*It was taught, four are considered as dead: (1) A poor person, (2) A metzora, (3) A blind person, (4) Someone without children. A poor person, as it says: 'All the people died'. A metzora, as it says: 'Do not let her be as a dead person'. A blind person, as it says: 'In the darkness I have sat you like those who have died forever'.
 "...Someone without children, as it says: 'Give me children, and if not I am as one who is dead*

172 Tanchuma Yelamdenu, Tzav 9.

172 Tanchuma Yelamdenu, Tzav 9.

173 Midrash Aggadah, Bemidbar 17:11.

173 Midrash Aggadah, Bemidbar 17:11.

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:This is a common theme taken up by later prophets such as Shmuel and Yishayahu

Shmuel Aleph 15:22

וַיֹּאמֶר שְׁמוּאֵל הֲחִפֵּץ לַיהוָה בַּעֲלֹת וּזְבָחִים כְּשֹׁמֵעַ בְּקוֹל יְהוָה הִנֵּה שְׁמֹעַ מִזֶּבֶחַ טוֹב לְהִקְשִׁיב מִתֵּלֵב אֵילִים:

Shmuel said, does Hashem desire offerings and sacrifices like He does listening to the voice of Hashem? Surely "obedience is better than sacrifice; to listen, than the fats of rams

Yishayahu 1:10-17

שָׁמְעוּ דְּבַר יְהוָה קִצְיָנֵי סֹדֶם הַאֲזִינוּ תוֹרַת אֱלֹהֵינוּ עִם עֲמֶרְהָ: לָמָּה לִּי רַב זְבָחֵיכֶם יֹאמֶר יְהוָה שְׁבַעֲתִי עֲלֹת אֵילִים וְחֶלֶב מְרִיאִים וְדָם פָּרִים וְכִבְשִׁים וְעִתּוּדִים לֹא חִפֵּצְתִּי: כִּי תִבְאוּ לִרְאוֹת פָּנַי מִי בִקְשׁוּ זֹאת מִיָּדְכֶם רֶמֶס חֲצָרִי: לֹא תוֹסִיפוּ הִבִּיא מִנְחַת שָׁוְא קִטְרֹת תוֹעֵבָה הִיא לִי חֲדָשׁ וְשִׁבְלָה קְרָא מִקְרָא לֹא אוֹכֵל אֲנִי וְעֶצְרָה: חֲדָשֵׁיכֶם וּמוֹעֲדֵיכֶם שְׁנֵאָה נִפְשִׁי הֵיוּ עָלַי לְטָרַח נִלְאִיתִי נִשָּׂא: וּבְפֹרְשֵׁיכֶם כְּפִיכֶם אֲעֲלִים עֵינֵי מִכָּם גַּם כִּי תִרְבּוּ תַפְלָה אֵינֶנִּי שֹׁמֵעַ יְדִיכֶם דְּמִים מְלֹאוּ: רַחֲצוּ הַזְּכוֹת הַסִּירוּ רָע מֵעֲלֵיכֶם מִגֵּד עֵינֵי חֲדָלִי הֲרַע: לִמְנוּ הֵיטֵב דְּרָשׁוּ מִשְׁפָּט אֲשֶׁרוֹ חֲמוֹץ שִׁפְטוֹ יָתוֹם רִיבוֹ אֲלַמְנָה:

Hear the word of Hashem, chieftains of Sodom; give ear to our G-d's Torah, nation of Amorrah. Why do I need all of your sacrifices? Says Hashem. I am satiated with offerings of rams and the fats of beasts and the blood of bulls. I have no desire for sheep and goats. When you come to see My face, who asked this of your hands, to trample My courtyards? Bring no more vain sacrifices; incense is an abomination to Me. Rosh Chodesh and Shabbat, proclaiming holidays - I cannot handle your assemblies with sin. Your new moons and holidays fill My soul with hate; they are a burden to Me, I cannot bear them. When you lift up your hands I will turn My eyes from you; even when you pray at length, I will not listen; for your hands are filled with blood. Wash yourselves and be cleaned; remove the evil doings from before My eyes; stop doing evil. Learn good, seek out justice, aid "those who are wronged, uphold the rights of orphans, fight the cause of widows

A related tradition implicitly acknowledges the pagan undertones of the Torah's stories involving incense, but :forcefully rejects this reading and instead derives from Aharon's actions a lesson pertaining to the dangers of sin

Bemidbar Rabbah 4:20

אָמְרוּ רַבּוֹתֵינוּ שְׁנֵי דְּבָרִים הָיוּ קְדוּשִׁים וְגְדוּלִים, וְכִסְבוּרִין בְּנֵי אָדָם שֶׁהֵם קָשִׁים, וְכִדִּי שֶׁלֹּא לְהוֹצִיא לַעֲזוֹ עֲלֵיהֶם כְּתָב בְּהוֹ דְּבַר גְּדוֹל שֶׁל שִׁבְחָה וּבִרְכָּה, וְאֵלּוּ הֵם: קִטְרֹת וְאָרוֹן. קִטְרֹת שֶׁלֹּא יֹאמֶר אָדָם קָשָׁה הוּא הַקִּטְרֹת, עַל יְדוֹ מֵתוּ נָדָב וַאֲבִיהוּא, וְעַל יְדוֹ נִשְׂרָפוּ עֲדַת קָרַח, וְעַל יְדוֹ נִצְטָרַע עֲזַרְיָהוּ, לָכֵן כְּתָב הַקְדוּשׁ בְּרוּךְ הוּא מַעֲלֶה גְדוּלָּה בְּקִטְרֹת שֶׁנִּצְטָלוּ יִשְׂרָאֵל עַל יְדוֹ, שֶׁנֶּאֱמַר (במדבר יז, יב יג): וַיִּקַּח אֶהָרֹן כַּאֲשֶׁר דִּבֶּר מֹשֶׁה וַיִּרְצֵם אֶל תוֹךְ הַקֶּהֶל וְגו' ... לְלַמֶּדֶךָ שֶׁאִין קִטְרֹת וְאָרוֹן הוֹרְגִין אֲלָא עֲוֹנוֹת הוֹרְגִין:

Our Rabbis said, two things were holy and great but mankind thought they were harsh, and in order not to have them bear a bad name it was written about them great praise and blessing, and they are incense and the Aron. Incense: so that a person should not say incense is harsh because Nadav and Avihu died from it, and because the assembly of Korach were burned from it, and because Uzziyahu became a metzora from it - HaKadosh Baruch Hu wrote a great thing regarding incense, that through it Yisrael were saved, as it says: 'Aharon took the incense as Moshe had commanded and Aharon ran towards the assembly' ... to teach you that it is not incense and Aron "that kill, but rather sin that kills

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:A similar idea is expressed in the adage *I created the evil inclination; I created the Torah as an antidote to it*

Kiddushin 30b

תנו רבנן ושמעתם (דברים יא, יח) סם תם. נמשלה תורה כסם חיים. משל לאדם שהכה את בנו מכה גדולה והניח לו רטיה על מכתו ואמר לו, בני, כל זמן שהרטיה זו על מכתך, אכול מה שהנאתך ושתה מה שהנאתך ורחוץ בין בחמין בין בצונן, ואין אתה מתיירא, ואם אתה מעבירה הרי היא מעלה נומי. כך הקב"ה אמר להם לישראל, בני, בראתי יצר הרע ובראתי לו תורה תבלין, ואם אתם עוסקים בתורה אין אתם נמסרים בידו, שנאמר: "הלוא אם תטיב שאת", ואם אין אתם עוסקין בתורה אתם נמסרים בידו, שנאמר: "לפתח חטאת רבץ", ולא עוד אלא שכל משאו ומתנו בכך, שנאמר: ואליך תשוקתו, ואם אתה רוצה אתה מושל בו, שנאמר: "ואתה תמשל בו":

It was taught: 'You shall place' (Devarim 11:18), read it as a perfect elixir. The Torah is compared to a perfect elixir. A parable: a man hits his son with a strong blow and places a bandage on his wound, and says to him, my son, as long as this bandage is on your wound, eat whatever you'd like and drink whatever you'd like and wash in either hot or cold water, and do not be afraid. But if you remove it, you will become gangrenous. So too HaKadosh Baruch Hu said to them, Yisrael My sons, I created the evil inclination, I created the Torah as an antidote. If you deal with Torah you will not be handed over into his hands, as it says: 'If you do well, shall it not be lifted up' (Breishit 4:7). But if you do not deal with Torah, you will be handed over to his hands, as it says: 'Sin crouches at the door'. And not only that, but all of his dealings will be with you, as it says: 'And to you is its desire'. But if you wish, you can rule over it, as it says: 'You shall rule over it

176 See Vayikra Rabbah 20:10 quoted in Note 36.

177 This foil in motivation actually parallels a foil in action: while Nadav and Avihu brought non-holy fire into a holy place, Aharon is being asked to bring a holy fire out to a non-holy place. While both acts are forbidden, the difference between them also creates a conceptual distance between the behavior of Aharon compared to his sons.

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:The theme of fire sent from Heaven to those who sin against G-d appears several times in the Torah

Vayikra 10:1-3 regarding Nadav and Avihu - Bemidbar 11:1-3 regarding the complainers as mentioned in **Note - 12** and discussed further below - Bemidbar 16:35 regarding to the followers of Korach - Bemidbar 21:7-9 regarding the fiery serpents

Korach's 250 followers were not only also consumed by fire but are even described as "bringers of incense", clearly a callback to the death of Nadav and Avihu

Bemidbar 16:35

וַאֲשֶׁר יָצְאוּ מֵאֵת יְהוָה וַתֹּאכַל אֶת הַחֲמִשִּׁים וּמֵאֵתֵיכֶם אִישׁ מִקְרִיבֵי הַקֶּטֶר:

"And a fire went out from Hashem and consumed the 250 men, the bringers of incense"

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The first example of a plague that goes out from before Hashem and kills Bnai Yisrael in response to their angering Him was in relation to the Golden Calf. There Aharon's name is mentioned in conjunction with the plague:

Shmot 32:35

וַיִּגַּף יְהוָה אֶת הָעָם עַל אֲשֶׁר עָשׂוּ אֶת הַעֲגֹל אֲשֶׁר עָשָׂה אַהֲרֹן:

"Hashem sent a plague against the nation because they had made the calf, that Aharon had made"

Devarim 9:19-20

כִּי יִגְרַמְתִּי מִפְּנֵי הָאֵף וְהַחֲמָה אֲשֶׁר קִצְף יְהוָה עֲלֵיכֶם לְהַשְׁמִיד אֶתְכֶם וַיִּשְׁמַע יְהוָה אֵלַי גַּם בַּפֶּעַם הַהוּא: וַבְּאַהֲרֹן הַתְּאֵנָף יְהוָה מְאֹד לְהַשְׁמִידוֹ וְאַתְּפַלֵּל גַּם בְּעַד אַהֲרֹן בְּעֵת הַהוּא:

For I was in dread from the fierce anger that had 'jumped' Hashem to destroy you. Hashem listened to me this time as well. And Hashem was angry enough with Aharon to destroy him, so I prayed on Aharon's behalf at that time."

Targum Yonatan, Bemidbar 17:11

וַאֲמַר מֹשֶׁה לְאַהֲרֹן סֵב יְת מִחֲתָנָא וְהֵב עָלֶה אִישָׁתָא מַעֲלִילֵי מִדְּבָקָא וְשׂוֹי קְטוֹרֶת בּוֹסְמִין עַל אִישָׁתָא וְאוֹכִיל בְּפָרִיעַ לֹות פְּנִישָׁתָא וְכִפֵּר אִמְטוֹלְהוֹן אֲרוֹם נִפְק מִחֲבָלָא דְאַתְּבָלִי בְּחוֹרֵב דְּשָׁמִיָּה קִצְף מִן קֳדָם יְיָ בְּהוֹרְמָנָא שְׂרִי לְקַטְלָא:

Moshe said to Aharon, take the pan and put fire from the altar on it and place sweet incense on the fire, and go" bring it quickly to the assembly and atone for them, for the anger which consumed them at Horev, whose name ".was 'ketze'f', has gone out from before Hashem by His command; the plague has begun

Aharon was the primary cause of Hashem's anger by the Golden Calf, which led to a plague that killed the people; it is fitting that Aharon is therefore the one to save the people from a similar plague

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:This thematic connection is summarized nicely by the midrash

Pesikta Zutreta Bemidbar 17:13

הוא שאמר משה (דברים ט, כ) ובאהרן התאנף ה' מאד להשמידו. עתיד היה אהרן לקבר את ארבעה בניו אלא שהתפלל משה עליו שנאמר (שם) ואתפלל גם בעד אהרן בעת ההיא. משה עמד בין החיים ובין המתים על בני אהרן. ואהרן עמד בין המתים ובין החיים על בני ישראל:

It is as Moshe said: 'And Hashem was angry enough with Aharon to destroy him' (Devarim 9:20). Aharon was" destined to bury his four sons, but Moshe prayed on his behalf, as it says: 'So I prayed on Aharon's behalf at that time' (Ibid). Moshe stood between the living and the dead from among Aharon's sons; and Aharon stood between ".the dead and the living from among Bnai Yisrael

Part 2: Delayed Punishment

Introduction

*

Introduction

Nadav and Avihu being identified as members of a larger group called to ascend the mountain leaves open the question of who was witness to the revelation and subsequently spared from punishment. Who exactly were the *atzilei bnai yisrael*: everybody atop Har Sinai, or some subset of the selected few? In order to address this question we must first ask another question: what does *atzilei bnai yisrael* even mean? Many of the major commentaries on this pasuk understand *atzilei* to be a reference to Nadav, Avihu and the seventy elders, to the exclusion of Moshe and Aharon.¹⁸¹ Yet one tradition has it that only Nadav and Avihu glimpsed G-d's glory on that day, without making any mention of the seventy elders:

וּסְלִיק מֹשֶׁה וְאַהֲרֹן נָדָב וְאַבִּיהוּא וְשִׁבְעֵין מִסְבֵּי יִשְׂרָאֵל: וַיִּזְקְפוּ נָדָב וְאַבִּיהוּא יָת עֵינֵיהֶן וַחֲמוֹן יֵת אִיקָר אֱלֹהֵא דִּישְׂרָאֵל וַתַּחֲזוּת אַפִּיפּוֹרִין דְּרִיגְלוֹי דְּמִצֵּעַ תַּחֲזוּת כּוֹרְסִיָּה הִי כְּעוֹבֵד אֲבֹן סְפִירִינוֹן מִדְּכַר שְׁעִבּוּדָא דְשַׁעֲבִידוּ מִצְרָאִי יֵת בְּנֵי יִשְׂרָאֵל בְּטִינָא וּבְלִיבְנִין וְהוּון נְשִׂאָא בְּטִשָּׁן יֵת טִינָא עִם גּוֹבְרִיהוֹן הָוֵת תַּמָּן רִיבָא מְפִנְקָתָא מְעַבְרָתָא וְאַפִּילֵת יֵת עוֹבְרָא וְאַיְתִּבְטִשׁ עִם טִינָא נֶחֱת גְּבִרְיָאֵל וְעָבֵד מְנִיָּה לְבִינָתָא וְאַסְקִיָּה לְשָׁמַי מְרוּמָא וְאַתְקַנְיָה גִּילּוּגְדָק תַּחֲזוּת אַפִּיפּוֹרִין דְּמָרִי עֲלָמָא זִיּוּיָה הִי כְּעוֹבֵד אֲבֹן טָבָא וְהִי כְּתִקּוּף שְׁפָר שְׁמָנָא כֵּד הֵינוֹן בְּרִירִין מִן עֲנִנְיָא: וְלֹת נָדָב וְאַבִּיהוּא עוֹלְמָנָא שְׁפִירָא לֹא שְׁדָר מַחֲתִיָּה בְּהֵוֹא שְׁעִתָּא בְּרִם אֲתַנְטָרָא לְהוֹן לְיוֹם תְּמִינָא לְאַשְׁלֵמוּתָא לְאַסְעָרָא עֲלִיהוֹן וַחֲמוֹן יֵת אִיקָר שְׁכִינָתָא דִּי וְהוּון חֲזָן בְּקוֹרְבָנִיהוֹן דְּאַתְקַבְּלוּ בְּרַעְוָא הִי כְּאַכְלִין וְהִי כְּשִׁתְּנִין: ¹⁸²

"Moshe, Aharon, Nadav, Avihu and seventy elders of Yisrael ascended. Nadav and Avihu lifted up their eyes and saw the glory of the G-d of Yisrael. Under the footstool of His feet - which was placed beneath His throne - was the work of sapphire stone which was reminiscent of the servitude: that Egypt had enslaved Bnai Yisrael with clay and bricks. Once there were wives treading clay with their husbands, and there was one delicate young pregnant woman there as well. She miscarried because of how she was treading clay. Gavriel the angel came down and made a brick, and took it up to Heaven and placed it under the footstool of the Master of the World, whose splendor was like the work of great stone and like the power of

the beauty of the skies when they are emptied of clouds. Against Nadav and Avihu, the pleasant young men, His strike was not sent at that time; rather, it was waiting for them on the eighth day, for retribution to return and destroy them. They saw the glory of the Shechinah of Hashem, and were happy that their sacrifices had been accepted with favor, and they ate and drank."¹⁸²

The first pasuk translated by Targum Yonatan is a simple, word-for-word rendering of the original Hebrew. The second pasuk's translation contains a midrash embedded within it that attempts to explain the significance of the sapphire stone, and can be found with some variation in other aggadic works as well.¹⁸³ It is the third pasuk's translation, however, which interests us most: Nadav and Avihu are singled out and identified as *atzilei bnai yisrael* while the seventy elders, Moshe and Aharon are excluded. It also explains in what sense they were spared from His strike: punishment was delayed until the first of Nisan of the second year¹⁸⁴ as retribution for the sin they committed.

Targum Yonatan makes a deep connection between Nadav and Avihu's glimpse of G-d on Har Sinai and their mysterious, supernatural death at the finale of the Mishkan's consecration, arguing that the reason they died was not for any of the sins mentioned earlier - drunkenness, arrogance, being unmarried, etc. - and not as a vicarious punishment meant for Aharon due to his complicit behavior at the sin of the golden calf as Peskita Rabbati claims, but for a different reason entirely: they were supposed to die on Har Sinai, but G-d spared them and waited until they brought a foreign fire to exact their sentence. It follows that this idea is both similar and different to each of the other midrashim.¹⁸⁵

This approach answers the linguistic question of who *atzilei bnai yisrael* were while also providing a thematic explanation of what the "staying of His hand" actually means. However, in some sense it raises as many questions as it answers, and it raises two incredibly important questions that are particularly noteworthy, namely:

- Targum Yonatan assumes that Nadav and Avihu were the only ones who were temporarily spared His hand. But the seventy elders, Moshe and Aharon were also present at the time; why should they not be included in the death sentence?
- If Nadav and Avihu were deserving of death, why didn't HaKadosh Baruch Hu send His hand and strike them down on the spot? And why was it at the Mishkan's consecration

ceremony specifically that He decided to consume them with fire instead?

To answer these questions we will turn to a fascinating midrash quoted in the name of Rabbi Tanchuma, shocking in its audacity and scope.

Rashi to Shmot 24:11 d"v ve'el atzilei bnai yisrael

הם נדב ואביהוא והזקנים:

"This refers to Nadav, Avihu and the seventy elders"

Ibn Ezra to Shmot 24:11 d"v ve'el atzilei bnai yisrael

כמו ומאציליה (ישעיה מא, ט). ולא הזכיר זקנים להכנים עמהם נדב ואביהוא:

"Similar to: 'And from her nobles' (Yishayahu 41:9). It doesn't say elders in order to include Nadav and Avihu"

Ramban to Shmot 24:11 d"v ve'el atzilei bnai yisrael

הם נדב ואביהוא והזקנים הנזכרים (שמות כ"ד:א'), וקראם כן כי נאצל עליהם רוח א-לקים, וכן מאציליה קראתיך (ישעיה מא ט), הנאצלים, שנאצל עליהם מרוחו, או הגדולים שנאצל עליהם כבוד מן המלכות:

This refers to Nadav, Avihu and the seventy elders mentioned above, and they are called this because the spirit of G-d emanated upon them. Similar to: 'I have called you from her nobles' (Yishayahu 41:9) - the receivers of emanation, those upon whom His spirit emanated, or the great people upon whom honor from the kingship has emanated

All these commentaries exclude Moshe and Aharon from the category of *atzilei bnai yisrael*, though they don't explain why. Perhaps the term *atzilei*, which we have been translating as nobles, should be understood as referring to the elite but not to the very top. Ibn Ezra quotes Rabbi Yehudah HaLevi who alludes to a categorical separation between Moshe and the rest of the group, though Aharon's status is notably absent

Ibn Ezra to Shmot 24:11 d"v yayishtu

בשמחה ורבי יהודה הלוי אמר כי טעם ויאכלו. כי הוצרכו שיאכלו אע"פ שנהנו מזיו השכינה. והזכיר זה בעבור משה שחיה ארבעים יום וארבעים לילה בלא אכילה בכתוב בפ' אחרי זאת:

They ate and drank with joy. And Rabbi Yehudah HaLevi said the reason for this was that they had to eat to sustain themselves even though they benefited from the glory of the Shechinah. This is mentioned in order to contrast with Moshe, who lived for forty days and nights without food, as is mentioned in the following section

:This point is emphasized by Rav Hirsch in the context of a later group of seventy elders

Rav Shimshon Rafael Hirsch to Bemidbar 11:25 d"v vaya'atzel

אולי מלשון מצולה, להדגיש את ההפרש שבין נבואת משה ונבואתם:

Maybe it comes from the idea of depth, to emphasize the difference between Moshe's level of prophecy and their prophecy in that Moshe's was superior and deeper in some sense

This question of why Moshe and Aharon are assumed to be excluded from *atzilei bnai yisrael* will be revisited later in this **Part**

182 Targum Yonatan to Shmot 24:9-11.

182 Targum Yonatan to Shmot 24:9-11.

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Pirkei DeRabbi Eliezer 48

ר' עקיבא אומר, נוגשי פרעה היו מכין לישראל לעשות תוכן לבנים בכפל, שני' ואת מתכונת לבנים אשר הם עושים תמול שלשום (שמות ה, ח) והמצרים לא היו נותנים תבן לישראל שני' תבן אין נתן לעבדיך (שמות ה, טז) והיו ישראל מקוששין את הקש במדבר והיו עומסין אותו בחמוריהם ונשיהם ובניהם ובני בניהם ובנותיהם והקש של מדבר היה נוקב את עקיביהם והדם היה יוצא ומתבוסס בחמר רחל בת בנו של משותלח היתה הרה ללדת ורמסה בחומר עם בעלה ויצא הולד מתוך מעיה ונתערב בתוך החומר ועלתה צעקתה לפני כסא הכבוד ובאותה הלילה ירד מיכאל המלאך והעלהו לפני כסא הכבוד ואותו הלילה ירד הב"ה והכה בכורי מצרים שני' ויהי בחצי הלילה וה' הכה כל בכור (שמות יב, כט):

Rabbi Akiva says, the taskmasters of Pharaoh would strike Yisrael to make double the amount of bricks, as it says: 'And the amount of the bricks, which they made before you shall still extract from them' (Shmot 5:8). The Egyptians did not give straw to Yisrael, as it says: 'Straw was not given to your servants' (Shmot 5:16), and Yisrael would cut the straw in the desert and carry it on their donkeys and wives and sons and grandsons and daughters. The straw of the wilderness would pierce their heels and blood would flow and mingle with the mortar. Rachel, the granddaughter of Methuselah, was pregnant, and as she was treading the mortar with her husband she miscarried and the fetus got mixed in with the mortar. Her cry rose up before the Throne of Glory, and that very night Michael the angel descended and brought the brick with its mortar before the Throne of Glory, and that very night HaKadosh Baruch Hu descended and struck the firstborn of Egypt, as it says: 'And it came to pass at midnight that the Hashem struck all the firstborn' (Shmot 12:29)

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Peirush Yonatan to Targum Yonatan Shmot 24:11 d"h teminaya le'ashlamuta

פירוש שמיני למילואים, כי כן מתרגם הוא להלן:

"This means the eighth day of the consecration, as Targum Yonatan translates elsewhere as well"

185 This table summarizes the different perspectives on this question. Of course, the source listed for each one is merely a sample and not exhaustive: ----- Source Was it because Was it Nadav If so, was the of the foreign and Avihu's sin physical or fire? fault? spiritual? Vayikra Rabbah Yes Yes Closeness = 20:8 Spiritual; Offering = Physical Vayikra Rabbah No Yes Physical 20:9-10 Targum Yonatan to No Yes Spiritual \ Shmot 24:11 Pesikta Rabbati No No \- 47:1 -----

\ This is not made explicit in Targum Yonatan but is clearly his intent, as will be seen shortly.*

Unified Storyline

A variant on the midrash recorded in Targum Yonatan expands *atzilei bnai yisrael* to include not just Nadav and Avihu but also the seventy elders, and elaborates in great detail on the broader thematic ramifications of what exactly happened. The relevant sections are quoted at length here:

אָספּה לי שבָּעִים אִישׁ מִזִּקְנֵי יִשְׂרָאֵל (במדבר יא, טז). זֶה שֶׁאָמַר הַכְּתוּב: אוֹהֵב טָהָר לֵב, חֵן שֶׁפָּתִיו רָעִהוּ מִלֶּךָ (משלי כב, יא). לָמָּה לֹא אָמַר, אָספּה שבָּעִים אֲנָשִׁים. אֲלֵא אֵלּוּ שבָּעִים סִנְהֶדְרִין מִיְּחָדִים, שִׁיְהִיו דּוֹמִין לִי וּלְךָ. לִי, שֶׁנֶּאֱמַר: ה' אִישׁ מִלְחָמָה (שמות טו, ג). וּלְךָ, שֶׁנֶּאֱמַר: וְהָאִישׁ מֹשֶׁה עָנּוּ מְאֹד (במדבר יב, ג).

אָספּה לי, וְכִי לֹא הָיוּ זִקְנִים קִדָּם לָכֵן. וְהָרִי בָהֶר סִינֵי נֶאֱמַר, וַיַּעַל מֹשֶׁה וְאַהֲרֹן וְשִׁבְעִים מִזִּקְנֵי יִשְׂרָאֵל (שמות כד, ט). וְהַפְּרָשָׁה הַזֹּאת אַחֵר כִּף הַיְתָה, וְהִיכָן הָיוּ הַזִּקְנִים. אֲלֵא בְּשַׁעַה שֶׁבָּאוּ יִשְׂרָאֵל לְאוֹתָן הַדְּבָרִים, וְהָיָה הָעָם כְּמִתְאוֹנְנִים וְתַבְעֵר בָּם אִשׁ ה' (במדבר יא, א), נִשְׁרָפוּ כָּלֶם בְּאוֹתָהּ שְׁעָה, אֲלֵא שֶׁהִיתָה שְׂרִיפְתָּן כְּשֶׁרַפְתָּ נָדָב וְאַבִּיהוּ, שֶׁאֵף הֵם הִקְלוּ רֹאשָׁם בַּעֲלֹתָם לָהֶר סִינֵי כְּשֶׁרָאוּ אֶת הַשְּׂכִינָה, שֶׁנֶּאֱמַר: וַיַּחֲזֹזוּ אֶת הָאֱלֹהִים וַיֵּאָכְלוּ וַיִּשְׁתּוּ (שם פסוק יא). וְכִי אָכִילָה וַשְּׁתִּיָּה הָיָה שָׁם. מִשָּׁל לָמָּה הַדְּבָר דּוֹמָה, לַעֲבֹד שֶׁהִנֵּה מִשְׁמֵר אֶת רַבּוֹ וּפְרָסְתּוֹ בְּיָדוֹ וְהוּא נוֹשֵׁף מִמֶּנּוּ, כִּף הִקְלוּ אֶת רֹאשָׁם כְּאוֹכֵלִים וְשׁוֹתִים.

וְהָיוּ רְאוּיִן לִישְׁרָף בְּאוֹתָהּ שְׁעָה הַזִּקְנִים וְנָדָב וְאַבִּיהוּ. וּמִפְּנֵי שֶׁהִנֵּה מִתֵּן תּוֹרָה חֲבִיב לִפְנֵי הַקְדוֹשׁ בְּרוּךְ הוּא, לְפִיכָף לֹא רָצָה הַקְדוֹשׁ בְּרוּךְ הוּא לִפְגַּע בָּהֶם בּוֹ בַּיּוֹם לַעֲשׂוֹת פֶּרֶץ בָּהֶם, הֵדָא הוּא דְּכְתִיב: וְאֵל אֲצִילִי בְנֵי יִשְׂרָאֵל לֹא שְׁלַח יָדוֹ (שם), מִכָּלֵל שֶׁהָיוּ רְאוּיִם לְהַשְׁתַּלַּח יָדוֹ. אֲבָל לְאַחֵר זְמַן, בָּא לָהֶם. נָדָב וְאַבִּיהוּ נִשְׁרָפוּ כְּשֶׁנִּכְנְסוּ בְּאֵהָל מוֹעֵד. וְאַף הַזִּקְנִים נִשְׁרָפוּ כְּשֶׁנִּתְּאוּ אוֹתָהּ הַתְּאוּהָ, שֶׁנֶּאֱמַר: וְהָאֶסְפָּסוּף אֲשֶׁר בְּקִרְבּוֹ הִתְּאוּ תְּאוּהָ (במדבר יא, ד).

מֵהוּ וְהָאֶסְפָּסוּף. רַבִּי שְׁמוּאֵל בַּר נַחֲמָנִי וְרַבִּי נַחֲמִיָּה, אֶחָד מֵהֶן אוֹמַר, אֵלּוּ הַגֵּרִים שֶׁעָלוּ עִמָּהֶם מִמִּצְרַיִם שֶׁנֶּאֱסָפוּ עִמָּהֶם, שֶׁנֶּאֱמַר: וְגַם עָרַב רַב עִלָּה אִתָּם (שמות יב, לח). וְאַחַד אוֹמַר, אֵין אֶסְפָּסוּף אֲלֵא סִנְהֶדְרִין, שֶׁנֶּאֱמַר: אָספּה לי שבָּעִים אִישׁ. מֵה כְּתִיב שָׁם בְּאוֹתָהּ שְׁעָה, וְתַבְעֵר בָּם אִשׁ ה' וְתֹאכַל כִּקְצֵה הַמִּחְנֶה, בְּמִקְצֵים שְׁבִמְחָנָה.

וּמִנֵּין שְׁאוֹתָם זִקְנִים שֶׁעָלוּ לָהֶר סִינֵי נִשְׁרָפוּ. שֶׁנֶּאֱמַר: וְתַבְעֵר אִשׁ בַּעֲדָתָם (תהלים קו, יח). וְאֵין עֵדָה אֲלֵא סִנְהֶדְרִין, שֶׁנֶּאֱמַר: וְהָיָה אִם מֵעֵינִי הָעֵדָה (במדבר יח, כד). וְכְתִיב: וְאִם כָּל עֲדַת יִשְׂרָאֵל יִשְׁגּוּ (ויקרא ד, יג). וְכֵן דּוֹד אוֹמַר, וְאַף אֱלֹהִים עָלָה בָּהֶם וַיְהִיג בְּמִשְׁמִנֵּיהֶם (תהלים עח, לא), אֵלּוּ סִנְהֶדְרִין. וּבַחֲזוֹרֵי יִשְׂרָאֵל הַכְּרִיעַ (שם), אוֹתָן הַבַּחוּרִים שֶׁהָיוּ קְרוּיִם זִקְנִים שֶׁכְּתוּב בָּהֶם, וַיּוֹסֶף עוֹד דּוֹד אֶת כָּל בַּחוּר בְּיִשְׂרָאֵל ...

בְּאוֹתָהּ שְׁעָה, אָמַר לוֹ הַקְדוֹשׁ בְּרוּךְ הוּא לְמֹשֶׁה, מִנֵּה תַחַת אוֹתָן הַזִּקְנִים, אַחֲרֵים תַּחְתֵּיהֶם, שֶׁנֶּאֱמַר: אָספּה לי שבָּעִים אִישׁ. וְנִרְדְּתִי וְדַבַּרְתִּי עִמָּךְ שָׁם, לְהוֹדִיעַךְ שִׁיּוֹם מִנֵּי הַזִּקְנִים הָיָה חֲבִיב לִפְנֵי הַקְדוֹשׁ בְּרוּךְ הוּא כִּיּוֹם מִתֵּן תּוֹרָה, שֶׁכְּתוּב, כִּי בַּיּוֹם הַשְּׁלִישִׁי יֵרֵד ה' (שמות יט, יא). וְאַף בְּמִנֵּי הַזִּקְנִים כְּתוּב בּוֹ יְרִידָה ...

אֵלָּא הָיָה יוֹדֵעַ, שְׁמִשְׁלֵי אֵינָן נוֹטְלִין כָּלֹם, אֵלָּא מִשְׁלָה, שְׁנֶאֱמַר: וְאֶצְלֵתִי מִן הָרוּחַ אֲשֶׁר עָלֶיךָ וְשִׁמְתִי עֲלֵיהֶם וְנִשְׂאוּ אֹתָךְ וְגו' (במדבר יא, יז). וְאֵף עַל פִּי כֵן מִשָּׁה לֹא חָסַר כָּלֹם. תִּדְעֵה לָּךְ, שְׁלֹא חָסַר אַרְבָּעִים שָׁנָה אֲמַר לוֹ הַקָּדוֹשׁ בְּרוּךְ הוּא לְמִשָּׁה, קָח לָךְ אֶת יְהוֹשֻׁעַ בֶּן נֹון אִישׁ אֲשֶׁר רוּחַ בּוֹ וְנִתְּתָה מִהוֹדָה עָלָיו (במדבר כז, יח-כ). מִה כְּתִיב בִּיהוֹשֻׁעַ, וְיְהוֹשֻׁעַ בֶּן נֹון מְלֹא רוּחַ חֲכָמָה (דברים לד, ט). לָמָּה, כִּי סָמַךְ מִשָּׁה אֶת יָדָיו עָלָיו (שם).

אֲמַר הַקָּדוֹשׁ בְּרוּךְ הוּא, בְּעוֹלָם הַזֶּה, יְחִידִים נִתְּנָבְאוּ. אֲכָל לְעוֹלָם הַבָּא, כָּל יִשְׂרָאֵל נִעֲשִׂין נְבִיאִים, שְׁנֶאֱמַר: וְהָיָה אַחֲרֵי כֵן אֶשְׁפֹּךְ אֶת רוּחִי עַל כָּל בָּשָׂר וְנִבְאוּ בְנֵיכֶם וּבְנוֹתֵיכֶם וְגו' (יואל ג, א). כֹּה דָרַשׁ רַבִּי תַנְחוּמָא בַּר אֲבָא: ¹⁸⁶

"Gather for Me seventy men from the elders of Yisrael' (Bemidbar 11:16)." This is as it says: 'One who loves purity of heart, has grace on his lips and a king as his friend' (Mishlei 22:11). Why doesn't it say 'Gather for Me seventy men in the plural'? Rather, these seventy on the Sanhedrin were singular individuals, similar to Me and you. Me, as it says: 'Hashem is a man of war' (Shmot 15:3), and you, as it says: 'And the man Moshe was very humble' (Bemidbar 12:3).

'Gather for Me'. Were there no elders already? By Har Sinai it already said: 'Moshe, Aaron and seventy men from the elders of Yisrael ascended' (Shmot 24:9), and this episode happened after that; where were those elders? Rather, when Yisrael reached this point: 'The nation was like complainers ... and a fire of Hashem burnt among them' (Bemidbar 11:1), the seventy elders were all burned at that time. And their burning was similar to the burning of Nadav and Avihu, for they too were too frivolous when they ascended Har Sinai and saw the Shechinah, as it says: 'They saw G-d, and ate and drank' (Shmot 24:11). Could they really have eaten and drank there? Rather it is a parable, what is this similar to? To a slave who watches over his master who has a loaf of bread in his hand, and he grabs it from him; so too they were frivolous as if they were eating and drinking rather than showing proper respect.

They deserved to be burned that very moment, that is the elders, Nadav and Avihu. But because it was Matan Torah which was beloved before HaKadosh Baruch Hu, therefore HaKadosh Baruch Hu did not want to touch them on that day and break out against them, which is why it says: 'He did not send His hand against the nobles of Bnai Yisrael' (Shmot 24:11), which implies that they deserved a sending of the hand. But after some time, they received their comeuppance: Nadav and Avihu were burned when they entered the Ohel Moed, and the elders were burned when they had that desire, as it says: 'And the riffraff in the nation's midst had a great desire' (Bemidbar 11:4).

What was the riffraff? Rabbi Shmuel Bar Nachmani and Rabbi Nechemiah. One of them says, they were the converts that went up with Bnai Yisrael from Egypt and gathered unto them, as it says: 'And a great multitude went up with them' (Shmot 12:38). The other one says, the riffraff is none other than the Sanhedrin, as it says: 'Gather for me seventy men'. What does it say there? 'A fire of Hashem burned them and consumed the edge of the camp', meaning those who were selected from the camp i.e. the Sanhedrin.

How do we know that those elders that had ascended Har Sinai had been burned? As it says: 'A fire burned in their assembly' (Tehillim 106:18), and there is no assembly other than the Sanhedrin, as it says: 'If it would be concealed from the eyes of the assembly' (Bemidbar 18:24), and it says: 'If the entire assembly of Yisrael will sin accidentally' (Vayikra 4:13). Similarly David said: 'Even G-d went up against them and killed their sturdiest ones' (Tehillim 78:31) - these are the Sanhedrin; 'And struck down the chosen of Yisrael' - those young ones that were called elders, as it says: 'David also added to the chosen in Yisrael' (Shmuel Bet 6:1) ...

At that time, HaKadosh Baruch Hu said to Moshe, appoint other elders instead of those elders, as it says: 'Gather for Me seventy men'. 'I shall descend and speak with you there', to tell you that the day the elders were appointed was as precious to HaKadosh Baruch Hu as the day of Matan Torah, as it says: 'On the third day Hashem will descend' (Shmot 19:11), and so too the appointment of the elders was done with descent ...

Rather know Moshe that from Mine the elders shall take nothing but rather from yours, as it says: 'I will set aside from the spirit upon you and put it on them, and they will carry the burden with you' (Bemidbar 11:17). Yet even so, Moshe lacked nothing. You know this because even after forty years HaKadosh Baruch Hu said to Moshe: 'Take Yehoshua Bin Nun, a man with spirit in him, and give him some of your glory' (Bemidbar 27:18-20). What does it say regarding Yehoshua? 'Yehoshua Bin Nun was filled with a spirit of wisdom' (Devarim 34:9). Why? 'Because Moshe had placed his hands on him'

HaKadosh Baruch Hu said, in this world individuals prophesy, but in the world to come all of Yisrael will be prophets, as it says: 'After these things I will spill out My spirit on all flesh and your sons and daughters will prophesy' (Yoel 3:1). This is the exposition of Rabbi Tanchuma Bar Abba."^**186**^

The reason Nadav and Avihu's death and the complainers' death are both described using identical language - consumed by a fire that went out from before Hashem - is because they were being punished for the same transgression: seeing G-d on Har Sinai. They showed disrespect at a moment of Divine revelation, acted lightheartedly and impudently, in a moment of fatal misjudgment. Although their verdict was sealed at that very moment - for *"man cannot see G-d and live"* - Hashem spared them at that moment out of deference and respect for the Torah:

ועוד מן הדה ואל אצילי בני ישראל לא שלח ידו וג' (שמות כד, יא), א"ר פנחס מיכן שהיו ראויין להשלחת יד. א"ר הושעיה וכי קולורין עלת עמהן לסיני דאת אומ' ויחזו את הא-לקים ויאכלו וישתו (שם שם), אלא מלמד שזינו עיניהם כלפי שכינה כאדם שהוא מביט בחבירו מתוך מאכל ומשתה ...

במדבר סיני (שם), וכי במדבר סיני מתו, אלא מלמד שמהר סיני נטלו איפופסים שלהם למיתה. משל למלך שהיה משיא את בתו ונמצא בשושבינים שלו דבר של זינו מייא. א' המלך אם הורגן אני עכשיו הרי אני מערבב שמחת בתי, למחר באה שמחתי ומוטב בשמחתי ולא בשמחת בתי. כך א' הקב"ה אם אני הורג נדב ואביהוא עכשיו הרי אני מערבב שמחת תורה, למחר שמחתי באה, מוטב בשמחתי ולא בשמחת תורה, הד"ה דכת' ביום חתונתו (שה"ש ג, יא), זה סיני, וביום שמחת לבו (שם), זה אהל מועד: ¹⁸⁷

"Also from here: 'He did not send His hand against the nobles of Bnai Yisrael' (Shmot 24:11). Rabbi Pinchas said, from here derive that they deserve a sending of the hand. Rabbi Hoshaya said, did they take delicacies with them to Sinai that you say: 'They said G-d, and ate and drank' (Shmot 24:11)? Rather, this teaches that they glanced at the Shechinah in a disrespectful way, like a man who glances at his friend when he is eating and drinking ...

'In the desert of Sinai' - and did they die in the desert of Sinai? Rather, this teaches that they took their verdict for death at Sinai. A parable: this is comparable to a king who is accompanying his daughter, and he finds in his servants something inappropriate. The king says, if I kill them now, I will ruin my daughter's happiness; tomorrow it is only my happiness, and better to punish them during my happiness and not my daughter's happiness. Similarly HaKadosh Baruch Hu said, if I kill Nadav and Avihu now, I am ruining the happiness of the Torah; tomorrow it is only My happiness at the Mishkan's consecration. Better at My happiness than the Torah's happiness. This is as it says: 'On the day of his wedding' (Shir HaShirim 3:11) - this is Sinai; 'And the day of his heart's happiness' - this is the Ohel Moed i.e. Mishkan." ¹⁸⁷

This midrash interprets His hand not being sent as an act of mercy, but rather one of consideration and empathy for the honor of the Torah, and preempts the obvious question of how killing Nadav and Avihu during the zenith of happiness and celebration at the Mishkan's inauguration is any better by explaining the difference between Matan Torah and the Ohel Moed: the Torah represents a covenant between HaKadosh Baruch Hu and Bnai Yisrael, and as such is an entity that was destined from the beginning of creation to be given in joy and happiness. The giving of the Torah justifies and validates the entire world, all of existence from time immemorial and for all time forevermore; such an event cannot be dampened, tainted by the deaths of the righteous. In contrast, while the Mishkan's completion was certainly a momentous event,¹⁸⁸ one whose significance cannot be understated as it represented the worship that was destined to continue for over a thousands years in the Batei Mikdash, its importance is inferior to that of the Torah's precisely because it is a place for worshipping G-d: He is willing, even pleased, to forego His happiness, but the happiness bound up in Torah as being the pinnacle and purpose of mankind He is not willing to overlook.

Contained within this idea is a profound lesson in Imitatio Dei: G-d puts His childrens' honor before His own, not caring about dampening the excitement surrounding His house of worship but deeply sensitive to the Torah needing to be given in purity and wholeness to the Jewish people. We too, the midrash gently encourages, should demonstrate a zeal for the honor of others coupled with an indifference regarding our own.

186 Midrash Tanchuma Yelamdenu Beha'alotcha 16.

186 Midrash Tanchuma Yelamdenu Beha'alotcha 16.

187 Pesikta DeRav Kahana 26:9.

187 Pesikta DeRav Kahana 26:9.

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Vayikra 9:22-24

וַיִּשָּׂא אַהֲרֹן אֶת יָדָיו אֶל הָעָם וַיְבָרֶכֶם וַיֵּרֶד מִעֲשֻׁת הַחֲטָאֹת וְהַעֲלָה וְהַשְׁלֵמִים: וַיָּבֹא מֹשֶׁה וְאַהֲרֹן אֶל אֹהֶל מוֹעֵד וַיֵּצְאוּ וַיְבָרְכוּ אֶת הָעָם וַיֵּרָא כְבוֹד יְהוָה אֶל כָּל הָעָם: וַתֵּצֵא אֵשׁ מִלִּפְנֵי יְהוָה וַתֹּאכַל עַל הַמִּזְבֵּחַ אֶת הָעֹלָה וְאֶת הַחֲלָבִים וַיֵּרָא כָּל הָעָם וַיִּרְגְּזוּ וַיִּפְּלוּ עַל פְּנֵיהֶם:

Aharon lifted his hands towards the nation and blessed them; he then descended from offering the various" korbanot. Moshe and Aharon came to the Ohel Moed and went out, and blessed the nations; and the glory of Hashem appeared before the entire nation. A fire went out from before Hashem and consumed the offering and "fats from the altar; the entire nation saw and shouted in joy, and fell on their faces

Targum Onkelos to Vayikra 9:24

וַיִּנָּפְקַת אֲשֶׁתָּא מִן קָדָם יְיָ וְאָכַלְתָּ עַל מִדְבָּחָא יְתָ עֹלָתָא וְיֵת תְּרִבְיָא וְחִזָּא כָּל עַמָּא וְשִׁבְחוּ וּנְפָלוּ עַל אִפְּיֵהוּן:

A fire went out from before Hashem and consumed the offering and fats from the altar; the entire nation saw" ".and praised Him, and fell on their faces

Thirsty Souls

Were *atzilei bnai yisrael* told that their verdicts had just been sealed, their deaths assured at the slightest wrongdoing, their lives hanging by a thread in the balance between Heaven and earth? We are left in the dark both by the pesukim and the midrash as to whether the fact that G-d "stayed His hand" - if it indeed indicates the suspension of punishment - was ever made known to the guilty parties. It would be reasonable to assume, however, that had *atzilei bnai yisrael* known they were destined to die at any moment, they would be upset, terrified, frozen by the knowledge that their lives would forever be shaped by the cloud of inevitability that would thereafter hover over them constantly. From the fact that their response was to "eat and drink" we can perhaps make an educated guess: according to Rav who interprets this expression metaphorically as a description of the revelation the nobles experienced,¹³⁰^ this phrase does not add new information post-theophany but rather is an explanation of their

vision; but according to Targum Yonatan¹⁸² and others who interpret the eating and drinking literally, we can infer that in fact this decision was not revealed to them immediately, for partaking in a festive meal does not seem an appropriate response to learning about one's own imminent demise.¹⁸⁹

If *atzilei bnai yisrael* were unaware that their futures were sealed, the logical next question to ask is: did they find out at any point between the vision at Matan Torah and their respective deaths? In particular: when Nadav and Avihu were suddenly and spontaneously consumed by fire after bringing their offering, had they acted in that way knowing that they were meant to die for any infraction? Or had they lived blissfully ignorant of the fate that awaited them?

Perhaps this is exactly how the midrash understands Moshe's cryptic words to Aharon after his sons' deaths. According to the Talmud¹⁶⁶ this terrible secret was made known to Moshe in Shmot 29:43: *"I will meet Bnai Yisrael there and be sanctified in My honor"*, but Moshe did not pick up on its deeper meaning until Nadav and Avihu were consumed by fire. It is true that at their deaths Moshe realized that Aharon's sons had died to *"sanctify the name of HaKadosh Baruch Hu"*, but he also was hinting to his brother the horrifying implication: Nadav and Avihu had died because they had glimpsed G-d at Har Sinai, a certainty learned all too late by their father and uncle.

And what of Nadav and Avihu's guilt in their death - were they guilty of the sin described in the Torah; other, related sins; other, non-related sins; some combination; or entirely guiltless? It would seem according to Tanchuma Yelamdenu that Nadav and Avihu were in fact liable to the death penalty, but not directly due to a heinous act relating to the Mishkan, their bachelor lifestyle, or contempt for their elders. Rather, they died because they had seen G-d. This explanation fits nicely with the description of them immediately after their deaths as "My close ones": Nadav and Avihu were close to HaKadosh Baruch Hu in a very real sense, for they had actually seen Him enthroned in the heavens at Har Sinai, getting even closer to Him than humanly possible and yet living - albeit temporarily - to tell the tale. Indeed, while some midrashim clearly frame Nadav and Avihu as wicked and deserving of punishment, this tradition seems to say their only crime was coming too close to G-d, a crime that led to their being on borrowed time, to be exacted when they once again attempted to draw close to Him in a manner that was not permitted. Some midrashim go so far as to describe Nadav and Avihu as HaKadosh Baruch Hu's beloved, and as such He mourned over their death as a necessity evil:

וַיָּמָת נָדָב וַאֲבִיהוּא לִפְנֵי ה' (במדבר ג, ד), בְּכַמָּה מְקוֹמוֹת נִכְתְּבָה מִיָּתֶת נָדָב וַאֲבִיהוּא, מִלְּמִד שְׁהִיָּה צָעַר לִפְנֵי הַמָּקוֹם
עֲלֵיהֶם, שְׁהָיוּ בְּנֵי אֶהֱרֹן חֲבִיבִים.} וְכֵן הוּא אוֹמֵר (ויקרא י, ג): בְּקֶרְבִי אֶקְדֹּשׁ: ¹⁹⁰

"Nadav and Avihu died before Hashem' (Bemidbar 3:4). In several places the deaths of Nadav and Avihu are written, to teach that it was a source of distress before HaMakom, for the sons of Aharon were beloved, and similarly it says: 'I will be sanctified through My holy ones' (Vayikra 10:3)."¹⁹⁰

The fact that Nadav and Avihu's death is recorded as having taken place *"before Hashem"* several times in the Torah - Vayikra 10, Bemidbar 3, Bemidbar 26 - is a redundancy not lost on the midrash: it teaches how beloved they were, and how tragic their deaths must have been in the eyes of HaKadosh Baruch Hu. Viewed in this light, consumption by Divine fire, instead of a harsh, destructive punishment, may perhaps instead be viewed as symbolic of a loving embrace, a way for G-d as it were to embrace His holy ones even as He cannot delay their sentence any further.

Could it be that Nadav and Avihu had been desperate to rejoin G-d and come close to Him after their sublime experience atop Har Sinai? Perhaps they yearned for a rendezvous with HaKadosh Baruch Hu, a rekindling of the closeness they had felt that auspicious day nearly a year prior. And yet, in the aftermath of the Golden Calf He was nowhere to be found, His presence no longer accessible to the people as it had once been.¹⁹¹ They had been searching for Him, thirsty to be with the the living G-d, trapped in a spiritual daze from their ecstatic vision and unable to return to normalcy. After Har Sinai, however, all hopes of connecting to G-d at that level were shattered along with the tablets. All hope seemed lost, until HaKadosh Baruch Hu forgave Bnai Yisrael and gave them the Mishkan as a path to atonement. Finally, G-d would return to His people, and His people would be able to draw close to Him again. After months of anticipation, the eight day inauguration ceremony comes to a close, and for the first time since Matan Torah HaKadosh Baruch Hu's presence rested among Bnai Yisrael once again. Could Nadav and Avihu be blamed for bringing an offering in the Mishkan? After an experience like the one they had, and after going from that high to despairing even encountering G-d again, His presence appears in the form of Divine fire,¹⁹² and they seize the opportunity, like rabid dogs jumping at the chance to become reacquainted with their Master. No wonder they are called His beloved; no wonder He is saddened by their untimely death.

It follows that although Nadav and Avihu did sin by bringing a foreign fire not commanded of them, that sin was more of a pretext to exact earlier punishment than something which deserved death in and of itself. This helps us reconcile the description of Aharon's sons actions as having been "not commanded" on the one hand while seeming too minor to warrant such a response on the other: HaKadosh Baruch Hu governs His beloved ones with strict justice to a hair's breadth,^{^193^} and therefore through the minor sin they committed punishment for an earlier transgression was visited upon them.

This line of thought also helps us understand why the complainers from Bemidbar 11:1 were destroyed. The Torah does not reveal who they were; this midrash teaches that they were the elders who saw G-d on Har Sinai. Complaining against G-d is a sin, albeit one that is not normally punishable by death, yet it was a pretext to carry out the delayed justice from Har Sinai. Yet what exactly was their sin at that time, and how does their sin - like that of Nadav and Avihu - connect to what had happened atop "the mountain of G-d"?

Immediately prior to the complainers' supernatural demise, the Torah tells us about Bnai Yisrael finally leaving Har Sinai after months of being encamped at the foot of the mountain. The clouds lifted from the Mishkan; the trumpets blasted, the flags marched: Bnai Yisrael journeyed from Har Sinai a distance of three days.^{^194^} Like Nadav and Avihu, the elders had been waiting for an opportunity to be with G-d; unlike Nadav and Avihu, as non-Kohanim they had not had the chance to enter the Kodesh HaKodashim and encounter G-d in the holiest section of the Mishkan. The elders were barred from sacrificial service reserved only for the priests, and so they waited impatiently to see when they too would have G-d reveal Himself in a way that they could access, that they could tap into and be nourished from as they had been on Har Sinai.

The Mishkan was finally erected on the first of Nisan in the second year; in their holy zeal to see the G-d of Yisrael once more, Nadav and Avihu perished. Moshe and Aharon were privy to the secret that *"I will be sanctified through My holy ones"*; perhaps the elders were not. It stands to reason that the deaths of Aharon's sons would not have stayed under wraps, and surely it was common knowledge. Yet what lay behind their death? That remained a mystery, revealed to no one but Moshe and told to no one but Aharon. The elders, however, remained in the dark, unaware of the danger inherent in their desires to be with Him and the comparable nature of Nadav and Avihu's fatal quest to do the same.

Seven weeks go by; the twentieth of Nisan comes and with it news that Bnai Yisrael are leaving Har Sinai. The elders are devastated: where is HaKadosh Baruch Hu? Leaving Har Sinai was tantamount to spiritual suicide for them, more so than the rest of Bnai Yisrael, for while everyone had heard His voice and seen His miracles, the elders had gone one impossible step further and seen G-d Himself. The tragic nature of Nadav and Avihu's death, their inability to come back down from the heavens after a successful ascension and live out a material, flawed life detached on some level from the Shechinah - such too was the fate of those elders who, unable to come to terms with the departure from Har Sinai, complain. Perhaps they even preceded the spies in not wanting to continue onto Eretz Canaan, but for an entirely different reason: they wanted to stay at Har Sinai, the place where they knew He was to be found. Their desire went too far, and manifested in a way unacceptable before their Creator; they too were irreversibly transformed by their experience, and therefore consumed by fire, taken from the physical world before their time. Yet they too were beloved by G-d, their deaths ultimately tragic as well. ¹⁹⁵

This interpretation of Shmot 24:9-11 and how its consequences reverberate in subsequent challenging narratives resolves a myriad of grammatical and linguistic difficulties, and ties together a host of thematic and literary loose ends. Yet it also develops and demonstrates critical cornerstones of Rabbinic theology concerning the way G-d governs the world and metes out justice. In particular, there is a strong emphasis placed on the importance of *middah keneged middah*, the idea that people are punished in line with what transgression they committed. Nadav, Avihu and the elders should never have seen HaKadosh Baruch Hu, and perhaps they also acted too frivolously in that exalted moment; they could not resume normal life, instead wanting to return to Him, continuing the transgression a second time, ¹⁹⁶ unable to separate above and below. Indeed, if we understand the eating and drinking done at Har Sinai as spiritual nourishment from the Shechinah, it becomes clear how the way the - [אכל] - respective deaths were carried out was fitting. The same root denoting consumption appears in all these stories, tying together the sin with its corollary punishment: just as Nadav, Avihu and the seventy elders ate, consumed, drank in, the G-d of Yisrael, so too He consumed them with fire

וַיִּקְחוּ בָנֵי אֱהֲרֹן נָדָב וַאֲבִיהוּא אִישׁ מִחֶמְתּוֹ וַיִּתְּנוּ בָהֶן אֵשׁ וַיִּשְׂימוּ עָלֶיהָ קִטְרֹת וַיִּקְרְיבוּ לִפְנֵי יְהוָה אֵשׁ זָרָה אֲשֶׁר לֹא צִוָּה אֹתָם: וַתֵּצֵא אֵשׁ מִלִּפְנֵי יְהוָה וַתֹּאכַל אוֹתָם וַיָּמָתוּ לִפְנֵי יְהוָה: (ויקרא י:א, ב)

וַיְהִי הָעַם כְּמִתְאַנְנִים רַע בְּאַזְנֵי יְהוָה וַיִּשְׁמַע יְהוָה וַיִּחַר אָפוֹ וַתִּבְעַר בָּם אֵשׁ יְהוָה וַתֹּאכַל בְּקִצָּה הַמִּתְנַהֶה: ... וְהָאֶסְפָּסָף
אֲשֶׁר בְּקֶרְבוֹ הִתְאַוּ תַּאֲוָה וַיָּשָׁבוּ וַיִּבְכוּ גַם בְּנֵי יִשְׂרָאֵל וַיֹּאמְרוּ מִי יֹאכֲלֵנוּ בָּשָׂר (במדבר יא:א, ד)

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Megillah 19b

ואמר רבי חייא בר אבא אמר רבי יוחנן: אלמלי נשתתיר במערה שעמד בה משה ואליהו כמלא נקב מחט סדקית, לא היו יכולין לעמוד מפני האורה, שנאמר: "כי לא יראני האדם וחי" (שמות לג, כ):

Rabbi Chiya Bar Abba said in the name of Rabbi Yochanan: if a crack even as small as the point of a sewing needle had been left in the cave where Moshe and Eliyahu stood, they could not have survived the intensity of His light, as it says: 'No person can see Me and live' (Shmot 33:20)

182 Targum Yonatan to Shmot 24:9-11.

189 It is possible to argue that even according to the opinion that the food and drink was consumed in a joyous way the nobles did know their fate: perhaps their celebratory behavior was in gratitude to G-d sparing their lives in that moment and allowing them more time, even while - at the same time - acknowledging it was a suspension, not an abrogation, of punishment.

Zevachim 115b

היכא רמיזא דכתיב (שמות כט, מג) ונועדתי שמה לבני ישראל ונקדש בכבודי אל תקרי בכבודי אלא במכובדיי דבר זה אמר הקב"ה למשה ולא ידעו עד שמתו בני אהרן כיון שמתו בני אהרן אמר לו אהרן אחי לא מתו בניך אלא להקדיש שמו של הקב"ה כיון שידע אהרן שבניו ידועי מקום הן שתק וקבל שכר שנאמר (ויקרא י, ג) וידום אהרן וכן בדוד הוא אומר (תהלים לו, ז) דום לה' והתחולל לו אע"פ שמפיל לך חללים חללים את שתוק וכן בשלמה הוא אומר (קהלת ג, ז) עת לחשות ועת לדבר פעמים ששותק ומקבל שכר על השתיקה פעמים מדבר ומקבל שכר על הדבור:

Where is the statement that Moshe told Aharon HaKadosh Baruch Hu had made about being glorified through His close ones hinted to? As it says: 'I will meet Bnai Yisrael there and be sanctified in My honor' (Shmot 29:43) - don't read it as My honor but rather My honored ones. This is what HaKadosh Baruch Hu said to Moshe, but Moshe did not know its meaning until the sons of Aharon died. When they died, Moshe said to him, Aharon my brother; your sons have not died except to sanctify the name of HaKadosh Baruch Hu. When Aharon knew that his sons were beloved by Makom, he was silent and received reward for it, as it says: 'Aharon was silent' (Vayikra 10:3). Similarly with David it says: 'Be silent for Hashem and wait patiently for Him' (Tehillim 37:7) - even though he throws upon you many corpses, you should be silent. And so too Shlomo says: 'There is a time to be silent and a time to speak' (Kohelet 3:7) - there are times when one who is silent receives reward over his silence, and there are times when one who speaks receives reward over his speech

Yalkut Shimon on Torah Remez 525

נכנס משה אצלו והיה מפייסו אמר לו אהרן אחי מסיני נאמר לי עתיד אני לקדש את הבית הזה באדם גדול אני מקדשו והייתי אומר או בי או בך הבית מתקדש עכשיו נמצאו בניך גדולים ממני וממך שבהן הבית נתקדש ... ויאמר משה הוא אשר דבר ה' לאמר בקרובי אקדש זה דבור נאמר למשה בסיני ולא ידעו עד שבא מעשה לידו וכיון שבא מעשה לידו א"ל משה לאהרן אהרן אחי לא מתו בניך אלא בשביל קדושת שמו של מקום שנאמר ונועדתי שמה לבני ישראל ונקדש בכבודי:

Moshe went to Aharon and appeased him, and said to him, Aharon my brother; it was said to me at Sinai that in the future I i.e. HaKadosh Baruch Hu will sanctify this house with a great man, and I figured it meant through me or you this house would be sanctified. Now it seems your sons are greater than me or you, for through them this house was sanctified ... Moshe also said, this is what Hashem meant when he said: 'I shall be sanctified' - this was said to Moshe at Sinai but he did not know what it mean until this deed came before him, and once this deed came before him Moshe said to Aharon, Aharon my brother; your sons only died in order to sanctify the name of Makom, as it says: 'I shall appear there before Bnai Yisrael and be sanctified through My honor

Rashi, Vayikra 10:3 d"h vayidom aharon

קבל שכר על שתיקתו, ומה שכר קבל? שנתחד עמו הדבור, שנאמר לו לבדו פרשת שתויי יין:

Aharon received reward for his silence. What was his reward? That he received a unique Divine command, that "the laws prohibiting drinking before service were said just to him

Silence is not only praiseworthy for the mourner himself: family and friends who go to comfort him are also encouraged to do so in silence

Berachot 6b

אמר רב פפא: אגרא דבי טמא שתיקוּתא:

Rav Papa said, the reward for going to a mourner's house is on account of silence i.e. silence is the best form of "comfort for a mourner"

190 Bemidbar Rabbah 2:23.

190 Bemidbar Rabbah 2:23.

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Shmot Rabbah 32:2-3

דבר אחר, הנה אנכי שלח מלאך (שמות כג, כ), אמר הקדוש ברוך הוא לישראל, אלו זכיתם אני בעצמי נעשיתי לכם שליח כדרך שעשיתי לכם במדבר, שנאמר (שמות יג, כא): וה' הלך לפניכם יומם, ועקשיו שלא זכיתם, הריני מוסר אתכם לשליח, שנאמר: הנה אנכי שלח מלאך. ואימתי נמסרו לשליח, בשעה שעבדו עבודת כוכבים:

Another idea: 'Behold I am sending My angel before you (Shmot 23:20). HaKadosh Baruch Hu said to Yisrael, "if you are worthy I Myself shall be your messenger the way I led you in the desert, as it says: 'Hashem went before them during the day' (Shmot 13:21). Now that you are not worthy, I am giving you over to a messenger, as it says: "Behold I am sending My angel before you.' When were Bnai Yisrael given over to a messenger? When "they worshiped idols

192 Perhaps Nadav and Avihu brought fire because they were responding to the fire which descended onto the altar (Vayikra 9:24) and consumed the offerings. They reasoned: since we saw Him, ten months have elapsed and we have not felt His presence. He has finally revealed Himself; we shall seize the opportunity and not let Him slip away again. And He has returned to us with a fire from above; we shall return to Him with a fire from below.

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Maharsha, Zevachim 115b d"h amar hakadosh baruch hu

ויש לדקדק לכאורה דמשמע דלא מתו בני אהרן אלא כדי להתקדש שמו של מקום על ידם ולא מתו מפני החטא ולעיל פירש"י מפני החטא שלא הוזהרו לפרוש וכו' וכן בפרק הדר קאמרינן מפני החטא שהורו הלכה וכו' והרא"ם תירץ בזה דה"ק לא מתו בניך ביום ששרתה שכינה אלא כדי וכו' ע"ש באורך והוא דחוק דלדבריו הל"ל לא מתו בניך ביום הזה אלא כדי וכו' אבל הנראה דלא שייך קידוש המקום וכבודו אילו מתו בלא חטא דחלילה דעביד דינא בלא דינא אבל כבודו של מקום ליפרע מצדיקים בעוה"ז על מיעוט עבירות שבידן וכו' יתעלה ויתקדש ומתיירא שמו של הקב"ה דאם בצדיקים כך ברשעים עאכ"ו וה"ק לא מתו בחטא זה אלא דעם סביביו נשערה מאד ובהם מתקדש ומתיירא שמו אם בצדיקים כך ברשעים עאכ"ו והוא שא"ל משה הייתי סבור או כי או בכך שאני ואתה יותר מקורבים אבל כשראה מיתתן אמר שהם נכבדים יותר ועליהם רמז לו ונקדש בכבודי במכובדי ליפרע מהם על עבירות קלות:

We can be precise here. It seems from here that Aharon's sons did not die except in order to sanctify the name of" Makom through their deaths, and therefore they did not die because of their own sins. Yet earlier Rashi explains it was because of sin, that they were not careful to separate, etc. Similarly it says elsewhere it was because of sin, that they ruled halachah before Moshe and Aharon, etc. The Re'em explains this as follows: your sons did not die on the day the Shechinah rested except to sanctify, etc. See there in detail, but it is farfetched, for according to his words it should have said: your sons did not die on this day except to sanctify, etc. Rather, it seems that sanctification of Makom and His honor is not appropriate if they had died without sin, for Heaven forbid that would be administering justice without justice. However, it is the honor of Makom to extract from the righteous in this world for minor transgressions they have committed, and through that HaKadosh Baruch Hu's name is raised up and sanctified and feared, for if so by the righteous how much more so for the wicked. This is therefore what it means to say: they did not die from this sin, but rather HaKadosh Baruch Hu is very strict with those that surround Him, and through them He sanctifies and makes His name feared, for if so by the righteous how much more so for the wicked. This is what Moshe meant when he said: I thought it would be me or you Aharon for we are closer, but when Moshe saw their deaths he said they are more honorable, and about them it was hinted 'and ".be sanctified in My temple' i.e. by My honored ones, to pay them back for minor sins

.This concept of strict justice for His righteous ones will be discussed further below

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Bemidbar 10:33-34

וַיִּסְעוּ מִהָרֹם יְהוָה דָּרָךְ שְׁלֹשֶׁת יָמִים וְאַרְבֹּן בְּרִית יְהוָה נָסַע לִפְנֵיהֶם דָּרָךְ שְׁלֹשֶׁת יָמִים לְתוֹר לָהֶם מְנוּחָה: וַעֲנֹן יְהוָה עֲלֵיהֶם יוֹמָם בְּנִסְעָם מִן הַמִּצְפָּה:

Bnai Yisrael journeyed from the mountain of Hashem for three days, and the Aron of Hashem's covenant" journeyed before them a distance of three days, to search out a resting place for them. The cloud of Hashem was ".above them during the day when they journeyed from the camp

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Similar to Nadav and Avihu, the elders are similarly beloved by Hashem and due of this are deserving of honor
:even in the time to come

Shmot Rabbah 5:12

אמר רבי עקיבא, למה נמשלו ישראל כעוף, מה עוף אינו פורח אלא בפנפים, אף ישראל אינו יכולין לעמד אלא בזקנים. גדולה הזקנה, אם זקנים הם חביבין לפני הקדוש ברוך הוא, ואם נערים נטפלה בהן ילדות. תני רבי שמעון בן יוחאי, בכמה מקומות שנינו שחלק הקדוש ברוך הוא כבוד לזקנים, בפסוק, דכתיב (שמות ג, טז): לך ואספת את זקני ישראל. בסיני, דכתיב (שמות כד, א): ואל משה אמר עלה אל ה' וגו'. באהל מועד, דכתיב (ויקרא ט, א): קרא משה לאהרן ולבניו וגו'. ולעתיד לבוא כמו כן, שנאמר (ישעיה כד, כג): כי מלך ה' צבאות בהר ציון ובירושלים ונגד זקניו כבוד:

Rabbi Akiva said, why are Bnai Yisrael compared to a bird? Just as a bird cannot fly without wings, so too "Yisrael cannot survive without its elders. Great is old age: if people are old they are beloved before HaKadosh Baruch Hu, but if they are young they are made insignificant by youth. Rabbi Shimon Bar Yochai taught, in several places we find that HaKadosh Baruch Hu gave honor to the elders: by the bush, as it says: 'Go gather the elders of Yisrael' (Shmot 3:16); by Sinai, as it says: 'He said to Moshe ascend to Hashem \... and the seventy elders of Yisrael' (Shmot 24:1); by the Ohel Moed, as it says: 'Moshe called to Aharon, his sons and the elders' (Vayikra 9:1). And in the time to come it will also be so, as it says: 'Because Hashem Tzeva'ot will be crowned in "Har Tzion and Yerushalayim, and for the elders there will be honor' (Yishayahu 24:23)

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Pesikta Rabbati 47:2

וכן בקדש חזיתך שנאמר ואל אצילי בני ישראל לא שלח ידו ויחזו את האלקים ויאכלו וישתו (שמות כ"ד י"א) מהו לראות עוזך וכבודך אמר אהרן ישראל שהיו הדייטים ראו אותך בים ובסיני ולא הוזקו ואני שהרשיתיני אצלך במשכן ומפתח אוהל מועד לא תצאו (ויקרא ח' ל"ג) והזהרת את ישראל והזר הקרב יומת (במדבר א' ל"א) נכנסו בני לראות עוזך וכבודך ומתו:

They saw you in holiness', as it says: 'He did not send His hand against the nobles of Bnai Yisrael. They saw G-"d, and ate and drank' (Shmot 24:11). What is: 'To see Your strength and honor'? Aharon said, Yisrael, who are regular, saw You at the Sea and at Sinai, and were not struck down; I, who has permission before You in the Mishkan and the entrance of the Ohel Moed about which it says 'You shall not leave' (Vayikra 8:33); 'Warn Yisrael that the stranger who comes close will die' (Bemidbar 1:31) - my sons went in: 'To see Your strength and "honor

Angelic Guidance

While the concept of *middah keneged middah* is applied within the bounds of reward and punishment in the traditional sense, this midrash also extends the concept even further in a broader sense as well. Given that the source of Nadav and Avihu's death was entirely non-physical - a spiritual malady brought on by a spiritual confrontation - it demanded an entirely non-physical response. Aharon's sons had been transmuted by their experience from regular

men into men that had been unified with the Divine in mystical union. The Nadav and Avihu - and for that matter, the seventy elders - who existed before Shmot 24 were not the same people as those after Shmot 24, for their souls had basked in the glory of the Shechinah. As such, it is fitting that their souls would want to cleave to their Divine source, be unable to survive an ephemeral existence for much longer. This approach aligns nicely with the opinion of Rabbi Elazar, who maintained that their souls were burned by the fire while their bodies remained intact, and in opposition to the opinion of Abba Yosi Ben Dostai, who says nothing of souls but insists it was their bodies that charred to a crisp instead.^{^145^} Similarly, Rabbi Eliezer's description of Nadav and Avihu's bodies being forcefully ejected from the Kodosh HaKodashim carries with it a reckoning carried out in the non-physical plane, as opposed to the opinion of Rabbi Akiva's description of their bodies being dragged out by spears.^{^156^}

We find in Rabbi Eliezer's opinion a description of an angel being the arbiter of punishment as opposed to HaKadosh Baruch Hu himself. This addition to the story is made intentionally, as it further cements the non-physical nature of the sin and its consequences: it is an angel who comes and removes Nadav and Avihu's souls, returning them to the Creator they so desired to cleave to. Yet there is perhaps a broader significance to the angel's appearance as well: oftentimes when the text is describing HaKadosh Baruch Hu as involved in carrying out an act that can be perceived as destructive or unjust, one technique employed by later interpretive schools was to insert Divine messengers as the executors in this world. This was understood to "remove" G-d Himself in some sense from direct involvement in the tragedy; reapportioning the blame of visiting what can be perceived as excessive death or destruction on mankind to an angel lessens the blatant nature of the theological difficulty somewhat.^{^197^} If, as described in the midrashim, HaKadosh Baruch Hu mourned the deaths of Nadav and Avihu, executing His beloved because they needed to die and not because He desired to, explaining this uncomfortable punishment carried out by an angel of destruction instead of G-d Himself makes a lot of sense.

The Talmud also makes mention of an angel orchestrating the initial events of Shmot 24:

אמר רב נחמן האי מאן דידע לאהדורי למינים כרב אידית ליהדר ואי לא לא ליהדר אמר ההוא מינא לרב אידית כתיב (שמות כד, א) ואל משה אמר עלה אל ה' עלה אלי מיבעי ליה א"ל זהו מטטרון ששמו כשם רבו דכתיב (שמות כג, כא) כי שמי בקרבו אי הכי ניפלחו ליה כתיב (שמות כג, כא) אל תמר בו אל תמירני בו אם כן לא ישא לפשעכם למה לי א"ל הימנותא בידן דאפילו בפרוונקא נמי לא קבילניה דכתיב (שמות לג, טו) ויאמר אליו אם אין פניך הולכים וגו':^{^198^}

"Rav Nachman said, one who knows how to respond to heretics like Rav Idit should respond, but if not, he should not respond. Once a heretic said to Rav Idit, it says: 'He said to Moshe, ascend to Hashem' (Shmot 24:1) - it should have said, come up to Me? He said to him, that was Metatron, whose name was like that of his Master, as it says: 'My name is in him' (Shmot 23:21). If so, let us worship him? It says: 'Do not defy him' - do not replace Me with him. If so, why do I need: 'He will not pardon your transgression'? He said to him, we believe that we did not accept an angel even as a guide for the journey, as it says: 'And he said to him: If Your Presence go not with me, don't raise me out of here' (Shmot 33:15)."¹⁹⁸

The context of the conversation between Rav Idit and the heretic is polemical in nature, and comes on the heels of esoteric metaphysical discussions surrounding the danger inherent in knowledge of multiple Divine thrones leading someone astray and towards gnostic apostasy if not understood correctly.¹⁹⁹ According to Rav Idit, it is the archangel Metatron, and not HaKadosh Baruch Hu Himself, who called Moshe and the *atzilei bnai yisrael* up the mountain. The grammatical issue raised by the heretic - namely, that Hashem refers to Himself in the third person - is solved by Rav Idit's answer, but there may be deeper thematic significance being developed here too. The fallout from this episode was terrible, culminating in the untimely deaths of *atzilei bnai yisrael*; G-d Himself had His "forced" to carry out a seeming injustice. By placing the blame of calling Nadav, Avihu and the seventy elders up the mountain squarely at the feet of angel - such Metatron, as Rav Idit does, or Michael, as per the translation of Targum Yonatan¹³⁵ - the midrash is sidestepping the issue by relegating the ramifications of their deaths to be the archangel's responsibility.²⁰⁰

Rav Idit's strategy of helping the Divine evade direct responsibility proves useful in light of a radically shocking comment made by the Tur HaAroch in his commentary on Shmot 24:1:

תימא לי למה לא עלו אלעזר ואיתמר שהרי גדולה מעלתם ממעלת הזקנים ... ונ"ל משום שהקב"ה לו נתכנו עלילות (שמואל א ב, ג) וידע שבעלילה זו נתחייבו כדאמרינן שמכאן נתחייבו שריפה אלא שלא רצה הקב"ה לערבב שמחת התורה והמתין לנדב ואביהו עד יום שמיני של מלואים ולזקנים עד חבערה ואילו מתו אלעזר ואיתמר היה נכרת כל זרע אהרן ולא רצה הקב"ה שיכרת זרע כהונה הקדושה:²⁰¹

"I find it puzzling that Elazar and Itamar were not included in this invitation. Surely they were more distinguished than the seventy elders mentioned in our verse ... It seems to me that because before HaKadosh Baruch Hu: 'All possibilities are laid out' (Shmuel Aleph 2:3), and He knew that from this episode they would become liable for death, as it says that from here

they were liable to be burnt but HaKadosh Baruch Hu did not want to dampen the joy of Torah, and so He waited to punish Nadav and Avihu until the eighth day of the consecration and He waited to punish the elders until Tav'eira. If Elazar and Itamar had died also, all the offspring of Aharon would have been cut off, and HaKadosh Baruch Hu didn't want the holy Kehunah to be completely cut off and therefore He did not invite them up the mountain with their brothers."²⁰¹

The Tur is grappling with a question which has not been addressed yet: why were *atzilei bnai yisrael* singled out to ascend the mountain? More to the point, why were two of Aharon's sons invited while two were excluded - what happened to Elazar and Itamar?²⁰² Out of seeming desperation, he provides a theologically mind-blowing suggestion, one not even hinted at in the midrashic literature. Since HaKadosh Baruch Hu knows everything that will unfold, He must have known that *atzilei bnai yisrael* would not avert their gazes and incur death at the sight of G-d seated on His throne. Additionally, He wanted to avoid the destruction of Aharon's lineage, since they were destined to become the Kohanim. Since He knew that Elazar and Itamar would be liable for death if they were to ascend the mountain, He specifically did not command them to ascend, so that there would be a remnant remaining after Nadav and Avihu met their demise.²⁰³

There could be yet another, additional layer of thematic consistency and unity being promoted by Rav Idit's insertion of Metatron into the story of Har Sinai. Among the myriad of angels in the Heavenly court Metatron ranks among the highest, yet it is his origin story that sets him apart:

²⁰⁴ וַיְהִי כֹל יְמֵי חֲנוּךְ חֲמִשָּׁן וְשִׁשִּׁים שָׁנָה וַיִּשְׁלַח מֵאוֹת שָׁנָה וַיִּשְׁלַח מֵאוֹת שָׁנָה: וַיְהִי חֲנוּךְ אֶת הָאֱלֹהִים וְאֵינָנוּ כִּי לָקַח אֹתוֹ אֱלֹהִים:

"All the days of Hanoch were 365 years. Hanoch walked with G-d, and was no more, for G-d took him."²⁰⁴

Metatron had originally been a mortal human being named Hanoch who had been taken alive by G-d and transformed into an archangel:

וְהוּא כֹל יְמֵי חֲנוּךְ עִם דִּיּוּרֵי אֶרֶץ תְּלַת מֵאוֹת וְשִׁיתִין וְחֲמִשָּׁן שָׁנִין: וַיִּפְלַח חֲנוּךְ בְּקוֹשְׁטָא קָדָם יְיָ וְהָא לִיתְהִי עִם דִּיּוּרֵי אֶרֶץ אַרוֹם אֲתַנְגִּיד וְסִלִּיק לְרַקִּיעָא בְּמִימְרָ קָדָם יְיָ וַקְרָא שְׁמִיהּ מִיטְטְרוֹן סְפָרָא רַבָּא: ²⁰⁵

"All the days that Hanoach was with those who dwell on earth equaled 365 years. Hanoach served truthfully before Hashem and behold, he was not among those who live in the world, for he was withdrawn. He ascended to the heavens by the word of G-d, and his name was Metatron, the great teacher."^205^

There is no shortage of fantastic explanations as to why or how this process occurred,^206^ but for our purposes the takeaway is simple: perhaps the reason Metatron was chosen to call up *atzilei bnai yisrael* to experience a vision of G-d and become transformed by it was because he himself in his life as the mortal Hanoach had walked with G-d and survived crossing over the threshold from physical to spiritual. He was the most appropriate candidate to command Nadav, Avihu and the elders on how to enter the paradise of the Shechinah and experience G-d as he had done thousands of years earlier. Unfortunately the calling was too great, the mission too lofty: Aharon's sons and the elders failed where Hanoach had succeeded.^207^

145 Sotah 12a.**156 Sifra, Shemini Mechilta DeMilu'im 2.**

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This exegetical technique predates Rabbinic aggadah historically: angels abound in apocryphal, non-canon works written during the period of the second Beit HaMikdash, oftentimes with a similar goal in mind. In fact, a striking example can be found with the Tanach itself when comparing two versions of the same story

Shmuel Bet 24:1

וַיִּסְפֹּף אֵף יְהוָה לַחֲרוֹת בְּיִשְׂרָאֵל וַיִּסֶּת אֶת דָּוִד בָּהֶם לֵאמֹר לֵךְ מִנָּה אֶת יִשְׂרָאֵל וְאֶת יְהוּדָה:

The anger of Hashem continued to flare against Yisrael. He seduced David against them, saying: Go count "Yisrael and Yehudah

Divrei HaYamim Aleph 21:1

וַיַּעֲמֵד שָׁטָן עַל יִשְׂרָאֵל וַיִּסֶּת אֶת דָּוִד לְמִנּוֹת אֶת יִשְׂרָאֵל:

"Satan stood against Yisrael. He seduced David to count Yisrael"

Divrei HaYamim replaces G-d with Satan as the being who brings death to the land. The commentaries insist there is no contradiction, for Satan's will is just a manifestation of G-d's will and in fact the stories are one and the same. At the same time, however, they acknowledge that the author of Divrei HaYamim wanted to "remove" G-d Himself one step from the terrible plague that struck tens of thousands of innocent people

Ralbag Divrei HaYamim Aleph 21:1 d"h vaya'amod satan al yisrael

בספר (שמואל ב' כ"ד א') כתוב ויוסף את ה' לחרות בישראל והענין אחד:

"In Shmuel it says: 'The anger of Hashem continued to flare against Yisrael', and it is the same idea"

Radak Divrei HaYamim Aleph 21:1 d"h vaya'amod satan al yisrael

ומה שאמר בספר שמואל "ויוסף אף יי' לחרות בישראל ויסת את דוד בהם" (ש"ב כד, א) שנראה כי יי' הוא המסית, אמת הוא; כי הוא הסיתו באמצעות השטן בעון ישראל, שהיו ראויים ליענש:

That which is it says in Sefer Shmuel: 'The anger of Hashem continued to flare against Yisrael. He seduced David, etc.' which makes it seem that Hashem is the seducer - this is true; He is the seducer through Satan on account of the sins of Yisrael, and they deserved to be punished

For another example of an angelic being being inserted into a narrative that has G-d Himself carrying out a death sentence, see **Part II**'s discussion regarding who came to threaten Moshe's family on his way down to Egypt

198 Sanhedrin 38b.**198 Sanhedrin 38b.****199**

Metatron himself was punished with sixty fiery lashes by the Heavenly tribunal for misleading Elisha Ben Avuyah - the famous heretic Acher - into discarding his monotheism and believing in the authority of a second :god

Hagigah 15a

אָכער קיצץ בנטיעות, עליו הכתוב אומר: "אל תתן את פיך לחטיא את בשרך" (קהלת ה, ה). מאי היא? חזא מיטטרו דאיהיבא ליה רשותא למיתב למיכתב זכוותא דישראל, אומר: גמירי דלמעלה לא הוי לא ישיבה ולא תחרות, ולא עורף ולא עיפוי. שפא, חס ושלום, שתי רשויות הן. אפקיה למיטטרו ומחיוה שיתין פולסי דנורא. אמרו ליה: מאי טעמא כי חזיתיה לא קמת מקמיה? איתיהיבא ליה רשותא למימחק זכוותא דאכער. יצתה בת קול ואמרה: "שובו בנים שובבים" (ירמיהו ג, כב) חוץ מאכער:

Acher cut down the saplings' in reference to his rejecting Judaism after entering the orchard. Regarding him" the pasuk says: 'Do not let your mouth lead your flesh astray' (Kohelet 5:5). How so? He saw Metatron, who was given permission to sit and write the merits of Yisrael, and said: there is a tradition that above there is no sitting, no competition, no turning one's back, and no lethargy yet here Metatron remains sitting. Perhaps, Heaven forbid, there are two powers. Because of this they removed Metatron and whipped him with sixty fiery lashes, and said to him, why did you not stand before him? After this Metatron was given permission to erase the merits of Acher; and a Bat Kol went out and said: 'Return wayward sons' (Yirmiyahu 3:22) - everyone except for "Acher

Mechilta DeRabbi Yishmael Shmot 19:10

כיון שראה שקבלו עליהם נטל הדם וזרק על העם, שנאמר (שמות כד, ח) ויקח משה את הדם ויזרק על העם. אמר להם, הרי אתם קשורים ענובים תפוסים, מחר בואו וקבלו עליכם המצות כולן. ר' יוסי בר' יהודה אומר, בו ביום נעשו כל המעשים:

Once Moshe saw that they had accepted the Torah upon themselves, he took the blood and sprinkled it on the" nation, as it says: 'Moshe took the blood and sprinkled it on the nation' (Shmot 24:8). He said to them, you are tied, bound and trapped; tomorrow come and accept all the mitzvot upon yourselves. Rabbi Yosi BeRabbi "Yehudah says, everything happened on the same day the sixth of Sivan

Ramban to Shmot 24:1 d"h ve'el moshe amar

והנה מעשה הברית ביום המחרת למתן תורה, ובו היתה העליה שעלה משה אל ההר (שמות כ"ד:י"ג), וממנה נתעכב שם ארבעים יום. והוא שפירש הכתוב (שמות כ"ד:ט"ז) ויקרא אל משה ביום השביעי וגו', ונאמר (שמות כ"ד:י"ח) ויבא משה בתוך הענן. וכל זה מתוקן ומבואר.

וראיתי במכילתא (לעיל יט י) שנחלקו בדבר, יש שאמרו שהיה קודם מתן תורה בחמישי, ואמר להם הרי אתם קשורים תפוסים וענובים מחר באו וקבלו עליכם את כל המצות ורבי יוסי בר' יהודה אמר בו ביום נעשו כל המעשים, כלומר בו ביום לאחר מתן תורה נעשו המעשים של סיפור העם וכתובת ספר הברית, הכל כמו שפירשנו:

For behold, the covenant happened the day after Matan Torah i.e. the seventh of Sivan, and on that day there" was an ascent since Moshe went up the mountain (Shmot 24:13). For that you count forty days. This is as it says: 'He called to Moshe on the seventh day' (Shmot 24:16), and it says: 'Moshe entered inside the cloud' (Shmot 24:18). All of this is set and clear

I saw in Mechilta 19:10 that they argued about this pont. There were those that said it was before Matan Torah on the fifth of Sivan, and Moshe said to them: you are tied, bound and trapped; tomorrow come and accept all the mitzvot upon yourselves. Rabbi Yosi BeRabbi Yehudah said that everything happened on the same day, meaning on that day right after Matan Torah all the stories about the reading over of the Torah to the nation and "the writing of the Book of the Covenant happened, as we have explained

:Other commentaries also agree with Ramban's conclusion

Chizkuni to Devarim 9:9 d"h va'eishev bahar

מעלות השחר של יום אחד בשבת שבעה בסיון עד עלות השחר של יום שישי בשבת שבעה עשר בתמוז:

Moshe was atop Har Sinai for forty days and nights from dawn on Sunday the 7th of Sivan until dawn on Friday" "the 17th of Tammuz

Targum Yonatan to Shmot 24:1

וְלֹת מֹשֶׁה אָמַר מִיכָאֵל סֶרְכֵן חֲכֵמָתָא בְּיוֹמָא שְׁבִיעָאָה לִּירְחָא סָק קֳדָם יְיָ אֱלֹהֵי נָדָב וְאַבְיָהוּא וְשִׁבְעִין מְסָבֵי יִשְׂרָאֵל וְתַסְגְּדוּן מִרְחִיק:

Michael, the Prince of wisdom, said to Moshe on the seventh day of the month, come up before Hashem: you," "Aharon, Nadav, Avihu and seventy elders of Yisrael, and bow down from a distance

:It follows that there are opinions which place Shmot 24 on four different dates

4th of Sivan - Rashi to Shmot 24:1 based on Rabbi Yosi in Shabbat 88a - 5th of Sivan - Tanna Kamma in -
Mechilta DeRabbi Yishmael Shmot 19:10 - 6th of Sivan - Simple reading of Rabbi Yosi BeRabbi Yehudah in the
Mechilta - 7th of Sivan - Ramban to Shmot 24:1 in his reading of Rabbi Yosi BeRabbi Yehudah, Chizkuni to
Devarim 9:9, Targum Yonatan to Shmot 24:1

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It is appropriate to note here that there is a trend in various midrashim which, when confronted with an uncomfortable anthropomorphism of HaKadosh Baruch Hu, rather than sidestepping or explaining away the said description, instead embrace it unapologetically. One prominent advocate of this approach is the Amora Rabbi Abahu, who is quoted in both the Talmud Bavli and Yerushalmi along with other midrashic works as ascribing human features - specifically the body of an old man - to the Creator. He goes so far as to grant the wicked king Sanheriv the privilege of an audience with an anthropomorphized G-d:

Sanhedrin 95b

אמר רבי אבהו אלמלא מקרא כתוב אי אפשר לאמרו דכתיב (ישעיהו ז, כ) ביום ההוא יגלח ה' בתער השכירה בעברי נהר במלך אשור את הראש ושער הרגלים וגם את הזקן תספה אתה קודשא בריך הוא ואדמי ליה כגברא סבא:

Rabbi Abahu said, if it was not written, it would be forbidden to say it: 'On that day Hashem will shave with a hired razor in the parts beyond the river the King of Ashur: the head, the hairs of his head, and even his beard' (Yishayahu 7:20). This means HaKadosh Baruch Hu came and appeared to Sanheriv as an old man

He even insists that G-d in corporeal form accompanied Shimon HaTzaddik, a Kohden Gadol into and out of the Kodesh HaKodashim every Yom Kippur:

Vayikra Rabbah 21:12

בשנה שמת בה שמעון הצדיק, אמר להם בשנה זו הוא מת, אמרו לו מנין אתה יודע, אמר להם בכל שנה ושנה היה זקן אחד לבוש לבנים ומעטף לבנים נכנס עמי ויצא עמי, שנה זו נכנס עמי ולא יצא עמי. אמר רבי אבהו ומי יאמר שאדם היה והלוא הקדוש ברוך הוא בכבודו היה נכנס עמו ויצא עמו:

In the year that Shimon HaTzaddik passed away, he said to them, I will die this year. They asked him, how do you know? He said to them, every year an old man wearing white and clothed in white comes into the Kodesh HaKodashim with me and leaves with me, but this year he came in with me but did not leave with me. Rabbi Abahu said, who says that was a man? Was it not HaKadosh Baruch Hu Himself who went in and out with Shimon HaTzaddik?

Maharzu explains why Rabbi Abahu did not explain away this old man as an angel - a much less challenging approach, given that angels appear as men in the Torah - and instead felt compelled to identify him with HaKadosh Baruch Hu:

Maharzu Vayikra Rabbah 21:12 d"h haya zaken ehad

קושיא הוא שהרי אמר וכל אדם לא יהיה באהל מועד בבואו לכפר על הקודש ואיך נכנס עמו אדם זקן על זה תירץ ר' אבהו שהיה הקב"ה בעצמו כו' וכמ"ש בדניאל ז' ועתיק יומין יתיב לבושיה כתלג חיור ושער ראשיה כעמר נקי וכן ראה שמעון הצדיק לבוש לבנים וכו' ומה שלא תירץ שהיה מלאך עי' מ"כ בשם הירושלמי וכן הוא בפסיקתא פ' מ"ז ומלאכי השרת בורחים מלפניו וכל אדם לא יהיה באוה"מ אלו מלאכי השרת ודמות פניהם פני אדם וכו' ע"ש:

Shimon HaTzaddik's testimonial is difficult, for it says: 'No man can enter the Ohel Moed when the Kohen Gadol comes to atone in the Kodesh', so how could this old man have gone in with him? It is to this question that Rabbi Abahu answered that HaKadosh Baruch Hu Himself, etc. as it says in Daniel 7: 'The Ancient One of Days

sits, his clothes are snow white and the hair on his head is like pure wool'. Similarly Shimon HaTzaddik saw him dressed in white, etc. As to the reason Rabbi Abahu did not suggest that the old man was an angel, see what it says in the Yerushalmi and Pesikta 47: the serving angels fled from before the Kohen Gadol; 'No man can enter ".the Ohel Moed' - this refers to the serving angels, whose faces are like those of a man

This approach could be utilized to provide an alternative explanation for who called up the nobility in Shmot 24:1. Since the heretic's question revolves around the grammatical inconsistency of the pasuk oscillating between the 1st and 3rd person, one solution would be to anthropomorphize G-d in this instance as well, and interpret, not as Metatron or Michael directing Moshe to Hashem, but rather as HaKadosh Baruch Hu Himself appearing to Moshe as an old man and commanding him to "go up to Hashem". An unspeakably radical idea, one that would surely need to be couched in the familiar midrashic caveat mentioned scores of times throughout the aggadic corpus: "if it was not written, it would be forbidden to say it." Yet as we have seen, equally radical identifications .have been made by the Rabbis

To mitigate somewhat the theologically disturbing implications of Rabbi Abahu's teachings, it is possible to interpret his statements as metaphorical, or as describing visions instead of reality. Sanheriv did not actually speak with G-d as an old man, Shimon HaTzaddik was not actually accompanied by G-d as an old man dressed in white on Yom Kippur; these were either parables or dreams, but not meant to be taken literally. This approach can then be extended to the proposed interpretation of Shmot 24:1 as well: G-d appeared as an old man to Moshe, not in reality, but in a prophetic revelation, an anthropomorphism of the Divine but one that remains .confined to the non-physical world

201 Tur HaAroch Shmot 24:1 d"h ve'el moshe amar.

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While we don't know how old Elazar and Itamar were, and although they were the two youngest brothers, it cannot be that they too young to ascend Har Sinai with their older siblings, for we find that Moshe commanded them after Nadav and Avihu's deaths - a mere ten months later - to abstain from certain mourning rituals, thereby :indicating a certain maturity

Vayikra 10:6-7

וַיֹּאמֶר מֹשֶׁה אֶל אַהֲרֹן וְלֹאֲלֵעָזָר וְלֹאֲלִיטָמָר בְּנָיו רְאֵי־שִׁיבְכֶם אֶל תִּפְרְעוּ וּבִגְדֵיכֶם לֹא תִפְרְמוּ וְלֹא תִמְתּוּ וְעַל כָּל הָעֵדָה יִקְצֹף וְאַחֲיֵכֶם כָּל בֵּית יִשְׂרָאֵל יִבְכּוּ אֶת הַשְּׂרִפָּה אֲשֶׁר שָׂרַף יְהוָה: וּמִפֶּתַח אֹהֶל מוֹעֵד לֹא תֵצְאוּ פֶן תִּמְתּוּ כִּי שָׁמֹן מִשְׁחַת יְהוָה עָלֵיכֶם וְיַעֲשׂוּ כְדָבָר מֹשֶׁה:

Moshe said to Aharon and to Elazar and Itamar his sons, you shall not uncover your heads or rent your garments so that you shall not die and have anger strike the entire assembly. Your brothers Beit Yisrael will cry for the burning that Hashem has burned. Additionally, from the entrance of the Ohel Moed you shall not leave ".lest you die, for the anointing oil of Hashem is upon you. Aharon, Elazar and Itamar did as Moshe commanded

203 The premise that Hashem knowingly commanded Nadav and Avihu to come up, even though it would lead to their deaths, while sparing their brothers for the sake of the Kehunah seems arbitrary and callous, and it raises many other questions, such as: If He wanted to spare the Kehunah, could He not have called them up but simply remained hidden and not revealed Himself to *atzilei bnai yisrael*? Why was that revelation even necessary, given the ripple effect of death and mourning it caused? The full implications of these comments made by the Tur are beyond the scope of this Sefer.

204 Breishit 5:23-24.

204 Breishit 5:23-24.

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:Targum Yonatan Breishit 5:23-24. Metatron's career as a teacher is attested to by the Talmud

Avodah Zarah 3b

ומעיקרא מאן הוה מיגמר להו איבעית אימא מיטטרון ואיבעית אימא הא והא עביד:

Before the destruction of the Beit HaMikdash, who would teach the schoolchildren? If you want you can say "Metatron, and if you want you can say HaKadosh Baruch Hu did both i.e. play with the Leviathan and teach the schoolchildren"

:Hanoch is one of two people in Tanach mentioned as having gone up to Heaven alive, the other being Eliyahu

Baal HaTurim Breishit 5:24 d"h hanoch

"הנה בשמים עדי ושהדי במרומים" (איוב טז, יט). עדי בגימטריא חנוך ושהדי בגימטריא זה מטטרון. שלקח הקב"ה אחד מאותן קודם דור המבול, ואחד של אחר דור המבול, דהיינו חנוך ופנחס, והעלם לשמים שיעידו עליו. ובחר בחנוך, שהיה דור שביעי, שהקב"ה חפץ בשביעיות, וכן משה שהיה שביעי לאבות כתיב ביה "ומשה עלה אל הא-להים" (שמות יט, ג):

My witness is in Heaven, and My attestor is on high' (Iyov 16:19) - My witness (84) has the same numerical calculation as Hanoch (84), and My attestor (325) has the same numerical calculation as this is Metatron (326) but the principle of Im HaKollel allows you to be off by one and it still to be considered equivalent. HaKadosh Baruch Hu took one from before the generation of the flood and one from after the generation of the flood, meaning Hanoch and Pinchas i.e. Eliyahu, and He elevated them to Heaven to bear witness for Him. He chose Hanoch for he was the seventh generation from Adam HaRishon, and HaKadosh Baruch Hu desires the sevenths, similar to how Moshe was the seventh generation from Avraham, and regarding him it says: 'Moshe ascended to G-d' (Shmot 19:3)

205

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206 Hanoch is the subject of much apocryphal speculation, in particular the books Enoch I, II, III, but as these works are not considered canon and were not included in the Tanach they fall outside the scope of midrashic analysis.

Acher cutting the saplings as a result of Metatron is part of a larger narrative around mystical experience, the famous story of four Rabbis who entered paradise

Hagigah 14a

תנו רבנן: ארבעה נכנסו בפרדס, ואלו הן: בן עזאי, ובן זומא, אחר, ורבי עקיבא. אמר להם רבי עקיבא: קשאתם מגיעין אצל אבני שיש טהור, אל תאמרו "מים מים", משום שנאמר: "דובר שקרים לא יכון לנגד עיני" (תהלים קא, ז). בן עזאי הציץ ומת, עליו הכתוב אומר: "יקר בעיני ה' המותה לחסידי". בן זומא הציץ ונפגע, ועליו הכתוב אומר: "דבש מצאת אכול דייך פן תשכענו והקאתו". אחר קיצץ בנטיעות. רבי עקיבא יצא בשלום:

The Rabbis taught, four entered the orchard: Ben Azzai, Ben Zoma, Acher and Rabbi Akiva. Rabbi Akiva said to them, when you reach the pure marble stones, do not say 'water, water', for it says: 'Whoever speaks falsehood shall not stand before My eyes' (Tehillim 101:7). Ben Azzai looked and perished, and about him it says: 'Precious in the eyes of G-d is the death of His pious ones' (Tehillim 116:15). Ben Zoma looked and went mad, and about him it says: 'Have you found honey? Eat as much as is sufficient for you, lest you become full from it and vomit ".it' (Mishlei 25:16). Acher cut down the saplings; Rabbi Akiva entered in peace and left in peace

This story perhaps more than any other has captured the attention of Jewish mystics for millenia, yet it is told in the context of the Rabbis warning against excessive speculation for anyone but the holiest, most esteemed and pure initiates. Nevertheless, we can draw some strong parallels between what is told here and the insights derived from Tanchuma Yelamdenu

The experience alluded to with the orchard metaphor seems to be the one detailed in Shmot 24: a revelation of the Divine throne and a front-row view of G-d Himself seated upon it. It was experienced, albeit in some lower sense, by Yishayahu and Yechezkel, and something similar seems to have been achieved by *atzilei bnai yisrael* even earlier. Perhaps Hanoch was the first person to achieve this ecstatic union with the Divine, and this sublimation morphed him into the archangel Metatron, the very angel who oversaw the theophanic experience at Har Sinai and who was present at the entrance of Acher and his friends into the orchard. Metatron was to blame for Acher's apostasy; similarly, Metatron was the one who condemned *atzilei bnai yisrael* to their ultimate fate

There is another set of parallels that run through these stories of mystical union: food and drink. *Atzilei bnai yisrael* see the Divine footstool made of pure sapphire, yet end their rendezvous with eating and drinking. The deaths of Nadav, Avihu and the elders were carried out via a fire that consumed their souls, *middah keneged middah* for their sin of consuming inappropriately. Similarly, Rabbi Aikva warns his fellow mystics that when they "reach the pure marble stones, do not say 'water, water'". Perhaps he is warning his colleagues that it was excessive consumption which doomed Nadav, Avihu and the elders, in particular their desire for food and drink; he therefore adjures the remaining Rabbis to stay away from this desire at all costs, or risk suffering the fate of *atzilei bnai yisrael*. Unfortunately his injunction goes unheeded, and Acher ends up consuming too much, being convinced of the existence of two gods, the lesser of which was the very archangel who had commanded *atzilei bnai yisrael* to ascend Har Sinai

Metatron is shown to be nothing more than a servant of the one true G-d and lashed with fire for his failure. Perhaps his being struck with fire is punishment not just for leading Elisha astray, but also for failing the initiates of Shmot 24; just as Nadav, Avihu and the seventy elders are struck down with fire as punishment, so too Metatron has punishment meted out through the medium of fire. What he was able to avoid in life as the flawed

human being Hanoach, he succumbs to as an archangel, failing his mission to help the leaders reach the level he was granted millenia earlier.

Blurry Vision

If we take Tanchuma Yelamdenu at its word, the revelation of Shmot 24 must have involved the G-d of Yisrael revealing Himself fully, without any filters or separations, at a level which man cannot endure or comprehend what he encounters, an experience so overwhelming that his soul departs. Yet there are other examples in Tanach of prophets and leaders having visions of the Divine on His throne, and there is no talk of it being a fatal encounter:

תַּנִּי, שִׁמְעוֹן בֶּן עֲזַאי אוֹמֵר: מִצָּאֵתִי מִגִּלְתִּי יוֹחָסִין בִּירוּשָׁלַיִם, וְכָתוּב בָּהּ: אִישׁ פְּלוֹנִי מִמִּזְרַם מְאֻשָּׁת אִישׁ, וְכָתוּב בָּהּ: מִשְׁנֵת רַבִּי אֱלִיעֶזֶר בֶּן יַעֲקֹב קָב וְנָקִי. וְכָתוּב בָּהּ: מִנְשֵׁה הַרְגָּ אֶת יִשְׁעִיָּה. אָמַר רַבָּא: מִיָּדוֹ דְּיִינָיָה וְקִטְלִיָּה. אָמַר לִיה, מִשֵּׁה רַבָּה אָמַר: "כִּי לֹא יֵרָאֵי הָאָדָם וְחִי" (שְׁמוֹת ל"ג, כ), וְאֵת אֲמַרְתָּ: "וְאֶרְאָה אֶת ה' יוֹשֵׁב עַל כִּסֵּא רָם וְנִשְׂא" (יִשְׁעִיָּה ו, א) ... אָמַר יִשְׁעִיָּה: יִדְעָנָא בֵּיה דְּלֹא מְקַבֵּל מָה דְּאִימָא לִיה, וְאִי אִימָא לִיה --- אִישְׁנִיָּה מִיָּד. אָמַר שֵׁם אִיבָלַע בְּאַרְזָא, אֲתִיּוּהָ לְאַרְזָא וְנִסְרוּהָ. כִּי מָטָא לְהָדִי פּוּמָא, נָח נִפְשִׁיָּה. מִשּׁוּם דְּאָמַר: "וּבִתְרוֹךְ עִם טָמֵא שְׁפָתַי אֲנִי יוֹשֵׁב" (יִשְׁעִיָּה ו, ה). מִכָּל מְקוֹם קָשׁוּ קָרָאִי אֲהַדְדִּי? "וְאֶרְאָה אֶת ה'", כְּדִתְנִיָּא: כָּל הַנְּבִיאִים נִסְתַּכְּלוּ בְּאַסְפִּקְלָרְיָא שְׁאִינָה מְאִירָה, מִשֵּׁה רַבִּינוּ נִסְתַּכְּל בְּאַסְפִּקְלָרְיָא הַמְּאִירָה: ^{^208^}

"It was taught: Shimon Ben Azzai says, I found a scroll of lineages in Yerushalayim, and it said three things: So-and-so is a mamzer from an adulterous union with a married woman; the teachings of Rabbi Eliezer Ben Yaakov are few, but pure; Menashe king of Yisrael murdered Yishayahu the prophet. Rava said, Menashe judged Yishayahu for making false statements against the Torah and killed him. He said to him, your teacher Moshe said: 'No person can see Me and live' (Shmot 33:20), yet you said: 'I saw Hashem sitting on a high and lofty throne' (Yishayahu 6:1) ... Yishayahu said, I know that Menashe will not accept whatever I say to him anyway, and if I do say something, it will make him an intentional murderer. Yishayahu said the holy Name, and was swallowed up by a cedar tree. They brought the cedar tree and sawed through it, and as it got to Yishayahu's mouth he died; this was because he had said: 'I dwell among a nation of impure lips' (Yishayahu 6:5). In any event, how do we resolve the contradiction? As it was taught: all the prophets saw G-d observed through an obscure looking glass, while Moshe Rabbeinu observed through a transparent looking glass." ^{^208^}

Yishayahu is confronted by nobody less than the wicked king Menashe who accuses him of prophesying falsely. If you really saw what you claim to have seen, Menashe asks, how did

you survive? The answer given by the Talmud is that there was a qualitative difference between Moshe's level of prophecy and everybody else's. Moshe saw *panim el panim*, without any distortion or obscurity, while the prophets received everything through riddles and a haze of confusion. The answer is therefore quite simple: even though Yishayahu's vision as it's described sounds like the real deal, it was refracted through a lens, a prism so that he could process it and be able to survive, though that also means it came at the cost of translucence and clarity.

As the debate in the Talmud takes place between Menashe and Yishayahu, it is logical for the paradigmatic use case brought as a challenge to Shmot 33:20 of a prophet who sees G-d and lives is Yishayahu. Yet, would it not be an even stronger question if asked from the Torah itself? HaKadosh Baruch Hu tells Moshe that no one may see His face and live in the aftermath of the Golden Calf, yet not even two months prior an entire group of elders did just that. While we could answer that, like Yishayahu, Yechezkel and anyone who is not Moshe, their prophecy was diluted, as through perceived through a dirty looking glass, yet the question remains: why did the Talmud not raise the contradiction from the story of Shmot 24?

הא דלא קשיא ליה בתורה גופה מדכתיב ויראו את א-לקי ישראל ותחת רגליו וגו' י"ל דראו אחוריו כמפורש בקרא וראית את אחורי לפני לא יראו אבל ואראה את ה' יושב על כסא משמע ליה שראה הפנים: ^{^209^}

"The fact that it did not ask from the Torah itself, as it says: 'They saw the G-d of Yisrael, and under His feet, etc. - we could suggest that *atzilei bnai yisrael* saw His back, as it says: 'You shall see My back but you shall not see My face'. In contrast: 'I saw Hashem sitting on a throne', which implies that Yishayahu saw His face." ^{^209^}

Maharsha suggests that the reason *atzilei bnai yisrael*'s survival is not a good question to raise is because they saw G-d's back, not His face, whereas Yishayahu saw His face; in other words, Shmot 24's revelation was a lower level of prophecy than Yishayahu 6, which itself was lower than a Moshe-style prophecy perceived through a see-through looking glass. ^{^210^}

This answer forces us to accept that the level achieved by *atzilei bnai yisrael* on top of Har Sinai was lower than the level of Yishayahu while he was prophesying, which seems counter-intuitive. Additionally, the distinction Maharsha draws between the visions is subtle at best: both groups saw G-d sitting on His throne along with His footstool, so why assume that Yishayahu saw His face while the nobles saw His back?

The midrash's understanding of what actually occurred to the nobles can provide an answer to Maharsha's question:

ועוד יש מקום לומר כי עיקר מה שמצא מנשה בדברי ישעיה סתירה לדברי משה הוא וח"י כלומר אם יזדמן אם יראה האדם אותו יתברך שוב לא יחיה אבל ימות והנה שבעים זקנים ונדב ואביהוא אשר הועד עליהם ויראו את א-לקי ישראל נגזרה עליהם מיתה באמת אלא שלא רצה הקב"ה לערבב שמחת התורה והמתין לנדב ואביהוא וכו' ולזקנים וכו' כמו שפירש רש"י שם. וישעיה העיד על עצמו כי המלאך הגיע על פיו ואמר לו וסר עונך וחטאתך תכופר כלומר ולא תמות וזהו עצמות הניגוד והסתירה]:²¹¹

"There is also room to suggest that the main problem Menashe had with Yishayahu's words contradicting Moshe's words was in regards to 'and live', meaning that if a man has an opportunity to see Him he will not live, but die. However, the seventy elders, Nadav and Avihu, about whom it was stated: 'They saw the G-d of Yisrael' - death was actually decreed for them, just that HaKadosh Baruch Hu did not want to dilute the joy of Torah, so He waited for Nadav and Avihu, etc. for the elders, etc. as Rashi explains. In contrast Yishayahu testified regarding himself that an angel touched his mouth and said to him: 'Now your sin is removed and your iniquity is atoned for', meaning that you will not die. This is the essence of the contradiction."²¹¹

This approach flips the question on its head: instead of accepting the question's premise and trying to differentiate between the prophecy of Yishayahu and the revelation of the nobles, it instead rejects the question's premise and asks: who said that the nobles survived? If we understand the idea that: '*Man cannot see Me and live*' to mean generally, but not necessarily that death is spontaneous and immediate, then in fact not only is Shmot 24 not a contradiction to this idea but rather its strongest support: Nadav, Avihu and the seventy elders all saw G-d, and perished. They did live a few additional months to a year, but that was out of joy over Matan Torah; the nobles were an application of the rule, not the exception.

When all the dust settles we have a new midrashic approach to relieve us of many of the questions first raised in the context of Nadav and Avihu and the bizarre foreign fire incident. Along the way this solution also provided us with a whole host of additional grammatical resolutions and thematic connections to other sections of the Torah, in particular Shmot 24 and Bemidbar 11. It is here that the midrashic tale of Tanchuma Yelamdenu ends, resting content and satisfied. Yet there is one glaring question that seems to go unaddressed by the midrashim, one which demands attention and one which we can ask - and answer - in a

satisfactory way. We hope to accomplish this by taking all the theories and concepts developed thus far in the aggadic tradition, and extrapolating them one major step further. All the groundwork has already been laid out for this exercise, and it is simply a matter of putting all the pieces of this puzzle together.

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208 Yevamot 49a-b.

208 Yevamot 49a-b.

209 Maharsha Yevamot 49b d"h moshe rabcha amar.

209 Maharsha Yevamot 49b d"h moshe rabcha amar.

210 This table summarizes the different levels of prophecy according to Maharsha, both from the aspect of the Divine (back vs face) and from the aspect of the prophet (obscure vs clear): -----
 ----- - His Back His Face Obscure Looking Glass "They saw the "I saw Hashem (not Moshe) G-d of Yisrael" (Shmot sitting on a throne" 24:1) (Yishayahu 6:1) Transparent Looking "I shall pass "Man cannot Glass (Moshe) all My goodness before see My face and live" you" (Shmot 33:19) (Shmot 33:20) -----

Case 4 is indisputably the highest level of prophecy, and the level at which man cannot survive the encounter. As understood by Maharsha, Case 1 is lower than Case 2, which is why Case 1 cannot be brought as an initial challenge to Case 4. And while Case 3 must be lower than Case 4 and higher than Case 1, it is not clear from Maharsha which is a higher level, Case 2 (Yishayahu's vision of His face but seen obscurely) or Case 3 (Moshe's unobstructed vision of G-d on Har Sinai, but only of His back). It follows there are three possible ways to rank these levels of prophecy:

- Case 4 > Case 2 > Case 3 > Case 1 - Case 4 > Case 2 < Case 3 > Case 1 - Case 4 > Case 2 = Case 3 > Case 1

211 Chiddushei Geonim Ein Yaakov Yevamot 49b d"h matzati megillat yuchsin.

211 Chiddushei Geonim Ein Yaakov Yevamot 49b d"h matzati megillat yuchsin.

Part 3: The Missing Layer

Introduction

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Introduction

The nation has wandered for forty years, and as they near their final destination the new generation begins to get restless. Quickly the sins of their parents are forgotten, the punishments they endured are a long-distant memory. And yet, there are those who do remember what the nation had to overcome in its infancy and throughout the decades of aimless wandering. Moshe and Aharon, the last survivors of an older generation, whose lives were dedicated to their people's survival, at the cusp of the Promised Land are dealing with problems that are all too familiar. Just after the devastating death of his only sister Miriam the people regurgitate a complaint that Moshe has heard before nearly verbatim nearly forty years earlier:

מסה ומריבה

וַיִּסְעוּ כָּל עַדֹת בְּנֵי יִשְׂרָאֵל מִמִּדְבָּר סִין לְמִסְעֵיהֶם עַל פִּי יְהוָה וַיַּחֲנוּ בְּרַפְדִּים וְאִין מִיָּם לְשִׁתַּת הָעָם: וַיִּרְבַּ הָעָם עִם מֹשֶׁה וַיֹּאמְרוּ תָנוּ לָנוּ מִיָּם וְנִשְׁתָּה וַיֹּאמֶר לָהֶם מֹשֶׁה מִה תְּרִיבוּן עִמָּדִי מִה תִּנְסֹון אֶת יְהוָה: ... וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה עֲבֹר לִפְנֵי הָעָם וְקַח אֶתָּה מִזִּקְנֵי יִשְׂרָאֵל וּמִשֹּׁף אֲשֶׁר הִכִּיתָ בּוֹ אֶת הַיָּאֵר קַח בְּיָדְךָ וְהִלַּכְתָּ: הִנְנִי עִמָּדִי לִפְנֵיךָ וְעַל הַצֹּרֶךְ בְּחֶרֶב וְהִכִּיתָ בְּצֹרֶךְ וַיֵּצְאוּ מִמִּדְבָּר מִיָּם וְשִׁתָּה הָעָם וַיַּעַשׂ כֹּן מֹשֶׁה לַעֲיָנִי זִקְנִי יִשְׂרָאֵל: וַיִּקְרָא שֵׁם הַמָּקוֹם מִסָּה וּמְרִיבָה עַל רִיבִי בְּנֵי יִשְׂרָאֵל וְעַל נִסְתָּם אֶת יְהוָה לֵאמֹר הִנֵּה יְהוָה בִּקְרָבָנוּ אִם אֵין: ²¹²

מי מריבה

וַיָּבֹאוּ בְּנֵי יִשְׂרָאֵל כָּל הָעֵדָה מִדְבָּר צֹן בַּחֲדָשׁ הָרִאשֹׁון וַיִּשָּׁב הָעָם בְּקִדְשׁ וּתְמַת שָׁם מִרְיָם וּתְקַבֵּר שָׁם: וְלֹא הָיָה מִיָּם לַעֲדָה וַיִּקְהָלוּ עַל מֹשֶׁה וְעַל אַהֲרֹן: וַיִּרְבַּ הָעָם עִם מֹשֶׁה וַיֹּאמְרוּ לֵאמֹר וְלֹו גִנְעָנוּ בְּגִנְעֵי אַחֲיֵינוּ לִפְנֵי יְהוָה: ... וַיִּדְבֹּר יְהוָה אֶל מֹשֶׁה לֵאמֹר: קַח אֶת הַמַּטֶּה וְהִקְהֵל אֶת הָעֵדָה אֶתְּהָ וְאַהֲרֹן אֶחָיֶד וְדַבַּרְתֶּם אֶל הַסָּלַע לַעֲיָנֵיהֶם וְנָתַן מִיָּמֵי וְהוֹצֵאתָ לָהֶם מַיִם מִן הַסָּלַע וְהִשְׁקִיתָ אֶת הָעֵדָה וְאֶת בְּעִירָם: וַיַּקַּח מֹשֶׁה אֶת הַמַּטֶּה מִלִּפְנֵי יְהוָה כַּאֲשֶׁר צִוָּהוּ: וַיִּקְהָלוּ מֹשֶׁה וְאַהֲרֹן אֶת הַקְהָל אֶל פְּנֵי הַסָּלַע וַיֹּאמְרוּ לָהֶם שְׁמָעוּ נָא הַמַּיִם הַזֶּה הַסָּלַע הַזֶּה נּוֹצֵיא לָכֶם מַיִם: וַיִּרְם מֹשֶׁה אֶת יָדוֹ וַיִּךְ אֶת הַסָּלַע בְּמַטְהוֹ פַּעַמִּים וַיֵּצְאוּ מִיָּם רַבִּים וּתְשֵׁת הָעֵדָה וּבְעִירָם: וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה וְאַל אַהֲרֹן יַעַן לֹא הֶאֱמַנְתֶּם בִּי לְהַקְדִּישֵׁנִי לַעֲיָנִי בְּנֵי יִשְׂרָאֵל לָכֵן לֹא תָבִיאוּ אֶת הַקְהָל הַזֶּה אֶל הָאֶרֶץ אֲשֶׁר נָתַתִּי לָהֶם: הִנֵּה מִי מְרִיבָה אֲשֶׁר רָכּוּ בְּנֵי יִשְׂרָאֵל אֶת יְהוָה וַיִּקְדַּשׁ בָּם: ²¹³

Throughout the ages much ink has been spilled attempting to explain what exactly Moshe did wrong and why he was punished so harshly. Moshe had given his life to getting Bnai Yisrael to Eretz Yisrael, and now just before the finish line he finds out he cannot cross it. The

disproportionate harshness of G-d's response and the deaf ear He has towards Moshe's prayers have troubled many commentators. Was Moshe's sin really so terrible?

The question is exacerbated when we compare the two stories above and realize how they are nearly identical. The classic explanation that Moshe should have spoken to the rock instead of hitting it²¹⁴ is difficult to accept, not just because it seems too trivial of a transgression, but also because in the first iteration of this story at Masa U'Merivah Moshe is commanded from the start to hit the rock. If hitting the rock was such a problem, why was it the preferred solution forty years prior? Solutions have been offered to this problem but they tend to ring hollow: whatever difference between the two cases we can draw pales in scale to the difference in reaction and punishment that each occurrence was followed by.

Although the pesukim themselves make it abundantly clear that it was because of this sin that Moshe and Aharon were condemned to die in the wilderness,²¹⁵ various midrashim offer other suggestions to explain what was really underlying Moshe and Aharon's punishment.²¹⁶ Yet many of these these approaches do not give a satisfactory accounting of what the difference between Masa U'Merivah and Mei Merivah was, or why HaKadosh Baruch Hu seems to place all the emphasis on the lack of sanctification that Moshe's actions led to. Could there be another approach to Moshe's sin, one that not only explains the intra-story context and phrases while also fitting this into the inter-story narrative of Moshe's life and mission?

212 Shmot 16:1-2, 5-7.

213 Bemidbar 20:1-3, 7-13.

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Midrash Aggadah Bemidbar 20:12

אני אמרתי לכם שתדברו אל הסלע בשמי והיא תתן מימיה, ואם הייתם עושים כך הייתי מקודש לעיני בני ישראל ויראו מפני, שיאמרו ומה הסלע עשה דברו אנו על אחת כמה וכמה, ולפי שלא עשיתם כן, לכן לא תביאו את הקהל הזה:

I said to you that you should speak to the rock in My name and she would give her water. If you had done this, I" would have been sanctified before the eyes of Bnai Yisrael and they would have feared Me, for they would have said: if this rock does His will, how much more so must we. But since you did not do this, therefore you shall not ".bring the assembly into Eretz Yisrael

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Shabbat 55b

דַּתְנִיָּא, רַבִּי שְׁמַעוֹן בֶּן אֱלִיעֶזֶר אוֹמֵר: אִף מֹשֶׁה וְאַהֲרֹן בְּחַטָּאָם מֵתוּ, שְׁנֹאָמַר: "יֵעֶן לֹא הֶאֱמַנְתֶּם בִּי". הָא הֶאֱמַנְתֶּם בִּי עֲדִין לֹא הִגִּיעַ זְמַנְכֶּם לִיפְטֹר מִן הָעוֹלָם:

It was taught, Rabbi Shimon Ben Elazar says, Moshe and Aharon died due to their sin, as it says: 'Because you" ".did not believe in Me' - had you believed in Me, it still would not have been time for you to leave this world

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Just as the sin of Nadav and Avihu is not clear from the text - and a whole host of possible reasons why they were deserving of death are offered in the aggadic literature - so too the sin of Moshe and Aharon at Mei Merivah gets special attention in the midrashim. One aggadic position asserts that Moshe's fate to die before entering Eretz Canaan was determined even before he was chosen to redeem Bnai Yisrael, when he was an Egyptian fugitive on the run from Pharaoh's sword

Devarim Rabbah 2:8

דָּבָר אֶחָד, אָמַר רַבִּי לֵוִי אָמַר לְפָנָיו רַבּוֹנוֹ שֶׁל עוֹלָם עֲצָמוֹתָיו שֶׁל יוֹסֵף נִכְנָסוּ לָאָרֶץ, וְאֵינִי אֵינִי נִכְנָס לָאָרֶץ. אָמַר לוֹ הַקָּדוֹשׁ בְּרוּךְ הוּא מִי שֶׁהוֹדָה בְּאֶרְצוֹ נִקְבְּרָה בְּאֶרְצוֹ וּמִי שֶׁלֹּא הוֹדָה בְּאֶרְצוֹ אֵינוֹ נִקְבֵּר בְּאֶרְצוֹ, יוֹסֵף הוֹדָה בְּאֶרְצוֹ, מִנֵּיוֹ, גִּבְרָתוֹ אוֹמְרָת (בראשית לט, יד): רָאוּ הַבָּיִת לָנוּ אִישׁ עֶבְרִי וְגוֹ' וְלֹא כָפַר, אֱלֹא (בראשית מ, טו): גָּנַב גָּנְבִתִּי מֵאֶרֶץ הָעֵבְרִים, נִקְבֵּר בְּאֶרְצוֹ, מִנֵּיוֹ, שְׁנָאָמַר (יהושע כד, לב): וְאֵת עֲצָמוֹת יוֹסֵף אֲשֶׁר הֶעֱלוּ בְנֵי יִשְׂרָאֵל מִמִּצְרַיִם קָבְרוּ בְּשֶׁכֶם, אֵת שֶׁלֹּא הוֹדִית בְּאֶרְצָךְ אִין אֵתָהּ נִקְבֵּר בְּאֶרְצְךָ, כִּי־צַד בְּנוֹת יִתְרוֹ אוֹמְרוֹת (שמות ב, יט): אִישׁ מִצְרִי הֶצִּילָנוּ מִיַּד הָרָעִים, וְהוּא שׁוֹמֵעַ וְשׁוֹתֵק, לְפִיכָךְ לֹא נִקְבֵּר בְּאֶרְצוֹ:

Another idea: Rabbi Levi said, Moshe said before Him, Master of the Universe, the bones of Yosef get to enter" the land, and I do not? HaKadosh Baruch Hu said to him, the one who admitted proudly to his land gets to be buried in his land, but the one who didn't admit to his land does not get to be buried in his land. Yosef admitted to his land, how? His master said: 'See they have brought for us an Ivri man' (Breishit 39:14), and he did not object, rather: 'I was stolen from the land of the Ivrim' (Breishit 40:15); he was buried in his land, how? As it says: 'The bones of Yosef which Bnai Yisrael brought from Egypt were buried in Shechem' (Yehoshua 24:32). Yet you who did not admit to your land will not merit to be buried in your land, how? The daughters of Yitro said: 'An Egyptian man saved us from the shepherds' (Shmot 2:19), and you heard and were silent; therefore you do not get to be buried in his land

Aside from the difficulty surrounding HaKadosh Baruch Hu's claim itself that Moshe, an Egyptian prince who had never been to Eretz Canaan nor had any association with it, should have insisted he was an Ivri, this midrash ignores the explanation given by the pesukim and instead offers a substitute reason for punishment instead. It also does not resolve the question raised above regarding Masa U'Merivah: if Moshe's sin and subsequent punishment stemmed from his silence while he was still in Midian, why should that punishment not have already been administered in Shmot 17? There is no reason to differentiate between that episode and Mei Merivah if the underlying sin occurred before either story chronologically.

Another tradition lists six sins that Moshe committed, and has Hashem using them as a collective bargaining chip to support His position that Moshe had to die before the nation entered Eretz Canaan. One of the reasons listed among the six is Mei Merivah

Yalkut Shimoni on Torah Remez 821

אמר לו הרי ששה עונות נמצאו בך, שלח נא ביד תשלח, ומאז באתי אל פרעה, לא ה' שלחני, אם בריאה יברא ה', שמעו נא המורים, והנה קמתם תחת אבותיכם וגו':

HaKadosh Baruch Hu said to Moshe, there are six sins found with you: paraphrased you did not want to be the redeemer of Bnai Yisrael, you questioned My ability to redeem them, you forced My hand to perform a miracle during the rebellion of Korach, Mei Merivah, and attacking Bnai Yisrael's pure motives for wanting to stay on the east side of the Yarden and assuming negative ones instead

Hanging in the Balance

The key to understanding what happened at Mei Merivah is recognizing the following: while there is a lack of consensus between the commentaries and midrashim regarding whether the term *atzilei bnai yisrael* refers to Aharon's sons only, or whether it includes the seventy elders as well, ^{^217^} there is a general agreement that it does not refer to two other members of the nobility that were present as well, namely Moshe and Aharon. ^{^218^} But is this really a necessary distinction? When the G-d of Yisrael and His footstool were seen (whatever that means), were Moshe and Aharon privy to that vision as well? Because if so, they too would have "seen G-d's face" and could not continue living; they too would have required a "staying of His hand" to postpone their ineluctable fate for the sake of not muddying the joy and happiness of Matan Torah; and they too would have been judged extremely harshly, existing until the slightest infraction provides the opportunity to visit upon them the sentence that was sealed on Har Sinai.

Remember that Moshe only came to understand what the ambiguous phrase *"I will be sanctified among My close ones"* truly meant when Aharon's sons were killed, telling Aharon that he had initially thought it meant one of them was destined to die *al kiddush hashem*. ^{^166^} It follows that Moshe was initially unaware that the nobles' experience at Har Sinai had anything to do with G-d's cryptic warning, instead assuming it both limited in context of the Mishkan's construction and limited in scope to a specific person. Ironically, Moshe's worry that G-d would be sanctified through him or Aharon ended up being well founded, but for the wrong reason: they too were at Har Sinai and incurred the death penalty, and they too would have their death sentence visited upon them at the slightest infraction. Where Moshe erred was not making the connection to the vision of Shmot 24, and therefore failing to realize that G-d was not going to be sanctified through the death of a great individual, but rather through the collective death of an esteemed group of men: all the nobles who saw the G-d of Yisrael that fateful day several months prior.

Upon hearing Moshe's words, we are told that Aharon was silent. It could have been due to one or more of several emotions: shock, acceptance, comfort. Now it is crystal clear that another powerful emotion is driving Aharon's silence: fear. When Moshe communicated to Aharon that the deaths his sons was a sanctification of G-d's name, Aharon understood the horror of what that implied: that he and Moshe were also in danger, also subject to dying for

the sake of G-d's glory at the slightest deviation from what they were commanded to do. Aharon is silent because he is afraid to speak, frozen by the creeping realization that the rest of his and his brothers' lives are on borrowed time, and likely to end swiftly at any moment.

Nadav and Avihu were consumed by Divine fire on the first day of Nisan in the second year,^{^219^} and from that day forward Moshe and Aharon lived in a constant state of anxiety and existential terror, for they knew that the Angel of Death was awaiting them, HaKadosh Baruch Hu was preparing for His great name's sanctification at even the most minor infraction. Their existence continued in a state of constant limbo, one foot among the living and one foot among the dead; forced to continue on, propelled forward by a mission bigger than themselves, yet all the while totally aware that they cannot afford to slip up.

The first of Nisan comes and goes, and nothing particularly interesting happens until seven weeks later: the clouds of glory rise up, and Bnai Yisrael embark on a three day journey to Midbar Paran. It is not clear if, like Moshe and Aharon, the seventy elders were aware they were living on borrowed time, but they complained. Their complaint is "evil in the ears of Hashem" and they too are consumed by Divine command. Moshe and Aharon surely realize that among those who stood atop Har Sinai only they too remain; the rest had committed questionable acts that, while it was not the most righteous, exemplary behavior, had nevertheless led to their deaths. Surely the fear felt after Nadav and Avihu were burned up became heightened, wound up to another pitch: who knows if they would survive another seven weeks?

As if that weren't confirmation enough, after the seventy elders are destroyed and a new group of elders is appointed in their stead, something unexpected occurs: two men named Eldad and Meidad begin to prophesy without cease in the camp:

וַיֵּשְׁאָרוּ שְׁנֵי אַנְשִׁים | בַּמַּחֲנֶה שֵׁם הָאֶחָד | אֶלְדָּד וְשֵׁם הַשֵּׁנִי מִיָּדָד וַתָּנַח עֲלֵהֶם הָרוּחַ וְהִמָּה בְּכַתְּבִים וְלֹא יָצְאוּ הָאֶהָלָה
וַיִּתְּנָבְאוּ בַּמַּחֲנֶה: וַיֵּרָץ הַנָּעַר וַיֵּגֵד לַמֶּלֶכָה וַיֹּאמֶר אֶלְדָּד וּמִיָּדָד מִתְּנַבְּאִים בַּמַּחֲנֶה: וַיֵּעַן יְהוֹשֻׁעַ בֶּן נֹון מִשְׁרַת מֹשֶׁה
מִבְּתָרָיו וַיֹּאמֶר אֲדֹנָי מֹשֶׁה כָּלָאֵם: וַיֹּאמֶר לֹא מֹשֶׁה הִמְקַנָּא אֶתָּה לִי וְלִי יָתֵן כָּל עַם יִהְיֶה נְבִיאִים כִּי יִתֵּן יְהוָה אֶת רוּחוֹ
עֲלֵיהֶם:^{^220^}

"Two men remained in the camp; one was named Eldad and the other was named Meidad. The spirit rested upon them - they were among those recorded, but they had not left the tent - and they prophesied in the camp. The boy ran and told Moshe and said, Eldad and Meidad are

prophesying in the camp. Yehoshua Bin Nun, Moshe's attendant from his youth, answered and said, Moshe my master, arrest them. Moshe said to him, are you zealous on my account? If only the entire nation of Hashem were prophets, that Hashem would give His spirit upon them." ^{^220^}

While the pesukim do not detail Eldad and Meidad they prophesied about, as per usual we find that the midrash fills in the gap for us:

רבי שמעון אומר במחנה נשתיירו בשעה שאמר לו הקב"ה למשה אספה לי שבעים איש אמרו אלדד ומידד אין אנו ראויין לאותה גדולה אמר הקב"ה הואיל ומיעטתם עצמכם הריני מוסיף גדולה על גדולתכם ומה גדולה הוסיף להם שהנביאים כולן נתנבאו ופסקו והם נתנבאו ולא פסקו ומה נבואה נתנבאו אמרו משה מת יהושע מכניס את ישראל לארץ: ^{^221^}

"Rabbi Shimon said Eldad and Meidad remained in the camp, for when HaKadosh Baruch Hu said to Moshe: 'Gather for me seventy men', Eldad and Meidad said, we are not worthy of this greatness. HaKadosh Baruch Hu said to them, because you have humbled yourselves, I am adding greatness to your greatness. What greatness did he add for them? That the other prophets stopped prophesying but they did not stop. And what did they prophesy about? They said Moshe will die and Yehoshua will lead Yisrael into Eretz Canaan." ^{^221^}

Where does the Talmud conjure this idea up from? Since Yehoshua reacted so strongly to their prophecy, it would follow that he and Moshe were both involved somehow, but where does Moshe's premature death come from? If Moshe intuited from Aharon's sons' deaths that he was in danger, and if the seventy elders dying acted as a confirmation, this was truly the nail in Moshe's proverbial coffin confirming his deepest fears: he would not merit to join the people in their redemption, and would instead suffer the same fate as the rest of *atzilei bnai yisrael*. Yehoshua, knowing none of this backstory, bristles with indignation and attempts to defend his master's honor, yet Moshe brushes him off for he suspects the truth: Eldad and Meidad's prophecy is doomed to be fulfilled.

217 See **Introduction to Part 2** and **Note 54** there.

218 There certainly seems to be the proper motivation and support for supposing that Moshe and Aharon were included in the appellation *atzilei bnai yisrael*, not the least of which is that at no point during the Torah's description of the revelation is there any reference to division or separation between members of the group listed out by name in Shmot 24:1; to infer that in reality there were two groups goes against, if nothing else, the simplest understanding of the *peshat*. Why Tanchuma Yelamdenu goes through great lengths in its analysis but stops short of extending its assumptions to Moshe and Aharon remains baffling to me, though we will attempt to explain the problems with this methodological extension that may lie behind Rabbi Tanchuma's hesitation below.

Zevachim 115b

היכא רמיזא דכתיב (שמות כט, מג) ונועדתי שמה לבני ישראל ונקדש בכבודי אל תקרי בכבודי אלא במכובדיי דבר זה אמר הקב"ה למשה ולא ידעו עד שמתו בני אהרן כיון שמתו בני אהרן אמר לו אהרן אחי לא מתו בניך אלא להקדיש שמו של הקב"ה כיון שידע אהרן שבניו ידועי מקום הן שתק וקבל שכר שנאמר (ויקרא י', ג) וידום אהרן וכן בדוד הוא אומר (תהלים לו, ז) דום לה' והתחולל לו אע"פ שמפיל לך חללים חללים את שתוק וכן בשלמה הוא אומר (קהלת ג, ז) עת לחשות ועת לדבר פעמים ששותק ומקבל שכר על השתיקה פעמים מדבר ומקבל שכר על הדבור:

Where is the statement that Moshe told Aharon HaKadosh Baruch Hu had made about being glorified through His close ones hinted to? As it says: 'I will meet Bnai Yisrael there and be sanctified in My honor' (Shmot 29:43) - don't read it as My honor but rather My honored ones. This is what HaKadosh Baruch Hu said to Moshe, but Moshe did not know its meaning until the sons of Aharon died. When they died, Moshe said to him, Aharon my brother; your sons have not died except to sanctify the name of HaKadosh Baruch Hu. When Aharon knew that his sons were beloved by Makom, he was silent and received reward for it, as it says: 'Aharon was silent' (Vayikra 10:3). Similarly with David it says: 'Be silent for Hashem and wait patiently for Him' (Tehillim 37:7) - even though he throws upon you many corpses, you should be silent. And so too Shlomo says: 'There is a time to be silent and a time to speak' (Kohelet 3:7) - there are times when one who is silent receives reward over his silence, and there are times when one who speaks receives reward over his speech

Yalkut Shimon on Torah Remez 525

נכנס משה אצלו והיה מפייסו אמר לו אהרן אחי מסיני נאמר לי עתיד אני לקדש את הבית הזה באדם גדול אני מקדשו והייתי אומר או בי או בך הבית מתקדש עכשיו נמצאו בניך גדולים ממני וממך שבהן הבית נתקדש ... ויאמר משה הוא אשר דבר ה' לאמר בקרובי אקדש זה דבור נאמר למשה בסיני ולא ידעו עד שבא מעשה לידו וכיון שבא מעשה לידו א"ל משה לאהרן אהרן אחי לא מתו בניך אלא בשביל קדושת שמו של מקום שנאמר ונועדתי שמה לבני ישראל ונקדש בכבודי:

Moshe went to Aharon and appeased him, and said to him, Aharon my brother; it was said to me at Sinai that in the future I i.e. HaKadosh Baruch Hu will sanctify this house with a great man, and I figured it meant through me or you this house would be sanctified. Now it seems your sons are greater than me or you, for through them this house was sanctified ... Moshe also said, this is what Hashem meant when he said: 'I shall be sanctified' - this was said to Moshe at Sinai but he did not know what it mean until this deed came before him, and once this deed came before him Moshe said to Aharon, Aharon my brother; your sons only died in order to sanctify the name of Makom, as it says: 'I shall appear there before Bnai Yisrael and be sanctified through My honor

Rashi, Vayikra 10:3 d"h vayidom aharon

קבל שכר על שתיקתו, ומה שכר קבל? שנתחד עמו הדבור, שנאמר לו לבדו פרשת שתויי יין:

Aharon received reward for his silence. What was his reward? That he received a unique Divine command, that "the laws prohibiting drinking before service were said just to him

Silence is not only praiseworthy for the mourner himself: family and friends who go to comfort him are also encouraged to do so in silence

Berachot 6b

אָמַר רַב פֶּפֶּא: אַגְרָא דְּבֵי טַמְיָא שְׁתִּיקוּתָא:

Rav Papa said, the reward for going to a mourner's house is on account of silence i.e. silence is the best form of "comfort for a mourner"

219

Shmot 40:17

וַיְהִי בַּחֹדֶשׁ הָרִאשׁוֹן בַּשָּׁנָה הַשְּׁנִיָּה בָּאֶתֶד לַחֹדֶשׁ הָרִשֹׁם הַמִּשְׁכָּן:

"On the first day of the first month in the second year the Mishkan was set up"

Seder Olam Rabbah 7

וידבר ה' אל משה לאמר, ביום החדש הראשון באחד לחדש תקים את משכן אהל מועד, ושמם שם וגו', והבאת את השלחן וגו' (שמות מ"ב-ג'), התחילו ז' ימי המלואים בכ"ג באדר, ובאחד בניסן שלמו:

Hashem spoke to Moshe saying, on the first day of the first month you shall set up the Mishkan, the Ohel Moed, "and you shall place there, etc. and you shall bring the table, etc." (Shmot 40:2-3). The seven days of consecration "began on the 23rd of Adar and they were completed on the first of Nisan"

220 Bemidbar 11:26-29.

220 Bemidbar 11:26-29.

221 Sanhedrin 17a.

221 Sanhedrin 17a.

Full Circle

Moshe fears the worst, but at this point in Bnai Yisrael's sojourn everyone expected that the people's entrance into Eretz Yisrael was imminent, for it was from Midbar Paran that Moshe sent the twelve spies to scout out the land. Then, disaster strikes: an entire generation condemned to die in the wilderness. 38 years pass, all the while the people are slowly passing away; Moshe knows deep down he will not enter the land, yet is terrified of acting in any way that will upset his Creator. And as the final year of wandering approaches, Moshe finds himself and his brother still very much alive, and he cannot help but wonder: is it possible that Eldad and Meidad were mistaken, that I will survive and lead Bnai Yisrael into the Promised Land? Hope begins to bubble up inside him, yet it is coupled with disbelief and skepticism at his own excitement.

Then, it happens: on the first of Nisan in the fortieth year, ^{^222^} exactly 38 years after Nadav and Avihu had perished in a fiery blaze, Moshe's sister Miriam dies. Moshe loses his composure and succumbs to anger, something he had largely managed to control and avoid since the seventy elders had been destroyed. ^{^223^} Moshe strikes the rock twice instead of speaking to it, causing it to gush forth water, and is condemned along with his brother Aharon to die before bringing Bnai Yisrael into Eretz Yisrael. Almost as surprising as the extreme nature of Moshe's punishment is the lack of immediate response on Moshe's part. Perhaps this is another motivation behind the Talmud's statement that Eldad and Meidad had already spilled the beans to Moshe decades earlier: Moshe did not react then because he was unsurprised; ^{^224^} he had been expecting this for a very long time, for the last of *atzilei bnai yisrael* had finally been found guilty of a wrongdoing that HaKadosh Baruch Hu deemed worthy of singling out as a scapegoat for visiting death upon them. As the commentaries all acknowledge, hitting the rock barely seems a punishable offense; yet it is enough to trigger the punishment that has been held at bay for nearly 40 years: Mei Merivah is the visitation of death upon Moshe and Aharon for their having gazed at G-d on Har Sinai. ^{^225^}

It follows that the fundamental difference between the first time Moshe hit the rock at Masa U'Merivah and this time at Mei Merivah has nothing to do with the incidents themselves but rather when they took place. Masa U'Merivah occurred before Har Sinai, and as such Moshe's behavior did not warrant any response since hitting the rock was not a black-and-white sin. By the time Mei Merivah rolls around nearly 40 years later, everything has changed: in a post-Har Sinai world Moshe is on thin ice: one small misstep does have major consequences.

There is a strong thematic current that runs throughout Moshe's life in regards to his relationship with water. His very name is derived from the fact that he was drawn from water, indicating that water is intertwined with his very essence. He was protected by the waters of the Nile as a baby, forbidden from striking the waters to initiate the first plague, ^{^226^} split the sea in order to lead Bnai Yisrael to redemption, and provided water to the people at Masa U'Merivah. The role water played in sealing Moshe's doom is thematically significant in this regard, ^{^227^} but it serves an additional function in the context of it being the conduit for visiting the punishment of Har Sinai on Moshe and Aharon. The reason Nadav, Avihu and the seventy elders were consumed by fire was because they consumed inappropriately during their transcendent experience: just as they ate on Har Sinai, so too *middah keneged middah* the fire that went out from before HaKadosh Baruch Hu ate them in the Mishkan and at

Tav'eira. If Moshe and Aharon were a part of that group and similarly consumed that which should have been forbidden to them, it also follows that they should be punished in a way that reflects their initial sin: they drank in a way that was not respectful, and so as penance they were finally brought down through disrespectful drinking at Mei Merivah. ^{^228^}

Moshe, like Nadav, Avihu and the elders, was beloved before HaKadosh Baruch Hu, and the midrash describes his death as tragic before G-d, ^{^229^} something necessary for inscrutable reasons but nonetheless difficult and heartbreaking. Although Moshe and Aharon outlasted the rest of the nobles, in the end they too were unable to *"see G-d and live"*. ^{^230^}

222

The Torah relates that Mei Merivah occurred in the first month of Nisan, and the midrash informs us that it was the fortieth year on the first of the month

Seder Olam Rabbah 9

ויבאו בני ישראל כל העדה מדבר צן בחדש הראשון וישב העם בקדש ותמת שם מרים ותקבר שם, ולא היה מים לעדה ויקהלו על משה ועל אהרן (במדבר כ"א-ב'), שנסתלקה הבאר, שנת הארבעים היתה, וראש חדש ניסן היה:

"The whole assembly of Bnai Yisrael came to the desert of Tzin in the first month. The people dwelled in Kadesh," and there Miriam died and was buried. There was no water for the assembly, and they gathered against Moshe and Aharon' (Bemidbar 20:1-2). That was when the well of Miriam disappeared: it was the fortieth year, on the "first of Nisan

:The Targum agrees it happened in the fortieth year but argues for the tenth of Nisan instead of the first

Targum Yerushalmi, Bemidbar 20:1-2

ואתו בני ישראל כל פנשתא למדברא דצין בעשרא יומיו לירחא דניסן ומיתת ממן מרים ואתקברת ממן: ולפום דבוכותא דמרים אתיהיבת בירא פד שכיבת אתגניזת בירא ולא הנה מוי לכנישתא ואתכנישו על משה ועל אהרן:

"The whole assembly of Bnai Yisrael came to the desert of Zin on the tenth day of the first month of Nisan." Miriam died there and was buried there. Because of the merit of Miriam a well had been given, and when she died the well disappeared. Because of this there was no water for the assembly, and they gathered against Moshe "and Aharon

Both of these dates have prior significance as well. On the first of Nisan the Mishkan was officially consecrated in the second year, thirty nine years to the day previously

Shmot 40:17

ויהי בחדש הראשון בשנה השנית באחד לחדש הוקם המשכן:

"On the first month, in the second year, on the first of the month, the Mishkan was set up"

The tenth of Nisan is the date assigned to the performance of the very first mitzvah given to Bnai Yisrael, the starting point for Korban Pesach preparations forty years to the day previously

Shmot 12:1-3, 28

ויאמר יהוה אל משה ואל אהרן מצרים לאמר: החדש הזה לכם ראש חדשים ראשון הוא לכם לחדשי השנה: דברו אל כל עדת ישראל לאמר בעשר לחדש הזה ויקחו לכם איש עזה לבית אבית עזה לבית: ... וילכו ויעשו בני ישראל פאשר צוה יהוה את משה ואהרן בן עשו:

Hashem said to Moshe and Aharon in the land of Egypt, saying: this month shall be the first of the months for you; it is the first for you of the months of the year. Speak to the entire assembly of Yisrael, saying: on the tenth of this month, each man shall take a lamb per family, a lamb per household ... Bnai Yisrael went and did so, just as

"Hashem had commanded Moshe and Aharon they did

These midrashim are thematically contrasting the failure of Moshe and Aharon to listen to Hashem's words at Mei Merivah with earlier successes. Seder Olam Rabbah connects it to the construction of the Mishkan, the ultimate example of Bnai Yisrael listening to the command of Hashem as given through Moshe

Vayikra Rabbah 1:8

אמר רבי שמואל בר נחמן בשם רבי נתן שמונה עשר צווים כתוב בפירשת משכן כנגד שמונה עשרה חוליות שבשדרה, וכנגדן קבעו חכמים שמונה עשרה ברכות שבתפלה, כנגד שמונה עשרה הזכרות שבקריאת שמע וכנגד שמונה עשרה הזכרות שבהבו לה' בני אלים (תהילים כ"ט:א'). אמר רבי חייא בר אבא לבד מואתו אהליאב בן אחיסמך למשה דן (שמות לח, כג):

Rabbi Shmuel Bar Nachman said in the name of Rabbi Natan, eighteen commands were written in the section of the consecration of the Mishkan, and they parallel the eighteen vertebrae in the spine. And based on them the Rabbis established eighteen blessings in the Shmoneh Esrei. And they parallel the eighteen times a holy Name is mentioned in the Shema, and they parallel eighteen times a holy Name is mentioned in Tehillim Perek 29. Rabbi Chiya Bar Abba said, the count of eighteen does not include: 'And with him, Oholiav Ben Achisamach from the tribe of Dan' (Shmot 38:23)

The sin of the golden calf was the paradigmatic rebellion of Bnai Yisrael against Hashem; the Mishkan was the opposite, a paradigmatic example of Bnai Yisrael fulfilling His will, down to every tiniest detail and minutia. As it details the Mishkan being constructed the Torah repeats the phrase *"as Hashem had commanded Moshe"* no less than eighteen times, the significance of which was so apparent to the Rabbis that they paid homage to it through the number of blessings in the most central prayer, the Amidah. The contrast between Moshe and Aharon sanctifying Hashem before Bnai Yisrael through their observance of His commands at the Mishkan ceremony, and their inability to do so at Mei Merivah, is alluded to in both events culminating on the first of Nisan

Alternatively, given that Nadav and Avihu were consumed by fire on the day the Mishkan was consecrated, their death occurred on the first of Nisan as well. Assigning the date of Moshe and Aharon's death sentence to the date of Nadav and Avihu's deaths thirty nine years earlier is very significant, for there is a very

Similarly, Targum Yerushalmi connects it to the very first time Moshe and Aharon listened to Hashem's command as it related to Bnai Yisrael: the mitzvah of Korban Pesach. We know that Moshe and Aharon fulfilled Hashem's command to give the first national mitzvah to His people because Bnai Yisrael did everything *"just as Hashem had commanded Moshe and Aharon*

Alternatively, perhaps Targum Yerushalmi is not reflecting backward in time forty years, but forward in time one year: on the tenth of Nisan the following year Bnai Yisrael officially crossed the parted waters of the Yarden and entered into Eretz Yisrael

Yehoshua 4:19

והעם עלו מן הירדן בעשור לחודש הראשון ויחנו בגלגל בקצה מזרח יריחו:

The nation ascended from the Yarden on the tenth of the first month, and they encamped at Gilgal at the edge of the eastern side of Yericho

Mei Merivah condemned Moshe and Aharon to die in the wilderness and not lead the people into Eretz Canaan; exactly one year later to the day the nation entered the land without Moshe and Aharon. How ironic that the date Moshe and Aharon were officially sentenced to death was the very same date, 39 years prior, that they had first learned of their fate. And how ironic that the people entered into the Promised Land under the command of Yehoshua on that same date exactly one year later.

223

There is a notable instance where Moshe is described by the Torah as getting angry during that interim period :between Bemidbar 11 and Bemidbar 20

Bemidbar 16:15

וַיַּחַר לְמֹשֶׁה מְאֹד וַיֹּאמֶר אֶל יְהוָה אֵל תִּפְּן אֶל מִנְחָתָם לֹא חָמוּר אֶחָד מֵהֶם וְלֹא הִרְעַנְתִּי אֶת אֶחָד מֵהֶם:

Moshe was very angry and he said to Hashem, do not pay any attention to their offering. I have not taken a "single donkey from them, nor wronged them in any way

224 Moshe does protest the decision, as is made clear by his own admission in Devarim 3:23-26 and elaborated upon by many of the midrashim, in particular Devarim Rabbah 11 and Midrash Petirat Moshe.

225

Unlike the rest of *atzilei bnai yisrael*, Moshe and Aharon did not immediately die at Mei Merivah. Nevertheless, :their sentencing was a fulfillment of *bikeroval ekadesh*, similar to that of Nadav and Avihu

Ibn Ezra, Bemidbar 20:13 d"vayekadesh bam

ויקדש במ. במשה ואהרן כטעם בקרובי אקדש:

"He was sanctified through Moshe and Aharon, in the spirit of 'I will be sanctified through My close ones'"

Rashi, Bemidbar 20:13 d"vayekadesh bam

שְׁמִיתוֹ מִשֶּׁהָיָה וְאַהֲרֹן עַל יָדָם; כְּשֶׁהִקְבִּ"ה עוֹשֶׂה דִין בְּמִקְדָּשׁוֹ הוּא יֵרָאוּי וּמִתְקַדֵּשׁ עַל הַבְּרִיּוֹת, וְכֵן הוּא אוֹמֵר "נִוְרָא אֱלֹהִים מִמִּקְדָּשֵׁי" (תהילים סח, לו), וְכֵן הוּא אוֹמֵר "בְּקִרְבִּי אֶקְדֵּשׁ" (ויקרא י, ג):

He was sanctified through Bnai Yisrael because Moshe and Aharon died on their account, for when HaKadosh Baruch Hu does strict justice with His holy ones He becomes feared and sanctified by His creations, as it says: 'G-d is fearsome from His holy ones' (Tehillim 68:36), and it says: 'I will be sanctified through My close ones' (Vayikra 10:3)

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Shmot Rabbah 9:10

ויאמר ה' אל משה אמר אל אהרן (שמות ז, ט), אמר רבי תנחום למה לא לקו המים על ידי משה, אמר לו הקדוש ברוך הוא המים ששמרוד בשהשלקת ליאור אינו דין שילקו על ידך, חידך לא ילקו אלא על ידי אהרן:

Hashem said to Moshe, say to Aharon' (Shmot 7:19). Rabbi Tanchum said, why were the waters not struck by'" Moshe? HaKadosh Baruch Hu said to him, the waters which protected you when you were thrown into the Nile - "it is not proper for them to be afflicted by you. By your life they will be afflicted only through Aharon

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The midrash emphasizes this point by noting that just as Moshe was redeemed through water, he had also been destined to be punished by water since the days of Avraham Avinu: **Bemidbar Rabbah 19:14**

המה מי מריבה (במדבר כ, יג), מכאן אתה למד ששקדם היה מתקן שיענש משה על המים ראה מה פתיב (בראשית יד, ז): וישבו ויבאו אל עין משפט הוא קדש ויכו את כל שדה העמלקי וגם את האמרי הישב בחצצון תמר, עין משפטו של משה:

They are Mei Merivah' (Bemidbar 20:13) - from here you learn that it was decreed from the days of old that'" Moshe would be punished by the waters. See what it says: 'They went back and came to Ein Mishpat which is Kadesh, and they struck the entire field of the Amalekites and even the Emorites dwelling in Hatzetzon Tamar' "(Breishit 14:7) - Kadesh being the place of judgment for Moshe

:Another tradition has Moshe's punishment through water being fated since the dawn of creation itself

Breishit Rabbah 4:6

רבי לוי בשם רבי תנחום בר חנילאי אמר, פתיב (ישעיה מז, י): מגיד מראשית אחרית, מתחלת ברייתו של עולם אפה הקדוש ברוך הוא משה קרוי טוב (שמות ב, ב), ועתיד לטל את שלו מתחת ידיהם, לפיכך לא פתוב בהם כי טוב:

Rabbi Levi said in the name of Rabbi Tanchum Bar Hanilai, it says: 'He knows the end from the beginning'" (Yishayahu 46:10) - from the beginning of the creation of the world HaKadosh Baruch Hu saw that Moshe was called 'good' (Shmot 2:2), but that he would be punished at their i.e. the waters' hands, and therefore He did not "write 'it was good' regarding the waters

Even the idolatrous astrologers advising Pharaoh on how to defeat Bnai Yisrael knew that Moshe would be :punished with water

היארה תשליכהו, למה גזרו להשליכן ליאור, לפי שהיו רואין האסטרולוגין שמושיען של ישראל על ידי מים ילקה, והיו סבורין שבמים יטבע, ולא היה אלא על ידי באר מים נגזר עליו גזרת מות, שנאמר (במדבר כ, יב): יען לא האמנתם בי וגו':

Throw them into the Nile' (Shmot 1:22). Why did Pharaoh decree to throw them into the Nile? Because the'" astrologers saw that Yisrael's savior would be punished through water, and they assumed that meant he would drown in water; yet it actually meant that he was sentenced to death on account of the well of water, as it says: "'Because you did not believe in Me' (Bemidbar 20:12)

228 The idea that Moshe striking the rock twice led to his death as a result of it being a consequence of his viewing the Divine throne 40 years prior also fits nicely with the warning Rabbi Akiva gives his colleagues not to call out for 'water, water' during their ascent to the Heavenly throne in **Note 80**. Perhaps the emphasis on water being repeated hearkens back to Moshe's downfall at Har Sinai drinking inappropriately during a similar mystical journey, and then being punished for it through "double water".

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As a matter of fact, no one in the group was more beloved than Moshe - and by extension, Aharon - and his death is described as a source of pain before HaKadosh Baruch Hu

Vayikra Rabbah 1:8

מִשָּׁל לְמֶלֶךְ שֶׁנִּכְנַס בְּמַדִּינָה וְעַמּוֹ דְּכָסִים וְאַפְרָכִין וְאַסְטְרָטִלְטִין, וְאִין הָעָם יוֹדְעִים אִיזָה מֵהֶם חָבִיב מִכָּלָם, אֲלֵא מִי שֶׁהִמְלִיךְ הוֹפֵךְ פָּנָיו וּמַדְבֵּר עִמּוֹ הוּא חָבִיב מִכָּלָן. כִּף (שְׁמוֹת כד, א): וְאֵל מֹשֶׁה אָמַר עָלָה אִתָּה וְאַהֲרֹן נָדָב וַאֲבִיהוּא וְשִׁבְעֵים זְקֵנִים, וְאִין אָנוּ יוֹדְעִים אִיזָה מֵהֶם חָבִיב מִכָּלָן, אֲלֵא מִי שֶׁהִקְדֹּשׁ בְּרוּךְ הוּא קוֹרֵא אוֹתוֹ וּמַדְבֵּר עִמּוֹ, לְכָךְ נֶאֱמַר: (ויקרא א, א) וַיִּקְרָא אֶל מֹשֶׁה:

A parable: A king goes into his kingdom, and with him are various members of the nobility. The nation doesn't know which of them is the most beloved by the king, yet it is the one who the king turns to and speaks with: he is the most beloved of all. So too 'He said to Moshe ascend to Hashem: you, Aharon, Nadav, Avihu and the seventy elders of Yisrael' (Shmot 24:1). We don't know which of them is the most beloved, yet it is the one who HaKadosh Baruch Hu calls out to and speaks with, as it says: 'He called to Moshe' (Vayikra 1:1)

Yalkut Shimoni on Torah Remez 785

אף כך הקב"ה קשה לפניו שקנס מיתה על משה אמר כל זמן שמשה קיים אע"פ שמכעיסין אותי ישראל ואני מבקש לאבדן עומד משה ומשתטח לפני ומבקש עליהם רחמים שנאמר סלח נא לעון העם הזה וגו' ואומר ויאמר ה' סלחתי כדברך. וכן ויאמר להשמידם לולי משה בחירו, עכשיו שמת מי יעמוד ויבקש עליהם רחמים:

*It was difficult before HaKadosh Baruch Hu, the fact that He punished Moshe with death. He said, when Moshe was alive, even when Bnai Yisrael make Me angry and I seek to destroy them, Moshe stands and lays out before Me and begs for mercy on their behalf, as it says: 'Please forgive this nation's sin', and it says: 'Hashem said I have forgiven as you have said', and it says: 'He sought to destroy them were it not for Moshe His chosen one'.
"Now that Moshe has died, who will stand and beg for mercy on their behalf*

230 One difficulty with this entire approach is precisely this point: Moshe asks HaKadosh Baruch Hu to show him His glory after Matan Torah had already occurred. If Moshe had been part of *atzilei bnai yisrael*, why did he need to ask G-d for this - hadn't Moshe already seen His glory? There are several ways to respond to this objection, for example that by "glory" Moshe was not requesting to see G-d but rather to understand His ways on some level. Yet perhaps this was one of the reasons the midrash chose not to include Moshe and Aharon in the category of *atzilei bnai yisrael*.

Another reason why the aggadah chose to avoid implicating Moshe may include the meaningful structural difference between the instantaneous deaths by fire that were visited upon Nadav, Avihu and the seventy elders on the one hand, and the delayed deaths as a result of water that were visited upon Moshe and Aharon on the other. There could also have been discomfort with the idea of Moshe and Aharon carrying that weight with them for the entire period of wandering in the desert after leaving Har Sinai.

Another potential issue with this approach will be dealt with in the next section.

Slow to Anger

One problem with this approach is that it fails to account for the other instances recorded in the Torah where Moshe gets upset or acts in a way that should have triggered the bomb, particularly everything that transpired during the episode with Korach. While explanations can be given for why Moshe was blameless throughout, it may also be helpful to take a different tack, namely that while HaKadosh Baruch Hu did not extend His mercy a second time for Nadav, Avihu and the elders, He did postpone judgment on Moshe and Aharon until their infraction in the fortieth year. The irony of this approach is that Moshe is commonly depicted as the paradigmatic, quintessential man of truth, yet he himself benefitted from Divine patience and slowness to anger throughout nearly his entire leadership.

As the man of truth, Moshe had trouble early on with a more compassionate depiction of G-d:

א"ר יצחק על הכל הודה משה חוץ מדבר אחד, אמר משה לפני הקב"ה רבון העולמים חוטא אדם לפניך ואת מאריך לו, מיד הוי גובה ממנו, אמר לו הקב"ה חייך שתצרך לה. והיכן צרך לה, במרגלים, י"י ארך אפים (במדבר יד:יח):²³¹

"Rabbi Yitzchak said, Moshe admitted to everything except one. Moshe said before HaKadosh Baruch Hu, Master of the Universe, a man sins before You and You extend compassion towards him - instead should you not immediately exact punishment from him? HaKadosh Baruch Hu said to him, by your life you yourself shall need this attribute of Mine.

When did he need it? In regards to the spies as it says: 'Hashem, slow to anger' (Bemidbar 14:18).^{^231^}

Moshe cannot understand why the sinner should not get punished. Despite being 80 years old and having changed since the days of impassioned zealotry of his youth, Moshe still adamantly believes in truth as the dominant force which should govern the world. However, as HaKadosh Baruch Hu teaches him, in order for the world to last the attributes that dictate how the world is judged must be a blend of peace and truth, of compassion and justice, of mercy and lawfulness. Indeed, this is an important ethical theme that comes up throughout aggadic literature: only through embracing contradictions and nuance can the world survive. Moshe's approach is not sustainable, his leadership cannot be so black-and-white; Bnai Yisrael need the balance as well, or else they would not be able to survive. Fascinatingly, in the Torah itself there are multiple instances of G-d wanting to destroy Bnai Yisrael for their sins, only for Moshe to come to their defense and argue from a standpoint of compassion, and avert the decree. This midrash, however, seems to reverse those roles: it is Moshe who cannot understand the value and fairness of forgiveness, and it is HaKadosh Baruch Hu who teaches him that the world needs both in order to last.^{^232^}

Moshe learned why it is critical for HaKadosh Baruch Hu to temper truth with mercy, for when the nation sinned it was Moshe who needed to rush to their defense, begging for mercy on behalf of his people. While it may rub the wrong way and could be problematic if misapplied, being able to placate G-d and bend the truth to engender forgiveness is the only way all except the most righteous could survive. While this midrash sees Moshe learning this lesson via his need to ask forgiveness after the sin of the spies, there is perhaps an even stronger example of Moshe coming to the realization why truth alone cannot work: he himself needed a tempering of truth with mercy after what happened at Har Sinai.

This is because according to the strict definition of justice G-d should - and sometimes does - judge His righteous ones over a hair's breadth:

תנו רבנן: מעשה בבתו של נחוניא חופר שיחין שנפלה לבור הגדול, ובאו והודיעו לרבי חנינא בן דוסא. שעה ראשונה, אמר להם: שלום. שניה, אמר להם: שלום. שלישית, אמר להם: עלתה. אמר לה: בתי, מי העלה? אמרה לו: זכר של רחלים נודמן לי, וזמן מנהיגו. אמרו לו: נביא אתה? אמר להם: "לא נביא אנכי ולא בן נביא אנכי" (תהלים נ, ג), אלא: דבר שהצדיק מתעסק בו יפשל בו וזרעו? אמר רבי אבא: אף על פי כן מת בנו בצמא, שנאמר:

"וּסְבִיבֵיוּ נִשְׁעָרָה מְאֹד", מִלְמֵד שֶׁהַקְדוֹשׁ בְּרוּךְ הוּא מְדַקְדֵּק עִם סְבִיבָיו כְּחוּט הַשְׁעָרָה. רַבִּי חֲנִינָא אָמַר, מִהֲבָא: "אֵל נִעְרָץ בְּסוּד קְדוּשִׁים רַבָּה וְנוֹרָא עַל כָּל סְבִיבָיו" (תהלים פט, ח):^{233^}

"The Rabbis taught, there was a story with the daughter of Nehunyah the well digger who fell into a big cistern, and they came and told Rabbi Haninah Ben Dosa. The first hour he told them, she is at peace. The second hour he told them, she is at peace. The third hour he told them, she has come out unharmed. He said to her, my daughter, who raised you up? She said to him, a male sheep passed by me and sensed me there, and an old man was leading him and he pulled me out. They said to Rabbi Haninah, are you a prophet? He said to them: 'I am not a prophet nor the son of a prophet' (Amos 7:14); rather, the work a tzaddik does, is it possible that his offspring would be harmed from it? Rabbi Abba said, even so his son died from thirst despite him being a righteous well digger, as it says: 'Around Him it storms mightily' (Tehillim 50:3) - this teaches that HaKadosh Baruch Hu is extremely strict with those around Him i.e. tzaddikim to a hair's breadth. Rabbi Haninah said, derive it from there: 'A G-d dreaded in the great council of the holy ones, and feared by those around Him' (Tehillim 89:8)."^{233^}

This concept, if applied to Moshe and Aharon, would have had them deserving to meet the same fate as Nadav, Avihu and the seventy elders at the slightest infraction. The fact that they both survived the entire 40 years of wandering in the desert, including experiences such as Korach's rebellion, is a testament to the fact that HaKadosh Baruch Hu treated them with mercy and overrode His strict judgment. Even when they were finally condemned, it was not an immediate sentence, but rather one that gave them time to fulfill their respective missions and pass on the mantles of leadership to the next generation of leaders. Moshe himself was therefore a beneficiary of the very 'slow to anger' quality he was so unable to understand and accept; he and Aharon were allowed to continue living and get their affairs in order despite justice demanding otherwise. At the same time, of course, Moshe's pleas to enter into Eretz Yisrael fell on deaf ears, demonstrating that HaKadosh Baruch Hu governs His world with both attributes, and that the proper approach is a healthy acceptance of the tension between these two.

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:Pesikta DeRav Kahana 25:1. A similar version of this midrash is recounted in the Talmud

Sanhedrin 111a-b

כשעלה משה למרום מצאו להקב"ה שיושב וכותב ארך אפים אמר לפניו רבונו של עולם ארך אפים לצדיקים אמר לו אף לרשעים א"ל רשעים יאבדו א"ל השתא חזית מאי דמבעי לך כשחטאו ישראל אמר לו לא כך אמרת לי ארך אפים לצדיקים אמר לפניו רבש"ע ולא כך אמרת לי אף לרשעים והיינו דכתיב (במדבר יד, יז) ועתה יגדל נא כח ה' כאשר דברת לאמר:

When Moshe ascended to Heaven he found HaKadosh Baruch Hu sitting and writing 'slow to anger'. He said" before Him, Master of the Universe, 'slow to anger' is for the righteous correct? He said to him, even for the wicked. He said to him, the wicked should be destroyed. He said to him, now you will see for yourself that which you will need. When Yisrael sinned, HaKadosh Baruch Hu said to Moshe, did you not tell me 'slow to anger' is for the righteous? He said to him, Master of the Universe, did you not tell me that it was even for the wicked. "This is as it says: 'Now may the strength of Hashem grow strong as You said' (Bemidbar 14:17)

Tosafot, Bava Kamma 50b d"h erech apayim

בעושיין פסין (עירובין דף כב. ושם) משמע לרשעים להאבידם מן העוה"ב ובחלק (סנהדרין דף קיא.) משמע לטובה וי"ל כשאין סופו לעשות תשובה הוא לרעה אבל בסופו לעשות תשובה הוא לטובה:

In Eruvin 22a it sounds like the wicked should get removed from Olam HaBa, yet in Sanhedrin 111a it sounds" like it's for the righteous. And we can say and differentiate such that when they have no intention of repenting it "is for bad, but if they will do teshuva in the end it is for the good

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This discussion echoes a midrash which, while discussing the creation of the world, gives us a glimpse into the internal dialogue of HaKadosh Baruch Hu:

Breishit Rabbah 12:15

ה' אֱלֹהִים, לְמַלְךְ שֶׁהָיוּ לוֹ כּוֹסוֹת רִיקִים, אָמַר הַמֶּלֶךְ אִם אֲנִי נֹתֵן לְתוֹכָן חֲמִין, הֵם מִתְבַּקְעִין. צוּנָן, הֵם מִקְרִיסִין, וּמָה עָשָׂה הַמֶּלֶךְ עִרְבַּח חֲמִין בְּצוּנָן וְנָתַן בָּהֶם וְעָמְדוּ. כֵּן אָמַר הַקְדוּשׁ בְּרוּךְ הוּא אִם בּוֹרָא אֲנִי אֶת הָעוֹלָם בְּמִדַּת הַרְחָמִים, הָיִי חֲטִיָּה סְגִיאוֹן. בְּמִדַּת הַדִּין, הָאִיד הָעוֹלָם יְכוּל לַעֲמֹד. אֲלָא הָרִי אֲנִי בּוֹרָא אוֹתוֹ בְּמִדַּת הַדִּין וּבְמִדַּת הַרְחָמִים, וְהִלְוִאי נֶעֱמַד:

Hashem G-d' (Breishit 2:4). Two names are used, to what is this comparable? To a king who has empty cups." The king said, if I put hot water in them, they will expand and break, but if I put cold water in them they will contract and shatter. What did the king do? He mixed hot and cold water together, and put the mixture in the cups, and they lasted. So too HaKadosh Baruch Hu said, if I create the world with mercy, sins will increase; with justice, how will the world be able to withstand it? Rather, I will create it with both justice and mercy, and hopefully it will last

This argument between Moshe and G-d echoes the debate between G-d and the prophet Yonah. Like Moshe, Yonah cannot understand what the purpose of governing the world with mercy is, and like this midrash it is only by personal example is he able to overcome his logical, rational objections and recognize the human need for mercy:

Yalkut Shimoni on Nach Remez 551

מכאן אמרו כל שאפשר לו לבקש רחמים על חברו או להחזירו בתשובה ואינו מחזירו בא לידי צער, מה עשה הקב"ה העלה קיקיון על ראש יונה בלילה ובשחרית עליו עליו רע"ה עליו וצל כל עלה ועלה ארבעה זרת וטפח, ארבעה אנשים יכולים לישב בצלו תחת הקיקיון לכבוש את השמה, זימן הקב"ה תולעת והכה את הקיקיון ויבש ומת וזבובין ויתושין שרויין עליו ומצערין אותו מכל צדדים עד שבקש נפשו למות, באותה שעה זלגו עיניו דמעות כמטר לפני הקב"ה, ואמר לו יונה מפני מה אתה בוכה יש לך צער על זה שלא גדלתו לא הכנסת בתוכו זבל ולא השקית בו מים לילה אחד חיה ולילה אחד יבש כך חסת עליו ואני לא אחוס על נינוה העיר הגדולה, באותה שעה נפל על פניו ואמר הנהג עולמך במדת רחמים דכתיב לה' א-לקינו הרחמים והסליחות (דניאל ט, ט):

From here they said, whoever can ask for mercy for his friend or get him to repent and does not do so - he will" come into distress. What did HaKadosh Baruch Hu do because Yonah did not ask for mercy for his fellow man? He made a plant grow over Yonah's head at night, and in the morning 275 leaves grew and each leaf provided enough shade to cover four fingers and a fist, such that four people could have comfortably sat under the plant's share in order to overcome the heat. HaKadosh Baruch Hu then brought a worm which struck the plant, dried it out and killed it. Flies and mosquitoes were hovering over it and causing Yonah distress from all sides to the point that he sought death. At that time tears flowed from his eyes like dew before HaKadosh Baruch Hu who said to him, Yonah, why are you crying, are you distressed over this plant that you did not grow, did not put fertilizer under it, did not water it? In one night it came to be, and in one night it dried out, and yet you still had mercy over it; should I not have mercy over Nineveh, the great city? At that time Yonah fell on his face and said, "govern Your world with mercy, as it says: 'To Hashem our G-d is mercy and forgiveness' (Daniel 9:9)

There is much more to say about this concept of the need to balance peace and truth. The essential point is that the Rabbis recognize the tension, but also the necessity, of having both attributes being baked into the creation and into the ongoing governance of mankind's behavior.

233 Yevamot 121b; Bava Kamma 50b.

233 Yevamot 121b; Bava Kamma 50b.

Accepting Judgment

Did Moshe ever come to terms with being forbidden from entering Eretz Yisrael? Or was he unable to accept this decree from Above to his dying day? From the pesukim themselves it is difficult to gauge Moshe's personal feelings, for he does not react when Hashem initially conveys the bad news. While in his parting words to Bnai Yisrael he relays how his attempts to overturn the decree fell on deaf ears, we still don't get a clear indication of whether he went to his grave at peace with what happened.

Before we turn to aggadah to help shed light on this, we must first ask a related question: how does this actually work - what is the mechanism for determining the equivalent level of sin a minor sin done by a *tzaddik* is "worth"? One midrash, explaining what happened to Moshe and Aharon at Mei Merivah, tells us that the sin is "increased" in its severity so that it is considered as if many sins were committed by a regular person:

כי אותו החטא לא היה גדול והשי"ת הגדיל עונם לרוב גדולתם כמי שחטאו ספורים, וכמו שאמרו רז"ל וסביביו נשערה מאד, מלמד שהקב"ה מדקדק עם הצדיקים כחוט השערה, ורבים יגעו והאריכו להוציא לאור טעם החטא הזה והעלו בידם חרס ולא יכלו לבארו על נכון. י"א כי השי"ת צוה להם ודברתם והם לא דברו אלא משה הכהו פעמים וע"כ נענשו וכו': ²³⁴

"That sin at Mei Merivah was not so great, yet Hashem Yitbarach increased their sin in how it was reckoned due to their greatness to be like someone whose sins were great, as the Rabbis said: 'His surroundings storm mightily' - this teaches that HaKadosh Baruch Hu is extremely strict with His *tzaddikim* to a hair's breadth. Many have put in effort and waxed on in order to reveal the reason for this sin, but nothing more than earth came from it and they could not explain it satisfactorily. For example there are those that say Hashem Yitbarach commanded them to speak, but they did not speak and instead Moshe struck it twice, and because of that they were punished, etc." ²³⁴

The Talmud also explicitly uses a similar argument to justify why the punishment of Moshe and Aharon was so harsh, and Rashi relates the concept of judging *tzaddikim* "by a hair's breadth" with the idea that "according to the camel is the burden"; that is, because *tzaddikim*

have faith and belief in Providence they are able to handle more suffering even if it is not in line with the level of sin incurred. ^{^235^}

To get a sense of which hints from the pesukim the midrash picks up on to inform its approach to this question, it is worth visiting a story related to a great *tzaddik* who is also punished in a way not commensurate with his crime due to G-d judging His close ones by a hair's breadth:

אתיוהו לרבי חנינא בן תרדיון אמרו ליה אמאי קא עסקת באורייתא אמר להו כאשר צוני ה' א-לקי מיד גזרו עליו לשריפה ועל אשתו להריגה ועל בתו לישב בקובה של זונות עליו לשריפה שהיה הוגה את השם באותיותיו והיכי עביד הכי והתנן אלו שאין להם חלק לעולם הבא האומר אין תורה מן השמים ואין תחיית המתים מן התורה אבא שאול אומר אף ההוגה את השם באותיותיו להתלמד עבד כדתניא (דברים יח, ט) לא תלמד לעשות אבל אתה למד להבין ולהורות אלא מאי טעמא אענש משום הוגה את השם בפרהסיא דהוי ועל אשתו להריגה דלא מיחה ביה מכאן אמרו כל מי שיש בידו למחות ואינו מוחה נענש עליו ועל בתו לישב בקובה של זונות דאמר ר' יוחנן פעם אחת היתה בתו מהלכת לפני גדולי רומי אמרו כמה נאות פסיעותיה של ריבה זו מיד דקדקה בפסיעותיה והיינו דאמר ר' שמעון בן לקיש מאי דכתיב (תהלים מט, ו) עון עקבי יסבני עונות שאדם דש בעקביו בעולם הזה מסובין לו ליום הדין בשעה שיצאו שלשתן צדקו עליהם את הדין הוא אמר (דברים לב, ד) הצור תמים פעלו וגו' ואשתו אמרה (דברים לב, ד) אל אמונה ואין עול בתו אמרה (ירמיהו לב, יט) גדול העצה ורב העליליה אשר עיניך פקוחות על כל דרכי וגו' אמר רבי כמה גדולים צדיקים הללו שנזדמנו להן שלש מקראות של צדוק הדין בשעת צדוק הדין: ^{^236^}

"They came before Rabbi Haninah Ben Teradyon and said to him, why are you learning Torah? He said to them: 'As Hashem My G-d has commanded me'. They immediately condemned him to death by burning, and his wife to death by sword, and his daughter to live out her days in a harlot's house. He was punished with death by burning because he used to pronounce the Holy Name with its letters. But did he do this - was it not taught, these are the ones who have no share in Olam HaBa: whoever says Torah did not come from Heaven, and that there is no resurrection of the dead from the Torah. Abba Shaul says, even one who pronounces the Holy Name with its letters? Rabbi Haninah did it in order to teach himself, as it says: 'You shall not learn to do' (Devarim 18:9), but you may learn to understand and teach. So why was he punished? Because he pronounced the name in public. His wife was punished with death by sword because she did not stop him. From here they said, whoever has the ability to stop someone from sinning and does not is punished for it. His daughter was punished to live in a harlot's house, as Rabbi Yochanan said, one time his daughter was walking before the great men of Rome and they said, how nice are her steps; she immediately was precise in her steps to keep their attention. This is as Reish Lakish said, why does it say: 'The iniquity of my heel encircles me' (Tehillim 49:6)? This means the sins that a man

tramples with his heel in this world encircle him on the day of judgment. When the three of them were taken out to be killed, they accepted the justice of HaKadosh Baruch Hu's judgment. Rabbi Haninah said: 'The Rock, His works are perfect' (Devarim 32:4). His wife said: 'He is a G-d of faith and there is no wrongdoing' (Devarim 32:4). His daughter said: 'Great in counsel, and mighty in work; whose eyes are open upon all the ways' (Yirmiyahu 32:19). Rabbi said, how great were these tzaddikim, that they were able to conjure up three pesukim about accepting judgment in a time of accepting judgment." ^{^236^}

Rabbi Chaninah and his family received terrible punishments for sins that seem minor at best. While they accept their fates - a fact that Rabbi in wonder marvels at - the question remains: where is the justice in how they were sentenced?

ומיהו הקב"ה מדקדק עם הצדיקים כחוט השערה (יבמות דף קכא:): ואפילו להתלמד יש לחוש לכבוד הרב: ^{^237^}

"Despite the fact that Rabbi Haninah pronounced the Holy Name with letters in order to teach himself, HaKadosh Baruch Hu is extremely strict with His tzaddikim like a hair's breadth (Yevamot 121b), so even if it is merely to teach himself there is reason to be cognizant of the Master's honor." ^{^237^}

According to Rashi, the reason Rabbi Haninah was punished so severely for such a minor infraction is that G-d is extremely strict with His tzaddikim. We see a parallel between the punishment of Moshe and Aharon on the one hand, and that of Rabbi Haninah and his family on the other: both are described as having committed minor crimes, yet because they were righteous they could bear the burden of a harsher judgment.

There is a deeper parallel present here as well. Moshe has a record of pronouncing the Holy Name in a questionable way ^{^238^} going back as early as his teenage years ^{^239^} until his dying day:

מהו (דברים לג, א): לפני מותו, רבנו אמרי מה עשה משה, נטל את מלאך המות והשליכו לפניו, והיה מברך השבטים, כל אחד ואחד לפי ברכתו. אמר רבי מאיר, הלא מלאך המות אצל משה ואמר לו, הקדוש ברוך הוא שלחני אצלה שאתה מסתלק ביום הזה, אמר לו משה לה מכאן שאני מבקש לקלס להקדוש ברוך הוא, מנין, שכתוב (תהלים קיח, יז): לא אמות כי אחיה ואספר מעשי יי. אמר לו, משה, מה אתה מתנאה, יש לו מי שיקלסוהו, השמים והארץ מקלסין אותו בכל שעה, שנאמר (תהלים יט, ב): השמים מספרים כבוד אל. אמר לו משה, ואני משתק אותו ומקלס אותו, שנאמר (דברים לב, א): האזינו השמים ואדברה וגו'. בא אצלו פעם שניה, מה עשה משה, הזכיר עליו שם

הַמַּפְרֵשׁ וּכְרַח, מִיָּדוֹ, שֶׁנֶּאֱמַר (דְּבָרִים ל"ב, ג'): כִּי שֵׁם ה' אֶקְרָא. כִּי־נֶאֱמַר אֶצְלוֹ פַּעַם שְׁלִישִׁית, אָמַר, הוֹאִיל וּמִן הַשֵּׁם הוּא, צָרִיד אֲנִי לְצַדִּיק עָלֵי אֵת הַדִּין, מִיָּדוֹ, שֶׁנֶּאֱמַר (דְּבָרִים ל"ב, ד'): הַצִּיּוֹר תָּמִים פָּעִלוֹ: ²⁴⁰

"What does 'Before his death' (Devarim 33:1) mean? The Rabbis said, what did Moshe do? He grabbed the Angel of Death and threw him down before him, and blessed the tribes, each one according to his blessing. Rabbi Meir said, the Angel of Death went to Moshe and said to him, HaKadosh Baruch Hu sent me to you, for you are going to die today. Moshe said to him, leave here for I am trying to praise HaKadosh Baruch Hu, as it says: 'I shall not die, for I shall live, and I shall tell the deeds of Yah' (Tehillim 118:17). He said to him, Moshe, why are you proud? He has others to praise Him; the heavens and earth praise him every hour, as it says: 'The heavens tell the glory of E-I' (Tehillim 19:2). Moshe said to him, I shall silence them and praise Him, as it says: 'Listen heavens and I shall speak' (Devarim 32:1). The Angel of Death came to Moshe a second time. What did Moshe do? He pronounced the Holy Name and fled, as it says: 'For I shall pronounce the Name of Hashem' (Devarim 32:3). When the Angel of Death came to Moshe a third time, he said, since this is from Hashem, I need to accept this judgment, as it says: 'The Rock, His ways are perfect' (Devarim 32:4)."²⁴⁰

There is a beautiful symmetry and closure found in the midrashim here: Moshe uses the Holy Name at the beginning of his life to save a Hebrew by killing the Egyptian, and he uses it at the end of his life to save his own life by escaping the sword of the Angel of Death. Both usages, while well intentioned and justifiable in some sense, backfire: the son of that Egyptian who Moshe killed ends up blaspheming with the Holy Name,²⁴¹ and Moshe's usage of the Holy Name to attempt escape from the Angel of Death was done in vain.

These nuanced examples from Moshe's life of the Holy Name being pronounced with desire to help and save only to lead to death and irrelevance relate to Rabbi Haninah's sin of pronouncing the Holy Name, and specifically of pronouncing it in public. This parallels the sin of Moshe and Aharon, since HaKadosh Baruch Hu reprimands them for not sanctifying Him in the "eyes of Bnai Yisrael", in public; they too sinned through behavior that was not unacceptable in private, but unbecoming of *tzaddikim* in public.

After repeated attempts to avoid dying, including an unsuccessful flight from the Angel of Death, Moshe finally accepts that it is the Divine will for him to die and not enter Eretz Yisrael. He proclaims the pasuk from the Song of Ha'azinu: "*The Rock, His ways are perfect*" (Devarim 32:4), the ultimate example of *tzidduk hadin*.²⁴² This very pasuk uttered by

Moshe as he accepted the Angel of Death is the same one declared by Rabbi Haninah as he was led to his death as well.^{^243^}

Just as Rabbi Haninah's sin and *tzidduk hadin* parallel those of Moshe, so do the sins of Aharon and Rabbi Haninah's wife, who was punished for not stopping her husband from his behavior:

אהרן מה חטא מכאן שהמטפל לעובר עבירה כעובר עבירה והיה אהרן יכול לומר אני לא חטאתי אלא שתק וכבש כחו ולא למד על עצמו סניגוריא ומשה מקלסו שנאמר האומר לאביו ולאמו לא ראיתיו לא עמד לומר עשה בשביל אבא בשביל אמא שלא תכנס שכולה בג' בניה. ואת אחיו לא הכיר שלא היה לו עסק עם אחיו בשמעו נא המורים. ואת בניו לא ידע כשנשרפו בניו ושתק:^{^244^}

"What was Aharon's sin? From here that he who aids a sinner, is considered as if he were a sinner himself Aharon could have said, I did nothing wrong, but instead he was silent and restrained his strength and did not try to vindicate himself. For this Moshe praised him, as it says in the blessings to the tribe of Levi: 'He who says to his father and mother, I have not seen' - he did not stand to say it was done because of father or mother, so that she should not lose her three sons. 'He does not recognize his brother' - that he did not act with Moshe at Mei Merivah. 'He does not know his sons' - because they were burned, and yet he was silent."^{^244^}

Many of the commentaries are even more troubled by the fact that Aharon is punished than that his brother was; although it is difficult to understand what Moshe did that was so terrible, Aharon did not do anything at all. Yet it is precisely this inaction, this passivity, that made him complicit in the actions of Moshe, for he could have interceded and the outcome could have been completely different.^{^245^} Rabbi Haninah's wife is similarly punished, not for any actions of her own, but simply for not objecting to her husband's behavior.^{^246^}

When all is said and done, the theophanic revelation of Shmot 24, far from being an isolated vision of mystical import with no relevance beyond the time and place it was received, had ripple effects and consequences that were felt, not just in the months following the revelation, being during the entire 40 year journey of Bnai Yisrael in the desert. The deaths of Aharon and Moshe at the border of Eretz Yisrael demonstrated that man cannot "see G-d and live", no matter how great or small; even someone on the level of Moshe Rabbeinu was destined to die as a result, his fate changed irrevocably. The message, reiterated over and over again in the

Torah and brought down in midrashim and stories such as that of Rabbi Haninah Ben Teryadon, is a sobering one: HaKadosh Baruch storms mightily, and while the world is governed with a blend of mercy and judgment, we cannot become complacent and rely on forgiveness, for the greatest among us were doomed for sins we cannot fathom being held accountable for. Instead, we are encouraged to be silent, live humbly and accept an often-inscrutable Divine justice, and to learn from Moshe himself, who after a long struggle finally acquiesces: *"The Rock, His ways are perfect."*

234 Otzar HaMidrashim, Derashot Al Moshe Rabbeinu, Deresh LePetirat Moshe Rabbeinu.**234 Otzar HaMidrashim, Derashot Al Moshe Rabbeinu, Deresh LePetirat Moshe Rabbeinu.**

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Sotah 13b

וַיֹּאמֶר ה' אֵלַי רַב לָךְ (דברים ג, כו) אָמַר רַבִּי לִּי כָרַב בִּישׁוֹר כָּרַב בִּישְׁרוֹהוּ כָּרַב בִּישְׁרוֹהוּ רַב לָךְ דָּבָר אַחֵר רַב לָךְ רַב יֵשׁ לָךְ וּמִנּוּ יְהוֹשֻׁעַ דָּבָר אַחֵר רַב לָךְ שְׁלֹא יֵאמְרוּ הָרַב כְּמָה קִשָּׁה וְתִלְמִיד כְּמָה סָרְבָן וְכָל כּוֹף לָמָּה תִּנָּא דְּבִי רַבִּי יִשְׁמַעְיָאֵל לְפָנֵם זְמַלָּא שִׁיחָנָא:

Hashem said to me, you have said enough' (Devarim 3:26). Rabbi Levi said, he announced with 'rav' and it was''' announced to him with 'rav'. He announced with 'rav': 'You have taken too much upon yourselves' (Bemidbar 16:7), and it was announced to him with 'rav': 'You have said enough'. Another idea: 'You have said enough' - you have a master, and who is it? Yehoshua. Another idea: 'You have said enough' - so that people should not say, the Master i.e. HaKadosh Baruch Hu is too difficult and the student is too stubborn. And why was the punishment at Mei Merivah so great? It was taught in the house of Rabbi Yishmael, based on the strength of the ".camel, the burden is determined

Rashi Sotah 13b d"r berav biser

את בני מחלקותו רב לכם בני לוי והקב"ה מדקדק עם הצדיקים כחוט השערה ונענש באותה מדה:

Moshe announced to those arguing with him: 'You have taken too much upon yourselves, children of Levi'." HaKadosh Baruch Hu is extremely strict with His tzaddikim like a hair's breadth, and so He punished ".accordingly

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Avodah Zarah 17b-18a. A variant of this midrash concludes with a conversation between the Romans and a philosopher missing from the Talmud's version

Sifrei Devarim 307:6

עמד פילוסופוס על הפרכיא שלו, אמר לו אל תזוח דעתך על ששרפת את התורה, שמשעה שיצאת חזרה לה לבית אביה. אמר לו למחר אף אני דנך כיוצא באלו. אמר לו בשרתני בשורה טובה: למחר יהיה חלקי עם אלו לעולם הבא:

A philosopher stood up against the consul who had issued the decree against Rabbi Haninah and his family and" said to him, do not let it get to your head that you burned the Torah, for from the time you left she returned to her Father's house. The consul said to him, tomorrow your fate will be like theirs i.e. you will die. He said to him, ".you have given me great news: tomorrow my portion will be with those in Olam Haba

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237 Rashi Avodah Zarah 18a d"h lehitalmed avad.

237 Rashi Avodah Zarah 18a d"h lehitalmed avad.

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This is attested to even in the early days of Moshe's life. The first action he actively takes which the Torah tells us about in the killing of an Egyptian taskmaster

Tanchuma Yelamdenu Shmot 10:2

הלך רגני אתה אמר (שמות ב, יד), אתה מבקש אין אומר כן אלא אתה אמר. מכאן את למד, ש'הרגו בשם המפד'ש:

You say you will kill me' (Shmot 2:14). It does not say 'you seek to kill me, rather 'you say'. From here you learn'"
"that Moshe killed the Egyptian with the Holy Name

The midrash, perhaps motivated by a wariness of ascribing such an act to the greatest prophet who ever lived, distances Moshe from the visceral nature of the deed by ascribing to him knowledge of the Holy Name instead

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Tanchuma Yelamdenu Shmot 8:4

ומניין אתה למד שלא עשה בבית פרעה אלא עשרים שנה. ש'בשעה שנצו אותן שני אנשים עבדים, אמר לו אחד מהם: מי ש'מד לאיש, ועדין אין אתה איש. מלמד, ש'היה פחות מכן עשרים:

How do you learn that Moshe was in Pharaoh's palace for less than twenty years? When the two Hebrews were fighting each other, one of them said to Moshe: 'Who made you a man', meaning you are still not a man. This teaches that Moshe was less than twenty years old at the time

240 Devarim Rabbah 11:5.

240 Devarim Rabbah 11:5.

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Vayikra 24:10-12

וַיֵּצֵא בֶן אִשָּׁה יִשְׂרָאֵלִית וְהוּא בֶן אִישׁ מִצְרִי בְּתוֹךְ בְּנֵי יִשְׂרָאֵל וַיִּנָּצַל בְּמִקְנֶה בֶן הַיִּשְׂרָאֵלִית וְאִישׁ הַיִּשְׂרָאֵלִי: וַיִּקָּב בֶּן הָאִשָּׁה הַיִּשְׂרָאֵלִית אֶת הַשֵּׁם וַיִּקְלֵל וַיִּבְיֵאוּ אוֹתוֹ אֶל מֹשֶׁה וַיִּשְׁמְעוּ אֹמְרוֹ שְׁלֹמִית בַּת דִּיבְרִי לְמִטְרֵה דָן: וַיִּנְיָחֻהוּ בְּמִשְׁמָר לְפָרֹשׁ לָהֶם עַל פִּי יְהוָה:

A son of an Egyptian man and a Yisraelite woman went out among Bnai Yisrael. He began to fight with a son of a Yisraeli man. The son of the Yisraelite woman blasphemed with the Name, and cursed. They brought him before Moshe; his mother's name was Shlomit Bat Divri from the tribe of Dan. They placed him in custody, to hear from "the mouth of Hashem what to do with him

Rashi Vayikra 24:10 d"h ben ish mitzri

הוא המצרי שהרג משה (ויקרא רבה לב, ד):

"The blasphemer's father was the Egyptian taskmaster that Moshe had killed"

Ironically, Moshe - the very person who killed the blasphemer's Egyptian father by pronouncing the Holy Name - gives the command to punish that same Egyptian's son for using the Holy Name in an improper way

Vayikra 24:23

וַיְדַבֵּר מֹשֶׁה אֶל בְּנֵי יִשְׂרָאֵל וַיֹּצִיאוּ אֶת הַמְּקַלֵּל אֶל מַחֲזִיק לְמִקְנֶה וַיִּרְגְּמוּ אוֹתוֹ אֲבָן וּבִנְיָ יִשְׂרָאֵל עָשׂוּ כְּאֲשֶׁר צִוָּה יְהוָה אֶת מֹשֶׁה:

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The midrash notes the significance of Moshe's painful struggle and eventual acceptance, not just for Moshe himself on a personal level, but also as an precedent for all people

Shoher Tov 5:8

וכן את מוצא ברבן של נביאים משה רבינו עליו השלום שאמר בסוף קילוסו (דברים לב ד) הצור תמים פעלו. שלא יאמרו כל באי העולם שמא עברה עליו מדת הדין שלא נכנס לארץ ישראל חס ושלום אין לפניו משוא פנים. אלא הצור תמים פעלו:

You also find by the master of all prophets Moshe Rabbeinu, may peace be upon him, who said at the end of his praise: 'The Rock, His ways are perfect' (Devarim 32:4). That all the residents of the world should not say, since Moshe was judged with the attribute of judgment and not allowed to Eretz Yisrael, that chas v'shalom He does "not judge fairly. Rather: 'The Rock, His ways are perfect

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:This pasuk is also found echoed in the teachings of another Rabbi Haninah, presumably Bar Hama

Bava Kama 50a

אמר רב חנינא כל האומר הקב"ה ותרן הוא יותרו חייו שנאמר (דברים לב, ד) הצור תמים פעלו כי כל דרכיו משפט:

Rabbi Haninah said, whoever says HaKadosh Baruch Hu is forgiving of sins, his life is unnecessary, as it says: "The Rock, His ways are perfect, for all of his ways are justice" (Devarim 32:4)

It follows that Rabbi Haninah was a big advocate for belief in HaKadosh Baruch Hu governing His world with justice and strict judgment, in particular His *tzaddikim*. It is no wonder that he also believed G-d's seal was "truth"

Yoma 69a

אמר רב חנינא: שָׁמַע מִיָּנָה חוֹתְמוֹ שֶׁל הַקָּדוֹשׁ בְּרוּךְ הוּא "אֱמֶת":

"Rabbi Haninah said, learn from this that the seal of HaKadosh Baruch Hu is 'truth'"

244 Yalkut Shimoni on Torah Remez 764.

244 Yalkut Shimoni on Torah Remez 764.

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Malbim Bemidbar 20:13 d"heima mei merivah

וע"כ נענש גם אהרן, כי מ"ש ודברתם אל הסלע היה הצווי גם לאהרן ואם היה אהרן דובר אל הסלע היה ג"כ מוציא המים ע"י דבור לבד, והיה מונע את הריב שרבו ב"י אח"כ את ה' ואמרו שלא היה נס כלל:

Because of this Aharon was also punished, as it says: 'You shall speak to the rock'. This command was also given to Aharon, and if Aharon had spoken to the rock it would have also given forth water through speech alone. This would have prevented the fight that Bnai Yisrael then had with Hashem afterwards when they said "there was no miracle at all

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While the story of Rabbi Haninah includes a third family member - his daughter - and the story of Meir Merivah has no additional character, perhaps the fact that Meir Merivah occurred on the heels of Miriam's death - as explained in **Note 95** - lends itself to drawing a parallel between Miriam and Rabbi Haninah's daughter. Although Miriam is unanimously described by the midrashim as righteous and there is no hint of here engaging in any promiscuous behavior, there is an obvious parallel between the "touch" of sin that Rabbi Haninah's daughter was guilty of with the flirtatious officers of Rome, and the "touch" of sin that Miriam exhibited when speaking *lashon hara* about Moshe and his marital status. Both involved normalizing and even encouraging gossip and scandalous talk, both revolved around the sexual relationship between men and women, and both .furthered - each in their own distinct way - the degradation of the purity and holiness of Jewish behavior

Additionally Moshe and Aharon were excessively punished for their "touch" of sin by being condemned to die in the wilderness. Although Miriam is stricken with *tzara'at* by HaKadosh Baruch Hu as a direct consequence of her *lashon hara*, perhaps her death in the desert, which also occurred in the fortieth year and goes entirely unexplained by the Torah, was similarly G-d judging His righteous ones extremely strictly; perhaps Miriam's *lashon hara* was punished immediately but also prevented her being allowed to enter Eretz Yisrael. **Chapter III**

הר הר - **Hor HaHar**

Chapter III: Hor HaHar

General Introduction

הר ההר

משה ♦ אהרן ♦ אלעזר

גרשום ♦ צפורה ♦ מרים

Hor HaHar - הר ההר

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General Introduction

וַיֹּאמֶר ה' אֶל מֹשֶׁה וְאֶל אַהֲרֹן בְּהַר הָהָר עַל גְּבוּל אֶרֶץ אֱדוֹם לֵאמֹר: יֵאָסֹף אַהֲרֹן אֶל עַמּוּי כִּי לֹא יָבֹא אֶל הָאָרֶץ אֲשֶׁר נָתַתִּי לִבְנֵי יִשְׂרָאֵל עַל אֲשֶׁר מָרִיתֶם אֶת פִּי לִמִּי מְרִיבָה: קַח אֶת אַהֲרֹן וְאֶת אֶלְעָזָר בְּנֹו וְהַעֲלֵם אֹתָם הָר הָהָר: וְהַפְשַׁט אֶת אַהֲרֹן אֶת בְּגָדָיו וְהַלְבַּשְׁתָּם אֶת אֶלְעָזָר בְּנֹו וְאַהֲרֹן יָאָסֹף וַיָּמָת שָׁם: וַיַּעַשׂ מֹשֶׁה כַּאֲשֶׁר צִוָּה ה' וַיַּעֲלֵם אֶל הָר הָהָר לְעֵינֵי כָל הָעֵדָה: וַיַּפְשֹׁט מֹשֶׁה אֶת אַהֲרֹן אֶת בְּגָדָיו וַיַּלְבִּשׁ אֹתָם אֶת אֶלְעָזָר בְּנֹו וַיָּמָת אַהֲרֹן שָׁם בְּרֹאשׁ הָהָר וַיֵּרֶד מֹשֶׁה וְאֶלְעָזָר מִן הָהָר: וַיֵּרְאוּ כָל הָעֵדָה כִּי גָנַע אַהֲרֹן וַיָּבֹאוּ אֶת אַהֲרֹן שְׁלֹשִׁים יוֹם כָּל בֵּית יִשְׂרָאֵל: (במדבר כ: כג-כט)

"Hashem said to Moshe and Aharon at Hor HaHar, at the border of the land of Edom, as follows: Aharon shall be gathered unto his people, for he shall not come to the land which I have given to Bnai Yisrael, because you both rebelled against My word at Mei Merivah. Take Aharon and his son Elazar, and bring them up to Hor HaHar. Strip Aharon of his clothes, and dress his son Elazar in them; then Aharon shall be gathered in and die there. Moshe did as Hashem commanded, and they ascended Hor HaHar before the entire congregation. Moshe stripped Aharon of his clothes, and dressed his son Elazar in them. Aharon died there at the top of the mountain, and Moshe and Elazar came down from the mountain. The whole congregation saw that Aharon had passed away, and the whole house of Yisrael cried for Aharon for thirty days." (Bemidbar 20: 23-29)

After many years of trials and tribulations, the moment has finally arrived: destiny awaits, impatiently itching to burst through the doorway and leave behind the unfolding Divine drama holding it at bay for four centuries. The voice of His beloved calls out: "Behold! The time for redemption has arrived."²⁴⁷ And yet, even as history reaches the actualization of a promise made many generations ago, affairs must first be put in order: Aharon and Moshe will die before the people are permitted passage into Eretz Canaan.

Jews have wrestled with the story of *Mei Merivah* for thousands of years, and it remains as obstinate as ever in its inscrutability. Yet the shadow of Moshe and Aharons' punishment looms so large that it often obscures an important detail of that punishment which deserves an additional level of scrutiny. For Moshe is not merely prohibited from experiencing firsthand the flowering of his life's mission; he must accompany his brother Aharon to his death at HaKadosh Barch Hu's command²⁴⁸, and inaugurate his nephew Elazar with the enormous responsibilities of *Kohen Gadol*.

Several questions arise while reading these pesukim. Why did Moshe have to personally witness and endure such a heart-wrenching experience? Surely the burial could have taken place without Moshe's presence.^{^249^} Furthermore, there is a difference in the implication of dying outside of Eretz Canaan for Moshe and Aharon: Moshe's children did not follow in his footsteps, and as such his death signifies the end of his leadership, while Aharon's death as simply the first of many *Kohanei Gadol* is merely the beginning of his. Why would HaKadosh Baruch Hu insist on Moshe overseeing the successful passage of Aharon's mantle to his offspring, something Moshe himself was unable to do? And finally, we are told that Moshe faithfully does as he is commanded^{^250^}, but the pesukim are silent otherwise. Surely administering to Aharon's death and staring his older brother's legacy in the face, all while grappling with the knowledge of his own imminent demise, should provoke some kind of reaction. How did Moshe feel while carrying out HaKadosh Baruch Hu's Divine command?^{^251^}

One way to interpret Moshe's role in the Hor HaHar ceremony is to argue that his presence was needed for technical reasons: Aharon could not formally have the role of *Kohen Gadol* divested from him unless it was done by the deputy *Kohen Gadol*, namely Moshe^{^252^}. Alternatively, Moshe's purpose was to provide comfort to Aharon, who would naturally compare his life to his brother's and take solace in how blessed he is to have children that will wear his crown^{^253^}.

Another school of midrashic thought is bothered by the conspicuous absence of a reaction on the part of Moshe. There are various accounts of Moshe's emotional turmoil, some elaborating more than others on the depths of his anguish and despair at losing his brother and having to be the one to bear the terrible news. This is especially true of the later aggadic works, where this theme gets particularly extensive treatment. Such traditions poignantly describing Moshe bursting into tears, consumed by anguish at having to carry such a heavy burden, and at him now being all alone without family to bury or honor him.

These later midrashim all have a common thread running through them - that of Moshe being overwhelmed with emotion at the death of Aharon - yet they each present that reaction at different points throughout the narrative. Midrash Petirat Aharon^{^254^} describes Moshe as breaking down immediately after receiving the command from G-d to accompany Aharon up the mountain; Yalkut Shimoni^{^255^} records it once Moshe sees Aharon's death and the honor

he was afforded; and Targum Yerushalmi²⁵⁶ has Moshe publicly displaying signs of mourning upon his descent from the mountain.

It is possible that each of these traditions has a slightly different focus in mind which motivates their chronological placement of Moshe's distress. For Midrash Petirat Aharon, Moshe's reaction is *visceral* - the news immediately triggers an intense emotional response. For Yalkut Shimoni, Moshe's reaction is *visual* - it is only upon seeing Aharon's bier that Moshe truly internalizes the horror of what has transpired, refusing to accept it beforehand even if he knew that G-d's decree would inevitably come to pass. And for Targum Yerushalmi, Moshe's mourning is on full display before the people, portraying Moshe's mourning less in a deeply personal and psychological light and more as a public show of leadership and meeting the communal expectation.

After 40 years of leadership, Moshe well understood the challenge inherent in navigating his personal desires while anticipating what was best for Bnai Yisrael. By inferring that Moshe showed a public display of mourning - which then led the people to cry over Aharon on their own accord - Targum Yerushalmi reveals to us a brilliant calculation on Moshe's part. Moshe knew from previous experience that the people were inclined not to believe in something that they couldn't see with their own eyes. He therefore needed a way to demonstrate that Aharon had died while not provoking the ire of those among the people who were bound to rise against him. Perhaps Moshe reasoned as follows: if I do not show any public display of mourning and only remember Aharon privately, the people will suspect that I had a hand in his death, which will lead to their hating me and not giving Aharon the respect he deserves. If, however, I demand from them to mourn him - as is customary when a national leader passes away - that too may raise their ire against me. The least dangerous course of action left to me is that I will myself show the people how distraught I am over his death, and pray that my genuine display will move them to grieve Aharon's death as well.

Yet another midrashic line of inquiry is focused on sharpening the reaction of Bnai Yisrael to Aharon's death, and it describes Moshe publicly mourning with rent garments and covered in ashes. This explanation - namely, that Moshe acted as an eyewitness - also aims to address a linguistic difficulty. The Torah informs us that "*the entire congregation saw that Aharon had died*" (*Bemidbar 20:29*), yet how can they have seen Aharon had died if his burial had occurred in a cave on top of the mountain? According to this approach the people did not "see" in the physical sense that Aharon had died but rather understood it intellectually: Aharon

had gone up with Moshe and Elazar but not come back down, and Moshe was distraught and publicly showing signs of grief and mourning; the nation believed Moshe's show of anguish and did not question Aharon had died.^{^257^} Other midrashim, however, do interpret "see" here in the literal sense and argue instead that the people did not believe Moshe's show of grief, accusing him of having ulterior motives instead, even perhaps having Aharon killed over a personal matter. HaKadosh Baruch Hu had to perform a miracle and suspend Aharon's coffin in the air above the people to dispel any further doubts, and it was only then, with Aharon's dead corpse staring them in the face, were the people able to accept that he was truly dead.^{^258^}

In order to gain a fuller appreciation of the context surrounding Moshe and Aharon at Hor HaHar, it behooves us to investigate the complexity of Moshe's relationship with the rest of his immediate family, namely: his children Gershom and Eliezer, his wife Tzipporah, and his sister Miriam.^{^259^} Those relationships - each of which were fraught with challenges - will act as a foil for Moshe's bond with Aharon. We will rely on various aggadic approaches and insights to guide us along the way.

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Bemidbar Rabbah 15:12

קומי לך רענתי יפתי ולכי לך (שיר השירים ב, יג), שְׁהִרִי הַגִּיעַ קוֹץ הַגָּאֻלָּה:

Arise my love, my fair one, and come away' (Shir HaShirim 2:13). This should be interpreted as HaKadosh"
".Baruch Hu saying to Knesset Yisrael Behold! The time for redemption has arrived

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Bava Batra 17a

ששה לא שלט בהן מלאך המות ואלו הן אברהם יצחק ויעקב משה אהרן ומרים דכתיב בהו בכל מכל כל משה אהרן ומרים דכתיב בהו על פי ה' והא מרים לא כתיב בה על פי ה' אמר רבי אלעזר מרים נמי בנשיקה מתה דאתיא שם שם ממש ומפני מה לא נאמר בה על פי ה' שגנאי הדבר לומר:

The Rabbis taught: There were six who the Angel of Death had no control over; and they are: Avraham,"
Yitzhak, Yaakov, Moshe, Aharon and Miriam. Avraham, Yitzhak and Yaakov, as it says regarding them: 'with
everything', 'from everything', 'everything'. Moshe, Aharon and Miriam, as it says regarding them: 'with the
mouth of Hashem'. But it doesn't say 'with the mouth of Hashem' regarding Miriam? Rabbi Elazar said, Miriam
also died with a kiss, which we derive from a gezeirah shavah between 'there' by Miriam and 'there' by Moshe.
So then why doesn't it say 'with the mouth of Hashem' regarding her? Because it would be inappropriate to
"mention kissing a woman

Kitzur Ba'al HaTurim Bemidbar 20:28 d"v vayamot

וימת אהרן שם בגי' מלמד כי מת בנשיקה:

'Aharon died there. In Gematria this equals 1,052 which also equals 'this teaches that he died with a kiss'

The second phrase actually equals 1,051 here. Kitzur Ba'al HaTurim regularly employs the principle known as
'Im HaKollel' which allows the sums to be off by one and still be considered equal to each other

249 Moshe's own death was not witnessed by any other human being, and G-d Himself attended to his burial (Devarim 34:5-6). Theoretically Aharon could have also died and been buried in a similar fashion.

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The text informs us that Moshe did as Hashem commanded, and the midrash adds that he did not hesitate despite the difficulty involved

Bemidbar 20:27

וַיַּעַשׂ מֹשֶׁה כְּאֲשֶׁר צִוָּה יְהוָה וַיַּעֲלוּ אֵל הַר הַהָרִי לְעֵינֵי כָל הָעֵדָה:

Moshe did as Hashem commanded him, and Moshe, Aharon and Elazar went up to Hor HaHar in sight of the "entire congregation

Bemidbar Rabbah 19:19

(במדבר כ, כז): וַיַּעַשׂ מֹשֶׁה כְּאֲשֶׁר צִוָּה ה', לְלַמֶּדֶךָ נִשְׁאָף עַל פִּי שְׂאֵמֶר לוֹ גִּזְרָה רָעָה עַל אַהֲרֹן, לֹא עָכַב:

*Moshe did as Hashem commanded him' (Bemidbar 20:27). This teaches you that even though HaKadosh'"
".Baruch Hu said to Moshe a harsh decree regarding Aharon, Moshe did not delay in performing it*

251 The Torah records that the entire nation wept for Aharon for thirty days (Bemidbar 20:29). While we can assume that Moshe was included in that broader, national mourning, we would still expect some hint of an additional, personal response.

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Sifra Tzav Mechilta DeMilu'im 6

"ויתן עליו את הכתנת ויהגר אתו באבנט" -- מלמד שנעשה משה סגן הכהנים לאהרן, והוא היה מפשיטו והוא היה מלבישו. וכשם שנעשה לו סגן בחייו כך נעשה לו סגן במותו שנאמר (במדבר כ, כה-כו) 'קח את אלעזר בנו... והפשט את אהרן את בגדיו'. ומנין שעשה משה כן? שנאמר (במדבר כ, כז) "ויעש משה כאשר צוה ה' ויעלו אל הר ההר":

*Moshe placed the tunic on Aharon and dressed him with the girdle' (Vayikra 8:7). This teaches that Moshe was'"
Sgan Kohen Gadol i.e. second in command to Aharon, and Moshe would strip him and dress him in his regular service. And just as he was his deputy in life, so too he was his deputy in death, as it says: 'Take Elazar his son ... and strip Aharon of his clothes' (Bemidbar 20:25-26). And how do we know that Moshe did so? As it says:
".Moshe did as Hashem commanded, and they went up to Hor HaHar' (Bemidbar 20:27)*

This midrash provides a halachic, as opposed to an aggadic, explanation: Moshe's role was functional rather than emotional, and he was needed in order to continue the duties performed until that point. Note that Sifra as a work deals with halachic midrash; it only tangentially discusses aggadah, and even then it tends to stay close to a halachic interpretation as this example shows.

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Bemidbar Rabbah 19:19

קח את אהרן, והפשט (במדבר כ, כה כו), אמר לו הקדוש ברוך הוא הרי את מנחמו נשוא מוריש פתרו לבניו מה שאין אתה מוריש לבניך:

Take Aharon ... and strip Aharon' (Bemidbar 20:25,26). HaKadosh Baruch Hu said to Moshe: You shall" comfort Aharon, since he is passing his crown to his children, while you are not passing your crown to your children."

See previous note. This explanation does not contradict that given by the Sifra; indeed, the two can even be seen as complementary. Nevertheless its approach is unquestionably aggadic rather than halachic in nature

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Midrash Petirat Aharon 2-3

ואז"ל כשגזר הקב"ה שימותו משה ואהרן קרא למשה ע"ה ואמר לו כן: עבדי משה בכל ביתי היית נאמן (במדבר יב, ז), דבר גדול יש לי לומר לך וקשה לי לעשות. א"ל משה מה הדבר? א"ל הקב"ה שיאסף אהרן אל עמיו, כי לא יבא אל הארץ אשר נתתי לבני ישראל על אשר מרייתם את פי ה' בימי מריבה (במדבר כ, כד). א"ל משה רבש"ע גלוי וידוע לפני כסא כבודך כי אתה אדון כל העולם ואדון על בריותיך שבראת בעולם הזה ובידך הם ובידך לעשות להם כל מה שברצונך, אבל אינו ראוי לי שאלך אחי לומר לו זה הדבר. כי אחי גדול ממני הוא ואיך אדבר לו עלה אל הר ההר ושם תמות ... כששמע משה זה הדבר היה זועף בלבו מאד ולא היה יודע מה לעשות ובכה בכיה גדולה עד מאד, והגיע לו מיתתו (עד מות) על מות אהרן אחיו ...

א"ל משה ועתה הלואי תהי מיתתי כמיתתך, שאתה מת ואני קוברך, ובשעה שאמות אני אין לי אח שיקברני, ואתה מת ובניך יורשים מקומך ואני מת ואחרים יורשים כבודי. ופייסו בדברים ועלה אהרן למסתו וקבל הקב"ה נשמתו:

The Rabbis said, when HaKadosh Baruch Hu decreed that Moshe and Aharon were to die, He called to Moshe" and said to him: 'Moshe my servant is the most trusted in My household' (Bemidbar 12:7) - I have a great thing to say but it is difficult for Me to do. Moshe said to Him: What is it? HaKadosh Baruch Hu said to him: 'Aharon shall be gathered unto his people, for he shall not come to the land which I have given to Bnai Yisrael, because you both rebelled against My word at Mei Merivah' (Bemidbar 20:24). Moshe said to Him: Master of the Universe, it is revealed and known before Your throne of glory, for You are Master of the whole world and over all of Your creations that You created in this world, that they are in Your hands and it is in Your hands to do with them whatever You choose, but it is not proper for me to go to my brother and say this thing. For he is my older greater brother; how can I tell him: Ascend to Hor HaHar, for there you shall die? ... When Moshe heard this thing he was deeply troubled in his heart, and he did not know what to do, and he cried an exceedingly great cry, ... to the point of his own death, regarding the death of his brother Aharon

Moshe said to Aharon: Now, if only my death could be like your death, for when you die I will bury you, but when I die I will not have a brother to bury me; when you die, your sons will inherit your place, but when I die others will inherit my honor. Moshe appeased Aharon with words, and Aharon went up onto the bed, and "HaKadosh Baruch Hu took his soul

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Yalkut Shimoni on Torah Remez 787

וכיון שראה משה כבודו ושבחו של אהרן שמטתו נתונה ברומו של עולם והקב"ה ומלאכי השרת מקיפין אותו וקשרו עליו מספד גדול, מיד היה יושב ובוכה, אמר אוי לי שנותרתי לבדי. כשמתה מרים לא בא אחד מישראל אצלנו אלא אני ואהרן ובניו ועמדנו לפני מטתה ובכינו עליה וספדנוה וקברנוה. כשמת אהרן נתעסקתי אני ובנו ועמדנו לפני מטתו, אני מה תהא עלי מי יעמוד עלי בשעת מיתה לא אב ולא בן ולא אח ולא אחות מי יבכה עלי, באותה שעה השיבו הקב"ה א"ל אל תירא הריני עומד בעצמי וקוברך בכבוד גדול שנאמר ויקבר אותו בגי (דברים לד:ו) ... מיד נתישבה דעתו של משה:

When Moshe saw the honor and praise that Aharon received - that his bier was placed at the height of the world, and HaKadosh Baruch Hu and the angels surrounded him and eulogized him greatly - he immediately sat and cried, and said: Woe is me that I am left alone. When Miriam died, no one from Yisrael came to us save for me, Aharon and his sons. We stood before her bier and cried over her, and eulogized her and buried her. When Aharon died, his sons and I dealt with him and stood before his bier. What will be for me, who will stand over me at the hour of death? I don't have a father or a son or a brother or a sister left - who will cry over me? At that time HaKadosh Baruch Hu answered him and said: Do not be afraid, for I Myself will stand over you and bury you with great honor, as it says: 'He buried him in the valley' (Devarim 34:6) ... and Moshe was appeased

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Targum Yerushalmi Bemidbar 20:29; Chizkuni Bemidbar 20:29 d"h vayir'u kol ha'eidah

וְחִמּוֹן כָּל עַמָּא דְּכְנִישְׁתָּא מִשֶּׁה נְחִית מִן רִישׁ טוֹרָא מֵאֲנֹי בְּזִיעִין וְקִיטְמָא בְּרִישֵׁיהּ וְהָיָה בְּכִי וְאָמַר וְיִי לִי עָלָה אֶהְרֹן אֲחִי עֲמוּד צְלוֹתָהוֹן דְּבְנֵי יִשְׂרָאֵל דְּהָוִיתָא מְכַפֵּר עֲלֵיהוֹן חַד זְמַן בְּכָל שָׁנָא בְּהַ שְׁעִתָּא הֵימִינוֹן בְּנֵי יִשְׂרָאֵל אַרוּם מִית אֶהְרֹן וּבְכֹון יֵת אֶהְרֹן תְּלִיתִין יוֹמִין כָּל כְּנִישְׁתָּא דְּבְנֵי יִשְׂרָאֵל:

And the entire congregation saw Moshe come down from the height of the mountain, with his garments torn and ash upon his head, and he was crying and saying: Woe to me, for you my brother Aharon! The pillar of the prayers of Bnai Yisrael, who made atonement for them every year on Yom Kippur. At that time Bnai Israel believed that Aharon was dead, and the entire congregation of Bnai Israel cried for Aharon for thirty days

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Pirkei DeRabbi Eliezer 17

כשעלו להור ההר היו נדונים כל שבטי ישראל ואומרים משה ואלעזר הניחו אהרן בהר ההר וירדו להם ולא האמינו כי גוע אהרן וגמלו לו חסד מה עשה הב"ה נטל ארונו של אהרן והעביר מעל מחנה ישראל וראו כל ישראל את ארונו טס ופורה באויר והאמינו כי גוע אהרן, וגמלו לו חסד האנשים והנשים והטף. למה, שהיה אהרן רודף שלום ואוהב שלום ועובר על מחנה ישראל בכל יום ונותן שלום בין איש לאשתו ובין אדם לחבירו לפי גמלו לו חסד שני ויבכו את אהרן שלשים יום כל בית ישראל:

When they ascended to Hor HaHar all the tribes of Yisrael were judging and saying: Moshe and Elazar left Aharon on Hor HaHar and came down by themselves. They did not believe that Aharon had died. What did HaKadosh Baruch Hu do? He took Aharon's coffin and passed it over the camp of Yisrael, and all of Yisrael saw Aharon's coffin flying in the air and they believed that Aharon had died, and the men, women and children performed kindness towards him. Why? Because Aharon pursued peace and loved peace, and used to pass through the camp of Yisrael every day and make peace between man and wife, and man and his fellow. This is why they did kindness to him, as it says: 'The entire house of Yisrael cried for Aharon for thirty days' (Bemidbar 20:29)

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Sifre Nitzavim 305

באותה שעה היו ישראל נפוצים וערומים מכל מצוה טובה, נתקבצו כולם אצל משה ואמרו לו, היכן אהרן אחיך? אמר להם, א-לקים גזו לחיי עולם, ולא היו מאמינים בו. אמרו לו, יודעים אנו כך אכזרי אתה, שמא אמר לפניך דבר שאינו הגון וקנסתה עליו מיתה. מה עשה הקב"ה, נטל מיטתו של אהרן ותלאה בשמי שמים והיה הקב"ה מספיד עליו ומלאכי השרת עונים אחריו. ומה היו אומרים? (זה הפסוק) תורת אמת הייתה בפיהו ועולה לא נמצא בשפתיו בשלום ובמישור הלך אתי ורבים השיב מעון (מלאכי ב, 1):

At that time all of Yisrael were spread out and naked from any good. They gathered before Moshe and said to him: Where is Aharon, your brother? He said to them: G-d hid him away in eternal life. They did not believe him. They said to him: We know that you are cruel; perhaps he said something before you that you did not think appropriate and you condemned him to death. What did HaKadosh Baruch Hu do? He took Aharon's bier and hung it in the heavens, and HaKadosh Baruch Hu eulogized over Aharon and the angels answered after Him. What did they say? 'A Torah of truth was in his mouth, and crookedness was never found in his lips; in peace and uprightness he walked with Me, and he returned many from sin' (Malachi 2:6)

Beyond addressing the linguistic difficulty of "seeing" here, this midrash is also noticing an important thematic parallel. The previous generation "saw" that Moshe had not come down from Har Sinai as expected, and aggressively accosted Aharon with disastrous results (Shmot 32:1-6). Here again the people see that someone did not come down from a mountain, though this time the roles are reversed: it is Aharon who went up and never returned while Moshe received the ire of the people. Also, just as the "seeing" of Aharon is taken here to mean a literal seeing of Aharon's death, the Talmud similarly understands that Bnai Yisrael saw Moshe's bier. The difference is that while Aharon had actually died and his body was suspended miraculously by G-d, by the Golden Calf an illusion of Moshe's body was conjured up by Satan in an attempt to confuse the people

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HaKadosh Baruch Hu is - as it were, *keveyachol* - can also be considered family to Moshe, indeed to every Jew, for the following reason: The Talmud teaches that HaKadosh Baruch Hu is a partner in the creation of man along with his father and mother, and as such can be considered a parent to every person

Kiddushin 30b

תנו רבנן שלשה שותפים הן באדם הקדוש ברוך הוא ואביו ואמו בזמן שאדם מכבד את אביו ואמו אמר הקדוש ברוך הוא מעלה אני עליהם כאילו דרתי ביניהם וכבודני:

The Rabbis taught: There are three partners in the creation of man: HaKadosh Baruch Hu who provides the soul, his father and his mother. When a man honors his father and his mother, HaKadosh Baruch Hu says: I ascribe credit to them as if I lived among them and they honor Me as well

Additionally, Bnai Yisrael as a whole are also described by the Torah as "the children of Hashem", though under what circumstances this moniker applies is subject to debate

Sifre Re'eh 96

בנים אתם לה' אלהיכם בזמן שאתם נוהגים מנהג בנים אתם קרוים בנים אין אתם קרוים בנים דברי רבי יהודה רבי מאיר אומר בין כך ובין כך אתם קרוים בנים:

You are children of Hashem your G-d' (Devarim 14:1). Rabbi Yehudah says: When you act like loyal children" you are called children, but when you do not act like loyal children you are not called children. Rabbi Meir says: "either way you are called children

:A later midrash reframes this Tannaitic discussion as a dispute between the prophets and HaKadosh Baruch Hu

Shmot Rabbah 46:4

כיון שראו בני ישראל עצמן בצרה התחילו מבקשים מהנביאים שיבקשו עליהם רחמים מן הקדוש ברוך הוא, התחילו מבקשים עליהם רחמים, שנאמר (יואל ב, יז): חוסה ה' על עמו, אמר הקדוש ברוך הוא על מי אתם מבקשים, אמרו לו על בנך. אמר להם, אינן בנך, אם עושין רצוני הם בנך ואם לאו אינן בנך ... אמרו הנביאים להקדוש ברוך הוא, הרי אתה אומר שאינן בנך ובפניהם הם נפרים, שנאמר (ישעיה סא, ט): כל ראייהם יכירום כי הם זרע ברך ה', מה זרכו של אב שמרחם על בנך אף על פי שסרחו, כך אתה צריך לרחם עליהם, הרי: ועתה ה' אבינו אתה. וכן אתה מוצא כשעשו העגל כעס עליהם הקדוש ברוך הוא, בא משה לרצותו וקרא אותם אינן עמי, שנאמר (שמות לב, ז): כי שחת עמך, והכשיתן הקדוש ברוך הוא, שנאמר (שמות לג, ו): ויתנצלו בנך ישראל את עדים מהר חורב, אמר משה עמך הם ואי אתה יכול לכפר בהם, שנאמר (שמות לב, יא): למה ה' יחרה אפך בעמך, התרצה להם שהם בנך. מיד נתרצה להם, שנאמר (שמות לב, יד): וינחם ה', והראה למשה שנתרצה להם שהחזיר להם הדברות, שנאמר: פסל לך:

When Bnai Yisrael saw themselves in a state of distress, they began to ask the prophets to ask for mercy on their" behalf from HaKadosh Baruch Hu. The prophets began to ask for mercy on their behalf, as it says: 'Have mercy, Hashem, on your nation' (Yoel 2:17). HaKadosh Baruch Hu said: for whom are you asking? They said to him: for Your sons. He said to them: They are not My sons, for when they do My will they are My sons but if not they are not My sons ... The prophets said to HaKadosh Baruch Hu: You say they are not Your sons but they are recognized as such, as it says: 'Whoever sees them recognizes them as the offspring that Hashem blessed' (Yishayahu 61:9). Just as a father has mercy on his sons even if they went astray, so too You must have mercy on

them, as it says: 'Now Hashem, You are our father. Similarly you find that when Bnai Yisrael made the calf HaKadosh Baruch Hu got angry at them, Moshe came to appease Him and He called them not My nation, as it says: 'Your i.e. Moshe's nation has corrupted' (Shmot 32:7), and HaKadosh Baruch Hu stripped them, as it says: 'Bnai Yisrael were emptied of their crowns at Har Horev' (Shmot 33:6). Moshe said: They are Your nation and you cannot reject them, as it says: 'Why, Hashem, let Your anger burn at Your nation' (Shmot 32:11) - forgive them, for they are Your children. HaKadosh Baruch Hu was appeased, as it says: 'Hashem repented' (Shmot 32:14), and He showed Moshe that He had been appeased regarding them in that He returned the tablets to ".them, as it says: 'Carve for you Moshe' (Shmot 34:1)

While HaKadosh Baruch Hu initially declares that Bnai Yisrael are his children only when they are loyal to Him, Moshe convinces Him that parents love their children unconditionally, and even the wayward child, no matter .how far he has strayed, must still be considered family

Part 1: Gershom & Eliezer

Introduction

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Introduction

Moshe's desperate plea at Hor HaHar conveys a sense of ultimate despair at having no family left to care for him at death:

אני מה תהא עלי מי יעמוד עלי בשעת מיתה לא אב ולא בן ולא אח ולא אחות מי יבכה עלי: ²⁵⁴

"What will be for me, who will stand over me at the hour of death? I don't have a father or a son or a brother or a sister left - who will cry over me?" ²⁵⁴

Most of this declaration is factually correct beyond any shadow of a doubt. We are told that Moshe's father Amram was 137 years old when he passed away ²⁶⁰, Miriam had already died before Bnai Yisrael reached Hor HaHar, and other than Aharon and Miriam Moshe had no other siblings. But why is Moshe lamenting that he does not have a son? After all, not one but two sons were born to Moshe:

וַיִּשְׁמַע יְהוָה כִּלְוֹן מִדִּין חֲתָן מֹשֶׁה אֶת כָּל אֲשֶׁר עָשָׂה אֱלֹהִים לְמֹשֶׁה וּלְיִשְׂרָאֵל עַמּוֹ כִּי הוֹצִיא יְהוָה אֶת יִשְׂרָאֵל מִמִּצְרָיִם:
וַיִּקַּח יְהוָה חֲתָן מֹשֶׁה אֶת צִפּוֹרָה אֵשֶׁת מֹשֶׁה אַחֵר שְׁלֹחִיָּהּ: וְאֵת שְׁנֵי בָנָיָהּ אֲשֶׁר נָשָׂם הָאֱחָד גֵּרְשֹׁם כִּי אָמַר גֵּר הָיִיתִי

בְּאַרְצָן נִכְרִיָּה: וְשֵׁם הָאָחִיד אֱלִיעֶזֶר כִּי אֱלֹהֵי אָבִי בְּעֶזְרִי וַיַּצִּלְנִי מִתְּרֵב פְּרָעֹה: ^261^

"Yitro, the priest of Midian, the father-in-law of Moshe, heard about what G-d did for Moshe and His nation Yisrael, that Hashem took Yisrael out of Mitzrayim. Yitro, the father-in-law of Moshe, took Tzipporah, Moshe's wife, after she had been sent away. And her two sons: One was named Gershom, for Moshe said 'I was a stranger in a foreign land', and the other was named Eliezer, for 'the G-d of my father assisted me and saved me from the sword of Pharaoh.'" ^261^

The Torah is laconic in its treatment of Moshe's children, and this brief description is the last time Gershom and Eliezer are mentioned. We know they do not merit to inherit the mantle of their illustrious father, for it is Yehoshua who leads the people into Eretz Canaan. Why are Gershom and Eliezer not considered as Moshe contemplates the future leadership of Bnai Yisrael? Did Moshe perhaps desire one of them to take over after his death?

The midrash is troubled by this question and notes an interesting juxtaposition between the story of Tzelophchad's daughters and the appointment of Yehoshua as Moshe's successor:

יִפְקֹד ה'. מָה רָאָה לְבַקֵּשׁ הַצִּדֵּק הַזֶּה אַחֵר סֵדֶר נִחְלֹת. אֵלָּא פִּיּוֹן שְׂיִרְשׁוֹ בְּנוֹת צִלְפָּחַד בְּנִכְסֵי אֲבֵיהֶם, אָמַר מֹשֶׁה, הֲרִי הַשְׁעָה שְׂאֵתִיבֶע צָרָכִי. אִם הַבְּנוֹת יִוָּרְשׁוּ, בְּדִין הוּא שְׂיִרְשׁוֹ בְּנֵי אֶת כְּבוֹדִי. אָמַר לוֹ הַקְדוֹשׁ בְּרוּךְ הוּא לְמֹשֶׁה, נִוְצָר תֵּאֲנֶה יֹאכֵל פְּרִיָּה (משלי כז, יח). בְּנִיָּה, יֵשְׁבוּ לָהֶם וְלֹא עֲסֻקוֹ בַּתּוֹרָה. יְהוֹשֻׁעַ שְׂשֻׁמְשֻׁק בְּדָאִי הוּא שְׂשֻׁמְשֻׁק אֶת יִשְׂרָאֵל, שְׂאִינוּ מֵאֲבִד אֶת שְׁכָרוֹ, שְׂנֵאָמַר: קַח לָהּ אֶת יְהוֹשֻׁעַ בֶּן נֹון: ^262^

"May Hashem appoint a leader over the people' (Bemidbar 27:16). Why did Moshe request this after the laws of inheritance? Because once he saw that the daughters of Tzelophchad would inherit the possessions of their father, Moshe said: This is the time to plead my case. If the daughters inherit, then surely my sons should inherit my honor and assume the mantle of leadership. HaKadosh Baruch Hu said to Moshe: 'He who tends to his fig tree will eat its fruit' (Mishlei 27:18). Your sons sat idly and did not learn Torah. Yehoshua who served you - it is proper that he should serve Yisrael as their leader so that his reward does not get lost, as it says: 'Take Yehoshua Bin Nun' (Bemidbar 27:18)." ^262^

Moshe desperately wanted his sons to carry on his legacy and lead Bnai Yisrael after his death. He saw in the Divine ruling permitting daughters without brothers to inherit their fathers' land a precedent, an opportunity to audaciously ask HaKadosh Baruch Hu to similarly ensure his dynastic continuity. To Moshe's dismay, however, HaKadosh Baruch Hu refuses,

explaining that his position of national leadership cannot be compared to the question of estate inheritance. There is a crucial difference between property - which passes through the generations as determined by the laws of filial succession - and spiritual greatness: in order to inherit that title, a person's children must continue in his footsteps. Gershom and Eliezer, claims the midrash, had strayed from a Torah observant path, but the midrash goes one step further: just as a tree which was not well tended will not bear fruit, so too the blame for Moshe's children not being involved in Torah lies squarely at his own feet. What led the midrash to conclude that Moshe - the greatest prophet who ever lived - had not done enough to *"tend to his fruit"*?

Midrash Petirat Aharon 2-3

ואז"ל כשגזר הקב"ה שימותו משה ואהרן קרא למשה ע"ה ואמר לו כן: עבדי משה בכל ביתי היית נאמן (במדבר יב, ז), דבר גדול יש לי לומר לך וקשה לי לעשות. א"ל משה מה הדבר? א"ל הקב"ה שיאסף אהרן אל עמיו, כי לא יבא אל הארץ אשר נתתי לבני ישראל על אשר מריתם את פי ה' בימי מריבה (במדבר כ, כד). א"ל משה רבש"ע גלוי וידוע לפני כסא כבודך כי אתה אדון כל העולם ואדון על בריותיך שבראת בעולם הזה ובידך הם ובידך לעשות להם כל מה שברצונך, אבל אינו ראוי לי שאלך לאחי לומר לו זה הדבר. כי אחי גדול ממני הוא ואיך אדבר לו עלה אל הר ההר ושם תמות ... כששמע משה זה הדבר היה זועף בלבו מאד ולא היה יודע מה לעשות ובכה בכיה גדולה עד מאד, והגיע לו מיתתו (עד מות) על מות אהרן אחיו ...

א"ל משה ועתה הלואי תהי מיתתי כמיתתך, שאתה מת ואני קוברך, ובשעה שאמות אני אין לי אח שיקברני, ואתה מת ובניך יורשים מקומך ואני מת ואחרים יורשים כבודי. ופייסו בדברים ועלה אהרן למטתו וקבל הקב"ה נשמתו:

The Rabbis said, when HaKadosh Baruch Hu decreed that Moshe and Aharon were to die, He called to Moshe" and said to him: 'Moshe my servant is the most trusted in My household' (Bemidbar 12:7) - I have a great thing to say but it is difficult for Me to do. Moshe said to Him: What is it? HaKadosh Baruch Hu said to him: 'Aharon shall be gathered unto his people, for he shall not come to the land which I have given to Bnai Yisrael, because you both rebelled against My word at Mei Merivah' (Bemidbar 20:24). Moshe said to Him: Master of the Universe, it is revealed and known before Your throne of glory, for You are Master of the whole world and over all of Your creations that You created in this world, that they are in Your hands and it is in Your hands to do with them whatever You choose, but it is not proper for me to go to my brother and say this thing. For he is my older greater brother; how can I tell him: Ascend to Hor HaHar, for there you shall die? ... When Moshe heard this thing he was deeply troubled in his heart, and he did not know what to do, and he cried an exceedingly great cry, ... to the point of his own death, regarding the death of his brother Aharon

Moshe said to Aharon: Now, if only my death could be like your death, for when you die I will bury you, but when I die I will not have a brother to bury me; when you die, your sons will inherit your place, but when I die others will inherit my honor. Moshe appeased Aharon with words, and Aharon went up onto the bed, and ".HaKadosh Baruch Hu took his soul

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Shmot 6:20

וַיֵּלֶךְ עִמָּרָם אֶת יוֹכֶבֶד דְּדָתוֹ לֹא־שָׁה וַתֵּלֶד לּוֹ אֶת אַהֲרֹן וְאֶת מֹשֶׁה וַשִּׁנֵּי חַיֵּי עִמָּרָם שִׁבְעֵי וּשְׁלֹשִׁים וּמֵאֵת שָׁנָה:

"Amram took Yocheved his aunt as a wife, and she gave birth to Aharon and Moshe. Amram lived for 137 years"

Moshe himself was 119 years old at the time of Aharon's death. Therefore, the only way Amram could even theoretically still be alive at Hor HaHar is if Yocheved had given birth to Moshe when Amram was less than 18 years old ($18 + 119 = 137$). Aharon was three years older than Moshe (Shmot 7:7) and Miriam was even older than Aharon. Although the pesukim do not tell us by how much, one midrashic tradition assumes she was five when Moshe was born. If we assume Amram was alive when Moshe died, it follows that the oldest Amram could have possibly been when Miriam was born was a mere 11 years of age, such that he was 16 when Moshe was born and 136 when Moshe died.

Assuming Amram was so young is tenuous at best, yet in truth we know from elsewhere that Amram was no longer alive during the 40th year. The Talmud assumes that at some point Amram and Yaakov Avinu were both alive and their lives overlapped, implying that Amram must have died many years before Bnai Yisrael even left Egypt.

Bava Batra 121b

תָּנוּ רַבֵּנּוּ שִׁבְעָה קָפְלוּ אֶת כָּל הָעוֹלָם כּוּלּוּ מִתּוֹשְׁלָח רָאָה אָדָם שֶׁם רָאָה מִתּוֹשְׁלָח יַעֲקֹב רָאָה אֶת שֶׁם עִמָּרָם רָאָה אֶת יַעֲקֹב אַחֲזִיָּה הַשִּׁילּוֹנִי רָאָה אֶת עִמָּרָם אַלֵּיהֶוּ רָאָה אֶת אַחֲזִיָּה הַשִּׁילּוֹנִי וְעַדִּיין קָנִים וְאַחֲזִיָּה הַשִּׁילּוֹנִי רָאָה אֶת עִמָּרָם וְהָא קָתִיב וְלֹא נֹתַר מֵהֶם אִישׁ כִּי אִם כָּלֵב בֶּן יִפְתָּה וַיְהִי־שָׁע בֶּן נֹון (במדבר כו:סה) אָמַר רַב הַמְנוּנָא לֹא נִגְזַרָה גְזֵרָה עַל שְׁבִטוֹ שֶׁל לֹוי דְּכָתִיב בַּמִּדְבָּר הַזֶּה יָפְלוּ פְגָרֵיכֶם וְכָל פְּקֻדֵיכֶם לְכָל מִסְפָּרָכֶם מִבְּנֵי עֶשְׂרִים שָׁנָה וּמֵעֵלָּה מִי שְׁפָקוּדֵי מִבְּנֵי עֶשְׂרִים יָצָא שְׁבִטוֹ שֶׁל לֹוי שְׁפָקוּדֵי מִבְּנֵי שְׁלֹשִׁים:

The Rabbis taught: Seven people spanned the whole history of the world. Methuselah saw Adam, Shem saw Methuselah, Yaakov saw Shem, Amram saw Yaakov, Achiyah HaShiloni saw Amram, Eliyahu saw Achiyah HaShiloni, and Eliyahu is still alive. But did Achiyah HaShiloni see Amram? Is it not written: 'Not a man was left from them except for Kalev Ben Yefuneh and Yehoshua Bin Nun' (Bemidbar 26:65)? Rav Hamnuna said, this decree excluded the tribe of Levi, as it says: 'Your carcasses will fall in this wilderness, and all those who were counted among you, according to your whole number, from twenty years old and upward' (Bemidbar 14:29). This means to specify whoever has a count of twenty years old and upward, excluding the tribe of Levi whose count is thirty years old and upward

261 Shmot 18:1-4.

261 Shmot 18:1-4.

262 Tanchuma Yelamdenu Pinchas 11.

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Divine Encounter

To understand this, one needs to look at the first references made to Moshe's sons. After the episode of the burning bush, Shmot Perek 4 describes how HaKadosh Baruch Hu commands Moshe to leave Midian and return to Egypt, assuring him that the royal death sentence which had originally caused him to flee was no longer of any concern. After asking for and receiving permission from his father-in-law to leave Midian, Moshe takes his wife and two children and begins the arduous journey. Along the way they stop at a hotel, where they experience the following bizarre encounter:

וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה בְּמִדְיָן לֵךְ שָׁב מִצְרַיִם כִּי מָתוּ כָּל הָאֲנָשִׁים הַמְּבַקְשִׁים אֶת נַפְשְׁךָ: וַיֵּקַח מֹשֶׁה אֶת אִשְׁתּוֹ וְאֶת בָּנָיו וַיֵּרָכְבּוּ עַל הַחֲמֹר וַיָּשָׁב אֶרְצָה מִצְרַיִם וַיֵּקַח מֹשֶׁה אֶת מִטָּה הָאֱלֹהִים בְּיָדוֹ: וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה בְּלִקְתָּהּ לָשׁוּב מִצְרַיִמָּה רְאֵה כָּל הַמִּפְתִּימִים אֲשֶׁר שָׁמַתִּי בְּיָדְךָ וַעֲשִׂיתָם לִפְנֵי פֶרְעֹה וְאֲנִי אֲחַזְקֶנּוּ אֶת לְבָבוֹ וְלֹא יִשְׁלַח אֶת הָעָם: וְאָמַרְתָּ אֶל פֶּרְעֹה כֹּה אָמַר יְהוָה בְּנִי בְכֹרִי יִשְׂרָאֵל: וְאָמַר אֵלָיֶךָ שְׁלַח אֶת בְּנִי וַיַּעֲבֹדֵנִי וְתִמְאַן לִשְׁלַחוֹ הַנֶּה אֲנִכִּי הֲרֹג אֶת בְּנִי בְּכָרְךָ: וַיְהִי כַּדָּרָךְ בַּמָּלֶכֶת וַיִּפְגְּשׁוּהוּ יְהוָה וַיִּבְקֶשׁ הַמִּיתוֹ: וְתִקַּח צִפּוֹרָה צֶרֶךְ וּתְכָרֶת אֶת עֶרְלַת בְּנֶהּ וּתְנַגַּע לְרַגְלָיו וְתֹאמַר כִּי חָתַן דָּמִים אָתָּה לִי: וַיֵּרָף מִמֶּנּוּ אַזְ אָמְרָה חָתַן דָּמִים לְמוֹלֶת: וַיֹּאמֶר יְהוָה אֶל אֱהֲרֹן לֵךְ לִקְרֹאת מֹשֶׁה הַמִּדְבָּרָה וַיֵּלֶךְ וַיִּפְגְּשׁוּהוּ בַּהָר הָאֱלֹהִים וַיִּשָּׁק לוֹ: וַיִּגַּד מֹשֶׁה לְאֱהֲרֹן אֵת כָּל דִּבְרֵי יְהוָה אֲשֶׁר שְׁלָחוֹ וְאֵת כָּל הָאֵתֹת אֲשֶׁר צִוָּהוּ: ²⁶³

"Hashem said to Moshe in Midian: Return to Egypt, for all the people seeking your life are dead. Moshe took his wife and sons, mounted them on the donkey, and headed towards Egypt. Moshe also took the staff of G-d in his hand. Hashem said to Moshe: When you journey to return to Egypt see all of the miracles that I have placed in your hand and do them before Pharaoh. I will strengthen his heart and he will not send the nation free. Then you will say to Pharaoh: Thus says Hashem: Yisrael is my firstborn son. And I say to you: Send my son free so that he may worship me, for if you refuse to send him I shall kill your firstborn son. And it was on the way at the hotel that Hashem met him and sought to kill him. Tzipporah took a rock and cut off the foreskin of her son, touched his feet, and said: You are a bridegroom of blood to me. He left him alone, and then she said: A bridegroom of blood because of the circumcision. Hashem said to Aharon: Go meet Moshe in the desert. He went and met Moshe at the mountain of G-d and kissed him. Moshe told Aharon all the words that Hashem had committed to him, and all the signs that he had commanded him." ²⁶³

Many aspects of this esoteric episode cry out for midrashic explanation. We are told that Moshe is traveling with Tzipporah and both of their sons, but which of the two boys was circumcised? Who did Hashem seek to kill? Was it Hashem Himself, or one of His holy

emissaries? Whose foot did Tzipporah touch with the removed foreskin, and why? How did Tzipporah know that *brit milah* was the magic antidote to the danger her family was in? And does any of this have to do with the larger redemptive nature of their trip?

The Talmud sees in this story a proof text that highlights the importance of *brit milah*, as that is the only way to plausibly make sense of why Moshe's family was threatened so severely:

תנא רבי יהושע בן קרחה אומר גדולה מילה שכל זכויות שעשה משה רבינו לא עמדו לו כשנתרשל מן המילה שנאמר ויפגשוהו ה' ויבקש המיתו אומר רבי חס ושלום שמשה רבינו נתרשל מן המילה אלא כך אומר אמואל ואצא סכנה היא שנאמר ויהי ביום השלישי בהיותם כאבים וגו' אמואל ואשהא שלשה ימים הקדוש ברוך הוא אומר לי לך שב מצרים אלא מפני מה נענש משה מפני שנתעסק במלון תחלה שנאמר ויהי בדרך במלון.

רבן שמעון בן גמליאל אומר לא למשה רבינו בקש שטן להרוג אלא לאותו תינוק שנאמר כי חתן דמים אתה לי צא וראה מי קרוי חתן הרי אומר זה התינוק דרש רבי יהודה בר ביזנא בשעה שנתרשל משה רבינו מן המילה פאו אף וחימה ובלעוהו ולא שיירו ממנו אלא רגליו מיד ותקח צפרה צר ותכרת את ערלת בנה מיד ויגר ממנו: ²⁶⁴

"It was taught: Rabbi Yehoshua Ben Karcha said: Great is circumcision, because all the merits that Moshe Rabbeinu had did not help him when he was lax with circumcision, as it says: 'Hashem met him and sought to kill him' (Shmot 4:24). Rabbi said, heaven forbid that Moshe Rabbeinu was lax with circumcision. Rather, he said to himself: if I circumcise and leave, it will be dangerous, as it says: 'On the third day when they were in pain' (Breishit 34:25). If I circumcise and wait three days - HaKadosh Baruch Hu said to me: 'Go return to Egypt' (Shmot 4:19). So why was Moshe punished? Because he dealt with the lodgings first, as it says: 'And it was on the way to the hotel' (Shmot 4:24).

Rabban Shimon Ben Gamliel says: Satan did not seek to kill Moshe Rabbeinu but rather that baby, as it says: 'You are a bridegroom of blood to me' (Shmot 4:25). Who is called a bridegroom in this case? It must be the baby. Rabbi Yehudah Bar Bizna taught: When Moshe Rabbeinu was lax with circumcision, the angels Anger and Wrath came and swallowed him, and all that was left sticking out were his feet. Immediately 'Tzipporah took a rock and cut off her son's foreskin' (Shmot 4:25). Then: 'He left him alone' (Shmot 4:26)."²⁶⁴

Rabban Shimon Ben Gamliel believes that Satan sought to kill the baby because he remained uncircumcised; while Moshe was negligent in the performance of brit milah, he was not the target of Hashem's retributive attack. As to the question of why foreskin was touched to someone's feet, Rabbi Yehudah Bar Bizna replies that it was Moshe's feet, and not another

part of his body, because the terrifying angels Anger and Wrath had swallowed Moshe whole. His feet, sticking out of their mouths, was the only visible appendage remaining.

In addition to clarifying any linguistic confusion regarding the phrase "a bridegroom of blood", Rabban Shimon seems motivated by larger thematic considerations. This crisis emerged during Moshe's begrudging descent from Midian to Egypt. If HaKadosh Baruch Hu intended to kill Moshe before the latter ever arrived in Egypt to begin with, why bother forcing Moshe against his will? One could respond that while the threat against Moshe's life was very real, at the same time HaKadosh Baruch Hu knew in His infinite wisdom how the events were destined to unfold and actualize; He knew that Tzipporah would intervene, thereby saving Moshe's life and rendering this deathly Divine force impotent.^{^265^} Yet it remains difficult to accept that HaKadosh Baruch Hu would want to end the life of His chosen savior for an infraction such as neglecting brit milah even in principle, especially after dispatching him to be a conduit for Bnai Yisrael's destiny. Understanding the target of this story to be Moshe's child, instead of Moshe, avoids this entire issue.^{^266^}

Rabbi Yehudah is similarly concerned with thematic integrity, and uses the linguistic ambiguity of "she touched his feet with the foreskin" (Shmot 4:25) as a jumping off point for his explication. No explanation is given in the pesukim for why Tzipporah came to her son's rescue and not her husband. Could it be that Moshe Rabbeinu was unwilling or unable to circumcise his son, even under such harrowing circumstances? Or was he perhaps paralyzed, somehow prevented from taking action? Surely, argues Rabbi Yehudah, it must be the latter option. Being devoured whole by angels would make it difficult for any person to perform a circumcision, even someone of Moshe's stature. This approach also dramatically clarifies the question of who the original victim of Hashem's directive was,^{^267^} and explains why Tzipporah had no choice but to intervene.^{^268^}

Much like the halachic process, aggadic teachings are not static but dynamic, evolving and crystallizing as they are adapted to different circumstances and times. Oftentimes we find variants of a core aggadic teaching that appear in later works, and these variations themselves can be fascinating sources of further penetrating insight.^{^269^} An example of this phenomenon can be found in Shmot Rabbah, the classic midrashic commentary on Sefer Shmot. It was edited, compiled and published several hundred years after the Talmud Bavli reached completion, and it contains a fascinating twist on Rabbi Yehudah's opinion:

תְּכַיֵּבָה מִיֵּלֶה שְׁלֹא נִתְּלָה מִשָּׁה עָלֶיהָ אֶפְלוּ שָׁעָה אַחַת, לְפִיכָךְ בָּשָׁהּ הִיא בְּדֶרֶךְ וְנִתְעַסֵּק בְּמִלּוֹן וְנִתְעַצֵּל לְמוֹל לְאַלְיָעֶזֶר בְּנוֹ, מִיָּד וַיִּפְגְּשֵׁהוּ ה' וַיִּבְקֹשׁ הַמֵּיתוֹ. אֵת מוֹצֵא מְלֶאֶךְ שֶׁל רַחֲמִים הָיָה וְאָף עַל פִּי כֵן וַיִּבְקֹשׁ הַמֵּיתוֹ. וְתִקַּח צִפּוֹרָה צֹר, וְכִי מִצִּין יִדְעָה צִפּוֹרָה שֶׁעַל עֶסְקִי מִיֵּלֶה נִסְתַּכֵּן מִשָּׁה, אֲלֵא בֹא הַמְּלֶאֶךְ וּבִלְע לְמִשָּׁה יִמְרָאשׁוּ וְעַד הַמֵּילָה. בֵּינוֹן שֶׁרָאֲתָה צִפּוֹרָה שְׁלֹא בָלַע אוֹתוֹ אֲלֵא עַד הַמֵּילָה הִפְיָרָה שֶׁעַל עֶסְקִי הַמֵּילָה הוּא גִיזָק, וַיִּדְעָה בָּמָה גְדוֹל כֵּן הַמֵּילָה שְׁלֹא הָיָה יָכוֹל לְבָלְעוֹ יוֹתֵר מִבָּא, מִיָּד וְתִכְרַת אֵת עֶרְלַת בְּנָה וְתִגַּע לְרַגְלָיו: ²⁷⁰

"Great is circumcision, that Moshe was not spared over it for even one hour. For when he was on the way and he dealt with the lodgings and was too lazy to circumcise Eliezer his son, immediately: 'Hashem met him and sought to kill him' (Shmot 4:24). You find that it was an angel of mercy and even so 'it sought to kill him.' 'Tzipporah took a rock' (Shmot 4:25). How did Tzipporah know that Moshe was in danger because of circumcision? The angel came and swallowed Moshe from his head to his own circumcision. Once Tzipporah saw that the angel could not swallow Moshe past his circumcision, she recognized that he was endangered because of the circumcision, and she knew how strong the power of circumcision is that the angel could swallow no further than it. Immediately: 'She cut the foreskin of her son and touched his feet.'" ²⁷⁰

In both midrashim Moshe was devoured by an angelic force, though in Shmot Rabbah it is one unnamed angel instead of two named ones. But the primary difference of note lies not in the angels but in how Moshe was swallowed: not to his feet, but up until his circumcised member. ²⁷¹ *Like Rabbi Yehudah, Shmot Rabbah leans on Moshe's incapacitation to explain why Tzipporah was the heroine of the story, but unlike Rabbi Yehudah it also uncovers an explanation for how Tzipporah knew circumcision was the key to averting disaster. Moshe's circumcision led Tzipporah to correctly deduce what exactly prevented the angel from consuming him entirely.*

The difference between these two teachings revolves around what set of textual and contextual questions are most in need of explanation. Rabbi Yehudah is interested in removing any ambiguity surrounding the phrase "she touched his feet with the foreskin" (Shmot 4:25). The object of this pasuk is unclear, and arguing that Moshe was swallowed to his feet addresses this linguistic issue. However, another reading would suggest that it was the circumcised child's feet which were touched as a concluding ritual of the circumcision ceremony. ²⁷² *If so, this particular textual issue is less critical than the larger, contextual question of how Tzipporah knew that brit milah would placate the angel. The author of Shmot Rabbah adopts Rabbi Yehudah's general explanation in the Talmud to resolve this thematic difficulty, while*

willingly sacrificing Rabbi Yehudah's explicit resolution to the subject of "his feet" in the process.*²⁷³

Even after analyzing these teachings, however, we remain unsatisfied. Could there be another way to interpret this episode that not only answers all the questions posed earlier but also takes into account the broader context of these pesukim, and thereby demonstrates how this story, instead of being merely an isolated incident with no apparent consequence, is in fact critical to subsequent narratives?

263 Shmot 4:19-28.

263 Shmot 4:19-28.

264 Nedarim 31b.

264 Nedarim 31b.

265

HaKadosh Baruch Hu revealed Pharaoh's response in Egypt to Moshe at the burning bush, so presumably He also knew at the burning bush what would transpire before Moshe reached Egypt as well

Tanchuma Yelamdenu Vaera 4

מִגִּיד מֵרֵאשִׁית אַחֲרִית (ישעיה מו, י). עַד שְׁמִשָּׁה בִּסְנָה, הִרְאָה לוֹ הַקָּדוֹשׁ בְּרוּךְ הוּא, הַיָּאֵף פֶּרַעַה עֲתִיד לְהִתְעַקֵּם:

He declares the end from the beginning' (Yishayahu 46:10). Even when Moshe was at the bush, HaKadosh'"
"Baruch Hu showed him how Pharaoh was destined to act treacherously in the future

:Ibn Ezra, quoting Rav Shmuel Bar Chofni, puts forth a similar argument

Ibn Ezra to Shmot 4:24 d"v vayifgeshehu

... ורב שמואל בן חפני אומר חלילה להיות השם מבקש להמית משה שהולך בשליחותו להוציא עמו. רק ביקש להמית אליעזר. והוא סימן ויפגשו גם המיתו. ואחרי כן פירש שהוא אליעזר. על כן כתיב את ערלת בנה ולא הזכירו בתחלה. כי עוד לא נקרא שמו:

Rav Shmuel Ben Chofni says: Heaven forbid that Hashem sought to kill Moshe who is journeying on His" mission to free His nation. Rather, He sought to kill Eliezer. The sign for this is 'he met him' and 'to kill him' without specifying which son it is and only later in Perek 18 explicitly stating it was Eliezer. That is why it ".mentions 'the foreskin of her son' and does not state it earlier, since he had not yet been named

Rav Shmuel Bar Chofni also identifies the child who was targeted and circumcised as Moshe's younger son Eliezer. His main argument is a chronological one: at this point it is entirely possible that Moshe's newborn had not been named yet. This explains why the text uses pronouns instead of proper nouns throughout the episode to .refer to the as-of-yet-unnamed Eliezer

Support for this position may be found in realizing that Gershom is named explicitly in Shmot 2:22 while Eliezer is not even mentioned; we only learn of Eliezer's existence in Shmot 4:20, and of his proper name in Shmot 18:4. If we assume chronological consistency, the Torah is then revealing to us the name of each boy as they became .known in real time during each respective event

This idea can, however, be countered by noting that the Torah often uses names based on what something will be called at some point in the future. The Torah could therefore have referred to the child as Eliezer during this story :even if he would only be named later

Ketubot 10b

ומי כתב קרא לעתיד אין דכתיב וְשֵׁם הַנָּהָר הַשְּׁלִישִׁי חִדְקֵל הוּא הַהוּלָה קְדַמַּת אַשּׁוּר וְתַנָּא רַב יוֹסֵף אַשּׁוּר זֶה סְלִיקָא וּמִי הוּא אֵלָּא דְעֵתִידָהּ:

Does the Torah write a pasuk in reference to the future? Yes, as it says: 'The third river in Gan Eden was' Chidekel, which is the one that goes east of Ashur' (Breishit 2:14), and Rav Yosef taught: Ashur is Seleucia. Did ".this exist when the Torah was written? Of course not. Rather, it was destined in the future to be called that

267 Rabban Gamliel and Rabbi Yehudah appear to disagree about who the object of the phrase "He sought to kill him" is. Moshe being consumed by Anger and Wrath would indicate that Rabbi Yehudah held Moshe is the object, though it is also possible to argue that even according to Rabbi Yehudah the uncircumcised child is HaKadosh Baruch Hu's initial target, though as the crisis escalates it is Moshe who ends up swallowed from head to foot.

268 There are other questions which lurk underneath the surface of these pesukim, which are not directly addressed by these midrashim. If, as Shmot Rabbah suggests and Ibn Ezra spells out, the son in question was baby Eliezer before he had been given a name, it would be reasonable to conclude that he was a newborn, perhaps even eight days old, which would explain why they were punished for neglecting to fulfill the mitzvah of *brit milah*. If so, that would imply that Moshe took his wife and children on a journey down to Egypt immediately after Tzipporah had given birth. How did she feel about this? How could she - and her baby - have been physically up for the journey?

Perhaps the episode of Shmot 4:24-26 is hinting to us, through the roles Moshe and Tzipporah play in that story, about the friction laden in the context preceding the incident. Moshe, having received a command from G-d, hastened to fulfill it, despite his wife's protests. We could imagine their debate: Moshe, insisting that there was no time to waste as every moment he delayed meant he was unable to alleviate the suffering of his people, versus Tzipporah, demanding they wait until she and the baby had recovered enough to travel safely, insisting Moshe consider his own family over the needs of a distant nation and a mysterious G-d.

Moshe wins the argument, mounting them on the donkey almost against their own will, yet this teaches us that prioritizing between conflicting personal and communal demands extracts a heavy toll: when Moshe doesn't immediately circumcise Eliezer, the tables abruptly turn: Moshe stops in the hotel, delaying circumcising Eliezer due to the travails of the journey, which leads Tzipporah to ask Moshe can delay the fulfillment of a mitzvah - is it not the will of his Creator, and no time can be wasted? Moshe's zeal backfires on him, to the point that he is rendered inactive, paralyzed by his uncertainty and the strength of Tzipporah's argument. It is she, not him, who has the clarity of mind and upper hand to save the family, thereby demonstrating to Moshe the importance of caring for one's family. It is this idea which plagues Moshe throughout his life, culminating in his taking Aharon and Elazar up to Hor HaHar immediately upon being commanded, a foil for his not taking his own son and circumcising him to save his own family from danger.

269 See our analysis of Shmot Rabbah's embellishment of Vayikra Rabbah's earlier development of Hur's actions at *cheit ha'eigel* in **Part 1**.

270 Shmot Rabbah 5:8.

270 Shmot Rabbah 5:8.

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Moshe had not undergone a natural circumcision, but had been born circumcised along with other *tzaddikim* :from the early days of human and Jewish history

Tanchuma Noach 5

זה אָהד מִשְׁבָּעָה מֵהוֹלִים שְׁנוּלְדוּ בְּעוֹלָם, אָדָם הָרִאשׁוֹן נִבְרָא מֵהוֹל, וְשֵׁת בְּנוֹ נולד מֵהוֹל, דְּקָתִיב: וַיּוֹלֶד בְּדַמּוּתוֹ כְּצִלְמוֹ (בראשית ה, ג). נח נולד מֵהוֹל, דְּקָתִיב: תָּמִים הָיָה בְּדִרְתָּיו. יַעֲקֹב נולד מֵהוֹל, דְּקָתִיב: וַיַּעֲקֹב אִישׁ תָּם (בראשית כה, כז). יוֹסֵף נולד מֵהוֹל, דְּקָתִיב: אֵלֶּה תִּלְדוֹת יַעֲקֹב יוֹסֵף (בראשית לז, ב), שְׁהָיָה דוֹמָה לְאָבִיו. מֹשֶׁה נולד מֵהוֹל, שְׁנֶאֱמַר: וַתֵּרָא אֹתוֹ כִּי טוֹב הוּא (שמות ב, ב). וְאַיּוֹב נולד מֵהוֹל, דְּקָתִיב: אִישׁ תָּם וְיָשָׁר (איוב א, ח):

Noach is one of seven who was born circumcised. Adam HaRishon was born circumcised, Shet his son was born circumcised, as it says: 'He was born in his likeness in his image' (Breishit 5:3). Noach was born circumcised, as it says: 'He was perfect in his generations' (Breishit 6:9). Yaakov was born circumcised, as it says: 'Yaakov was a perfect man' (Breishit 5:27). Yosef was born circumcised, as it says: 'These are the generations of Yaakov Yosef' (Breishit 37:2), since he was similar to his father. Moshe was born circumcised, as it says: 'She saw that he was good' (Shmot 2:2). And Iyov was born circumcised, as it says: 'He was a perfect and straight man' (Iyov 1:8)

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According to one opinion cited by Chizkuni, the word "*feet*" here should actually be understood as a euphemism :for the baby's member, in which case there is no need to identify the owner

Chizkuni to Shmot 4:25 d"h vataga leraglav

זו המילה, כמו לא עשה את רגליו. וצריך לסרס את המקרא ותקח צפורה צר ותגע הצר לרגליו של ילד ותכרות את ערלת בנה:

This is a euphemism for the circumcision i.e. the member, similar to: 'He had not attended to his member'" (Shmuel Bet 19:25). You have to rephrase this pasuk to mean 'Tzipporah took a rock, and she touched the rock to "...the member of the boy and cut of the foreskin of the boy

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Rashi appears to combine these two traditions together by having an unnamed angel swallow Moshe from his :head to his thighs, then swallow him again from his feet to his *brit milah*

Rashi to Shmot 4:24 d"h vayeavakesh hamito

... וְהָיָה הַמִּלָּאָה נֶעֱשֶׂה כְּמִין נָחֹשׁ וּבֹלְעוֹ מֵרֹאשׁוֹ וְעַד יָרְכָיו וְחֹזֶר וּבֹלְעוֹ מֵרַגְלָיו וְעַד אוֹתוֹ מְקוֹם:

The angel became like a snake and swallowed Moshe from his head to his thighs, and then returned and "swallowed him from his feet to that place his member

Moshe's Oath

Which of Moshe's two sons was circumcised by Tzipporah in this story? There is not unanimous consensus on this issue in Rabbinic literature. While most traditional *mefarshim* join Shmot Rabbah in equating the circumcised child with Moshe's second son Eliezer,²⁷⁴ Mechilta DeRabbi Yishmael identifies him as the eldest son Gershom:

שבשעה שאמר משה ליתרו, תן לי צפורה בתך לאשה, אמר לו יתרו, קבל עליך דבר זה שאומר לך ואני נותנה לך לאשה, אמר לו מהו, אמר לו בן שיהיה לך תחלה יהיה לעבודה זרה, מכאן ואילך לשם שמים, וקבל עליו. אמר לו השבע לי, וישבע לו, שנ' (שם ב, כא) ויואל משה. אין אלה אלא לשון שבועה שנ' (שמו"א יד, כד) ויואל שאול את העם לאמר, וכתוב (מל"ב ה, כג) ויאמר נעמן הואל וקח ככרים. לפיכך הקדים המלאך להרוג את משה, מיד ותקח צפורה צר ותכרות את ערלת בנה וגו' וירף וגו':²⁷⁵

"When Moshe said to Yitro: Give me Tzipporah your daughter as a wife, Yitro said to him: Accept upon yourself that which I am saying to you and I will give her to you as a wife. He said to him: What is it? He said to him: The first child that you have shall be dedicated to Avodah Zarah, but any children thereafter can be dedicated to heaven. Moshe accepted it upon himself. Yitro said: Swear to me. Moshe swore to him, as it says: 'Moshe was content' (Shmot 2:21). There is no 'alah' except when it means a vow, as it says: 'Shaul made the nation swear, saying' (Shmuel Aleph 14:24), and it says: 'Naaman said swear and take some loaves' (Melachim Bet 5:23). This is why the angel first tried to kill Moshe, and immediately: 'Tzipporah took a rock and cut of the foreskin of her son ... he left him alone.'"²⁷⁵

Moshe, desperate to receive Tzipporah's hand in marriage, was compelled into a strange arrangement demanded by his father-in-law, the idolatrous priest of Midian. The terms are shocking as they are unexpected: Moshe agrees to dedicate his firstborn son to *Avodah Zarah* in the tradition of his maternal grandfather, releasing any future children from a similar fate. It is due to this agreement that Gershom had remained uncircumcised, presumably for many years.

Targum Yonatan preserves this tradition as well, albeit with some variations:

והנה באורחה בבית מבתותא וערע ביה מלאכא דני ובעא למקטליה מן בגלל גרשום בריה דלא הנה גזיר על עיסק יתרו חמוי דלא שבקיה למגוריה ברם אליעזר הנה גזר בתנאה דאתניו תרויהון: ונסבת צפורה טינרא וגזרת ית עורלת גרשום ברה ואקריבת ית גזירת מהולתא לרגלוי דמלאך תכלא ואמרת חתנא בעא למיגזור וחמוי עקיב וכדון

אָדם גִּזְרָתָא הָדִין יִכְפֹּר עַל חֲתָנָא דִּילִי: וּפָסֵק מִלָּאָה חֲבָלָא מִנִּיהּ בְּכֵן שְׂפָחַת צְפוּרָה וְאַמְרַת מַה חֲבִיב הוּא אָדָם
גִּזְרָתָא הָדִין דְּשׁוּיב יַת חֲתָנָא מִן יָדֵי דְּמִלָּאָה חֲבָלָא: ^{^276^}

"But it was on the way, in the place of lodging that the angel of Hashem met Moshe and sought to kill him, because Gershom his son had not been circumcised, inasmuch as Yitro his father-in-law had not permitted him to circumcise him. But, Eliezer had been circumcised due to an agreement between them. Tzipporah took a stone and circumcised the foreskin of Gershom her son, and brought the severed part to the feet of the angel of destruction and said: The son-in-law tried to circumcise but the father-in-law obstructed him, now let this blood of the circumcision atone for my husband. And the destroying angel left him alone, and Tzipporah gave thanks and said: 'How lovely is the blood of this circumcision that has delivered my husband from the angel of destruction.'" ^{^276^}

Are we actually suggesting that Moshe Rabbeinu, leader of Bnai Yisrael and the greatest prophet of all time, dedicated one of his sons to *Avodah Zarah*? It seems stranger than fiction, ridiculous and absurd, and if it was not already written one would never dream to imagine it: It is only upon closer investigation that this midrash begins. ^{^277^} מדרש כתוב אי אפשר לאומרו. .to reveal its hidden profundity

Tzipporah knew that Gershom needed a *brit milah* because she knew the terms of her father's contract with Moshe. Moshe had been required to forgo this mitzvah in order to have her hand in marriage; Gershom would never have been conceived had it not been for Moshe's acquiescence to Yitro's demands. It follows that HaKadosh Baruch Hu sought to punish Moshe for years of purposeful neglect, not because of some short, ill-advised delay in a motel. And the curtain is fully wrenched back to reveal what propelled Tzipporah to act while Moshe inexplicably dallied: Moshe, hands wrung and head hanging low, believed himself powerless to save his own son. Not because of angels or Satan or even HaKadosh Baruch Hu, but because of an oath he swore to Tzipporah's father many years before. Moshe's sin was not due to laziness, confusion, or a lapse in judgment, but he did have his priorities horribly mixed up: not in thinking that *brit milah* can wait until after he unpacked his suitcase, but in fundamentally misunderstanding that his promise to Yitro can and should be discarded to save Gershom's life.

Yet why should this be so? A man's word is considered of paramount importance, and the violation of any oath should be treated severely. ^{^278^} How should Moshe have been

expected to intuit that *brit milah* should take precedence over his vow? The midrash does not explicitly tell us why Moshe was mistaken for maintaining his oath to Yitro, but several suggestions can be offered:

- As with any descendant of Avraham, Moshe had an obligation to perform *brit milah* on his son. Any vow not to fulfill a mitzvah is an example of what halachah calls a vain oath (*shevu'at shav*), and it is considered meaningless, null and void. ^{^279^}

- Any vow a person makes to sell something which does not yet exist - but will only come into existence at some point in the future - is not binding. Moshe's sale of his unborn son to Yitro was in reality invalid from day one. ^{^280^}

- Moshe should have realized that Tzipporah was permitted to perform a *brit milah* instead of him. This would allow him to not directly and personally violate his oath to Yitro, while also having his son receive a *brit milah*. ^{^281^}

- Moshe erred by making an oath in the first place, and the problem was not so much in his insistence on keeping it - for once an oath is made, it must be kept - but that it was done to begin with. ^{^282^}

- The oath may have only been while Moshe lived in Midian under Yitro's jurisdiction. Perhaps once he left for Egypt (with the latter's blessing) it was no longer in force.

There is an unusual interplay between narrative (highlighted in green) and Divine command (highlighted in blue) in these pesukim, an oscillation between account and speech that demands explanation. A more logical flow would juxtapose Hashem's directives to Moshe (19, 21-23) and then tell the story of Moshe traveling to Egypt (20, 24-26). Why does the Torah break up HaKadosh Baruch Hu's directives to Moshe in this way?

(יט) וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה בְּמִדְיָן לֵךְ שֹׁב מִצְרָיִם כִּי מָתוּ כָּל הָאֲנָשִׁים הַמְּבַקְשִׁים אֶת נַפְשְׁךָ: (כ) וַיִּקַּח מֹשֶׁה אֶת אִשְׁתּוֹ וְאֶת בָּנָיו וַיֵּרָכְבּוּ עַל הַחֲמֹר וַיָּשׁוּב אֶרְצָה מִצְרָיִם וַיִּקַּח מֹשֶׁה אֶת מִטָּה הָאֱלֹהִים בְּיָדוֹ: (כא) וַיֹּאמֶר יְהוָה אֶל מֹשֶׁה בְּלִכְתּוֹךָ לָשׁוּב מִצְרָיִם רְאֵה כָּל הַמִּכְּתִּים אֲשֶׁר שָׁמַתִּי בְיָדְךָ וַעֲשִׂיתָם לִפְנֵי פַרְעֹה וְאֲנִי אֶחַזֶּק אֶת לְבָבוֹ וְלֹא יִשְׁלַח אֶת הָעָם: (כב) וְאָמַרְתָּ אֶל פַּרְעֹה כֹּה אָמַר יְהוָה בְּנִי בְּכָרִי יִשְׂרָאֵל: (כג) וְאָמַר אֵלֶיךָ שְׁלַח אֶת בְּנִי וַיַּעֲבֹדֵנִי וְתִמְאַן לִשְׁלַח הַנֶּה אֲנִי הֹרֵג אֶת בְּנִךָ בְּכָרְךָ: (כד) וַיְהִי בַּדֶּרֶךְ בְּמִלּוֹן וַיִּכְנָסוּ וַיִּהְיֶה וַיִּבְקֹשׁ הַמִּיתוֹ: (כה) וַתִּקַּח צִפְרָה צֹר וַתְּכַרֶּת אֶת עֶרְלַת בְּנֶהָ וַתִּגַּע לְרִגְלָיו וַתֹּאמֶר כִּי חָתָן דְּמִים אַתָּה לִּי: (כו) וַיֵּרָא מַגְנֵנוֹ אֲזִי אֶמְלֶה חָתָן דְּמִים לְמוֹלֶת:

The key lies in noticing that a double entendre is embedded in pasuk 23. *"And I say to you: Send My son free so that he may worship Me, for if you refuse to send him I shall kill your firstborn son."* This pasuk is at once the conclusion of Moshe's threat to Pharaoh, a warning against Pharaoh's refusal to release the Jews, and at the same time a command directed not at Pharaoh but at Moshe himself.

Read through the lens of Mechilta DeRabbi Yishmael, pasuk 23 becomes: *"And I say to you Moshe, not Pharaoh: Send My son Gershom free from his uncircumcised state via brit milah so that he may throw off the shackles of idolatry and worship Me, for if you refuse to send him I shall kill your uncircumcised firstborn son Gershom."*

The potential death of a firstborn son is a reference not only to the tenth plague but to Moshe's imprisoned son Gershom. Only by arranging the pesukim in this manner can the Torah imbue HaKadosh Baruch Hu's words with both meanings. And only when understood this way does the next pasuk become obvious: *"And it was on the way in the hotel that Hashem met him and sought to kill him"* (Shmot 4:24). Moshe did not circumcise Gershom and so Hashem came to kill him, just as He had warned in the previous pasuk. This explanation also sheds light on why Mechilta DeRabbi Yishmael identifies the unnamed child with the eldest son, and not the younger son as most commentators believe: what happens to Moshe is a microcosm, foreshadowing what will eventually happen to all of Egypt.

The radical claims made by this midrash do resolve many of the linguistic and thematic problems presented by the pesukim, but something is still missing. Midrash aggadah is also concerned with unifying Torah wherever possible and weaving disparate conceptual threads together. It is clear that this midrash purposely deviates from a straightforward reading of the pesukim²⁸³ for the reasons mentioned, yet is there more to the idea that it was Gershom who had been dedicated by Moshe to a life of *Avodah Zarah* instead of Eliezer?

One of the fundamental, oft-repeated phenomena underlying many stories in Sefer Breishit is the inevitable tension found between brothers. These tensions are not meant to be understood merely as differences of personality, although that is certainly a factor at play; rather, they signify a cosmic clash between the forces of righteousness and wickedness. This dichotomy of chosenness vs rejection, of fidelity to G-d vs worship of other gods, is elevated by the Torah itself from mere sibling rivalry to an epic battle of primacy between good and evil, a framing

sharpened time and again throughout the aggadah.^284^ Ultimately, this war between Yaakov/Yisrael and Edav/Edom is destined to rage until the end of times.^285^

A decision between life and death, thrust upon every individual while also inspired by this national drama, is described by Moshe in his parting words to Bnai Yisrael:

רָאֵה נָתַתִּי לְפָנֶיךָ הַיּוֹם אֶת הַחַיִּים וְאֶת הַטּוֹב וְאֶת הַמָּוֶת וְאֶת הָרָע: ... הַעֲדֹתִי בְכֶם הַיּוֹם אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ הַחַיִּים וְהַמָּוֶת נָתַתִּי לְפָנֶיךָ הַבְּרָכָה וְהַקְלָלָה וּבְחֵרָתָם בְּחַיִּים לְמַעַן תִּחַנֶּה אֹתָהּ וְזָרַעְדָּ: ^286^

"See I have given before you today the choice between life and good on the one hand, and death and evil on the other hand ... I call heaven and earth to witness against you today: I have given before you the choice between life and death, blessing and curse. Choose life, so that you and your offspring can live."^286^

Listen to HaKadosh Baruch Hu, Moshe adjures the nation, and you shall prosper; get seduced by the snare of false gods, and death is assuredly just around the corner.^287^

The Torah's silence on Moshe's children does not demand aggadic elaboration merely because we should take an interest in the details of his personal life. It is demanded due to the backdrop of Moshe's ancestry, indeed the ancestry of Bnai Yisrael as a whole: a history littered with conflict between two sons. Adam HaRishon's eldest son Kayin has his offering rejected by G-d, while Adam's second son Hevel's offering is accepted;^288^ Avraham's eldest son Yishmael is driven out in deference to Yitzchak; Yitzchak's eldest son Esav is unpleasant at best and an apostate at worst,^289^ while Yaakov inherits the mantle of fathering Bnai Yisrael. Even Menashe and Efraim are deliberately forced by Yaakov into the framework of a younger son being greater than an older one in the closing chapters of Sefer Breishit.

Now the stage has been set, and Biblical history demands continuity. We are told that Moshe, human vessel for redemption and messiah heralding the Divine's defeat of His enemies, also had two sons. Must they not too have been split? *"One goat marked for Hashem, and one goat marked for Azazel"* (Vayikra 16:8); one son dedicated to HaKadosh Baruch Hu, one dedicated to the forces of evil.

Moshe himself embodies this struggle between chosenness and rejection within his personality and upbringing: a self-appointed stranger in Egypt and Midian as demonstrated by

Gershom's name, yet also adopted son of one and son-in-law of the other. Moshe agreeing to Yitro's stipulation represents the convoluted nature of Moshe's own identity: he is half renegade Jew who sympathizes with his people's plight, but also half Egyptian and Midianite prince. Moshe agrees to Yitro's demand to assuage the conflict within himself; his own ambivalence will be bifurcated through his children into cleanly delineated sides, one good and one evil. ²⁹⁰

Which son, then, should be resigned to the worship of *Avodah Zarah*? One could suggest that Yitro's motivation for wanting Gershom is that the firstborn son was primary in the Ancient World, especially when it came to priestly service. However, by reading the dynamic between Moshe's two sons as not just a reflection of his own split persona, but as a continuation of the Yisrael-vs-Edom paradigm, Gershom must be the one destined for inferiority, just as firstborn sons Kayin, Yishmael, Esav and Menashe had been. The story of Sefer Breishit is the story of younger siblings supplanting their entitled brothers who are relegated to a lower status, and our midrash adds another link to this chain: Moshe Rabbeinu's children have been transformed into yet another installment of that age-old conflict.

Let us now turn our attention away from Moshe's past and look towards his future. Gershom was raised in his youth by a protective grandfather who was also the head priest of Midian and dedicated to the service of *Avodah Zarah*. He was then claimed by G-d as His and forcibly circumcised in a traumatic *brit milah* ceremony. Unlike Yitzchak - intended for slaughter but ultimately spared - Gershom's foreskin was violently removed, his blood spilled. What, then, should we expect from Gershom's relationship with "*the G-d of Moshe's father*" (*Shmot 18:4*)? Surely an event such as the one told in *Shmot 4:24-26* must have repercussions, and tragic ones at that, yet the Torah remains conspicuously silent. What ever happened to Moshe's children and their descendants?

274 See Ibn Ezra in Note 21 above, Rav Saadia Gaon, Rabbeinu Chananel, and Ramban to these pesukim.

275 Mechilta DeRabbi Yishmael Yitro 1.

276 Mechilta DeRabbi Yishmael Yitro 1.

276 Targum Yonatan on Shmot 4:24-26.

276 Targum Yonatan on Shmot 4:24-26.

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appears throughout the Talmud (Berachot 32a, Rosh HaShanah 17b, The phrase Megillah 21a, Sotah 13b, etc.) to indicate something too controversial to suggest were it not stated explicitly in the text. Here we are extending this principle to the world of midrashic interpretation: instead of Rabbinic incredulity at some pasuk's radical content, we are incredulous of this midrash's radical description of Moshe Rabbeinu.

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Bemidbar 30:3

אִישׁ כִּי יִדָּר לַיהוָה אוֹ הִשָּׁבַע שְׁבָעָה לְאַסֹּר אֶסֶר עַל נַפְשׁוֹ לֹא יַחַל דְּבָרוֹ כְּכֹל הַיֵּצֵא מִפִּי יַעֲשֶׂה:

*A man who makes a vow to hashem or swears an oath to forbid some obligation on himself - he shall not break"
"his pledge, he shall fulfill everything that comes out of his mouth*

Devarim 23:22-24

כִּי תִדָּר לַיהוָה אֱלֹהֶיךָ לֹא תִאָּחַז לְשַׁלְמוֹ כִּי דָרַשׁ יְדִרְשֶׁנּוּ יְהוָה אֱלֹהֶיךָ מִעֲמֶךָ וְהָיָה כִּךָ חֲטָא: וְכִי תִחַזֵּל לִנְדָר לֹא יִהְיֶה כִךָ חֲטָא: מוֹצֵא שְׁפָתֶיךָ תִּשְׁמֹר וְעֲשִׂיתָ כְּאֲשֶׁר נִדְרַת לַיהוָה אֱלֹהֶיךָ נִדְבָה אֲשֶׁר דִּבַּרְתָּ בְּפִיךָ:

*When you make a vow to Hashem your G-d, do not delay in fulfilling it, for Hashem your G-d will require it of" you, and you will incur sin. Whereas, if you refrain from making a vow, you will not incur any sin. You must fulfill the words that cross your lips, and do that which you vow to Hashem your G-d, having made the promise
"with your own mouth*

Mishnah Shevuot 3:8

נִשְׁבַּע לְבַטֵּל אֶת הַמִּצְוָה, וְשָׁלָא לַעֲשׂוֹת סִפָּה, וְשָׁלָא לְטַל לְחֹלֶב, וְשָׁלָא לְהַנִּיחַ תְּפִלִּין, זֶה הִיא שְׁבוּעַת שָׁוָא, שֶׁחֵיבִין עַל יְדוּנָהּ מִכּוֹת וְעַל שְׁגָגָתָהּ פְּטוּר:

If someone swore to nullify a mitzvah e.g. not to build a Sukkah or not to take Lulav or not to put on Tefillin: "this is a vain oath. One who violates it wilfully receives lashes, but one who violates it accidentally is exempt

Rambam Mishneh Torah Hilchot Shevuot 1:6

שְׁלִישִׁית שֶׁנִּשְׁבַּע לְבַטֵּל אֶת הַמִּצְוָה. כִּי צִדָּה. כְּגוֹן שֶׁנִּשְׁבַּע שֶׁלֹּא יִתְעַטֵּף בְּצִיצִית. שֶׁלֹּא יִלְבַּשׁ תְּפִלִּין. וְשֶׁלֹּא יֵשֵׁב בַּסִּפָּה בְּחַג הַסֻּכּוֹת. וְלֹא יֵאָכֵל מַצָּה בְּלֵילֵי הַפֶּסַח. אוֹ שִׁיתַּעֲנֶה בְּשַׁבָּתוֹת וּבְיָמִים טוֹבִים. וְכֵן כָּל פְּיוּצָא בְּזֶה:

The third category of a vain oath: If someone swore to nullify a mitzvah e.g. not to don Tzitzit or not to put on Tefillin or not to sit a Sukkah on Sukkot or not to eat Matzah on Pesach at night or not to fast on Shabbat or holidays, and the like

The source given by Rambam for this mitzvah is the third of the ten commandments: *"Do not take Hashem your G-d's name in vain, for Hashem will not forgive someone who takes His name in vain"* (Shmot 20:6). Although this was only commanded after Bnai Yisrael left Egypt, we can suggest that someone of Moshe's stature kept the mitzvot even before Matan Torah, and as such his vow to Yitro should have been invalid

The halachah states that purposeful violation of this mitzvah receives lashes, which begs the question of why G-d sought to kill Moshe. Kitzur Ba'al HaTurim alludes to this idea, arguing that G-d met Moshe with *middat hadin* in this instance. Perhaps Moshe did not deserve to die according to the halachah, but there is a principle that G-d judges His tzaddikim extremely strictly, well beyond the letter of the law

Kitzur Ba'al HaTurim Shmot 18:1 d"h E-lokim

שמע שבא עליו במדת הדין להורגו על שלא מל בנו שנא' ויפגשהו ה' ויבקש המיתו ושמע שניצל מזה:

The fact that it uses the name E-lohim teaches that Yitro heard that G-d came against Moshe with the attribute of strict justice to kill him over the fact that he hadn't circumcised his son, as it says: 'Hashem met him and sought to kill him' (Shmot 4:24). Yitro heard that Moshe had been saved from this

Bava Metzia 16a

מתיב רב ששת מה שאירש מאבא מכור לך מה שתעלה מצודתי מכור לך לא אמר כלום מה שאירש מן אבא היום מכור לך מה שתעלה מצודתי היום מכור לך דבריו קיימין:

Rav Sheshet objected: If someone says: That which I will inherit from my father is sold to you, or: That which my net will catch is sold to you - he has said nothing for a person cannot sell that which he does not yet own. But if someone says: That which I will inherit from my father today is sold to you, or: That which my net will catch today is sold to you, his statement stands

:Chizkuni and Ha'amek Davar use this concept to explain why Yaakov insisted Esav swear to him with an oath

Chizkuni to Breishit 25:33 d"h hishav'ah li kayom

שאינך חוזר כך לא תחזור כך להיות מערער עליה מן היום הזה ולהבא ועל ידי כן תתקיים המכירה שאלמלא כן יוכל עשו לומר חוזר אני בי דהא אמרינן (בבא מציעא טז.) האומר מה שאירש מאבא מכור לך לא אמר ולא כלום:

Why did Yaakov specify an oath that had to be 'today'? In order to guarantee that Esav would not change his mind and go back on his word at some time in the future, and only through this would the sale be guaranteed from that day onward. As the Rabbis said (Bava Metzia 16a): Someone who says, that which I inherit from my father is sold to you - he has not said anything

Ha'amek Davar to Breishit 25:33 d"h hishav'ah li kayom

באשר בכורה הוא באמת דבר שלא בא לעולם. וא"א למכור ע"כ הוסיף לו שישבע שלא יחזור במכירה:

The birthright is really something which has not yet come into the world, and it is impossible to sell it."
"Therefore Yaakov insisted that Esav swear, so that he could not renege on the sale

If this *halacha* applies regarding the sale of a birthright sometime in the future, surely it should apply regarding the birth of a firstborn sometime in the future. See Or HaChaim's comments to this pasuk at length

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If a person makes a vow he later regrets, he is permitted to think of creative ways to avoid their initially intended outcome while still technically keeping the words of his vow. Having Tziporah do the circumcision would accomplish this

Midrash Shocher Tov 6:2

א"ר אליעזר משל למלך שכעס על בנו ובידו חרב הגדית ונשבע שהוא מעבירה על בנו על ידי שהכעיס לאביו. אמר המלך אם אני מעבירה על צואר בני אין לו חיים ואחר כך מי ירש אותי ומלכותי. וגם כן לבטל את גזירתי אי אפשר. מה עושה המלך הכנים החרב לנרתיקה והעבירה על ראשו. נמצא לא הזיק את בנו וגם כן לא ביטל את גזירתו. ר' חנינא אמר משל למלך שכעס על בנו היתה לפניו אבן גדולה ונשבע המלך שהוא זורקה בו. אמר המלך אם אני זורקה בו עוד אין לו חיים. מה עשה המלך כתתה ועשאה צרורות קטנות והיה זורקה בו אחת אחת. נמצא לא הזיק את בנו ולא ביטל את גזירתו:

Rabbi Eliezer said: A parable - a king who was angry at his son and in his hand was a sword, and he swore that he would pass it over his son because the son had angered his father. The king then said: If I pass it over my son's neck, he will no longer have life, and then who will inherit me and my kingdom? On the other hand, I cannot annul my decree. What did the king do? He put the sword in its scabbard and passed it over his son's head, so that he did not harm his son or annul his decree. Rabbi Chaninah said: A parable - a king who was angry at his son and he had a big stone in front of him, and he swore that he would throw the stone at his son. The king then said: If I throw the stone at him, he will no longer have life. What did the king do? He cut it up and made little pebbles out of the big stone, and threw those one at a time, so that he did not harm his son or annul his decree

This approach assumes that women are permitted to perform a *brit milah*, a question which is a source of *machloket* between Rav and Rabbi Yochanan. The Talmud looks to Tziporah's circumcising her son as a proof that women can perform a *brit milah*, in accordance with Rabbi Yochanan and in conflict with Rav's approach. Two answers are offered: either Tziporah asked some other man to do the *brit milah*, or she began the *brit milah* and Moshe took over and provided the finishing touches. This approach reworks the *peshat* - namely that Tziporah did the circumcision and Moshe was absent from the story - and instead has Moshe finishing the job :Tziporah started

Avodah Zarah 27a

איתמר מנין למילה בעובד כוכבים שהיא פסולה דרו בר פפא משמיה דרב אמר ואתה את בריתי תשמור (בראשית יז:ט) ורבי יוחנן המול ימול (בראשית יז:יג) מאי בינייהו ... אלא איכא בינייהו אשה למ"ד ואתה את בריתי תשמור (בראשית יז:ט) ליכא דאשה לאו בת מילה היא ולמ"ד המול ימול (בראשית יז:יג) איכא דאשה כמאן דמהילא דמיא ומי איכא למאן דאמר אשה לא והכתיב (שמות ד, כה) ותקח צפורה צר קרי ביה ותקח והכתיב ותכרות קרי ביה ותכרת דאמרה לאיניש אחרינא ועבד ואיבעית אימא אתיא איהי ואתחלה ואתא משה ואגמרה:

It was stated: How do we know that milah done by a non-Jew is invalid? Daru Bar Papa said in the name of" Rav: 'You shall keep my covenant' (Breishit 17:9). Rabbi Yochanan said: 'You shall surely circumcise' (Breishit 17:13). What is the difference between them? ... The difference between them is in regards to a woman. According to the one who said: 'You shall keep my covenant' (Breishit 17:9), a woman cannot perform a brit milah for a woman cannot have a milah herself. But according to the one who said: 'You shall surely circumcise' (Breishit 17:13), a woman can perform a brit milah for a woman is like a naturally circumcised person. But is there anyone who really thinks a woman cannot perform a brit milah? Does it not say: 'Tziporah took a rock' (Shmot 4:25)? Read that she caused a rock to be taken. But does it not say: 'And she cut off' (Ibid.)? Read that

*she caused it to be cut off, that she said it to someone else and he did it. Or, if I want I can say, she started the
".milah and Moshe came and finished it*

Based on this, a rather technical way to understand Tzipporah's role in the story is to argue that Moshe held like Rav, that a woman cannot perform a *brit milah*, and therefore he remained trapped in his vow with her father. Tzipporah, however, acted based on the opinion of Rabbi Yochanan, that a woman is considered like a naturally .circumcised person, and as such she is allowed to circumcise as well

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:Anyone who declares a vow is considered sinful and wicked, even if he actually does fulfill that vow

Nedarim 22a

דאמר שמואל אף על פי שמקיימו נקרא רשע אמר רבי אבהו מאי קרא וכי תתחיל לנדור לא יהיה בך חטא (דברים כג:כג) ויליף תדלה תדלה כתיב הכא וכי תתחיל לנדור וכתיב התם שם רשעים תדלו רגז (איוב ג:יז):

Shmuel said: Whoever fulfills a vow, even though he fulfilled it, is still called wicked. Rabbi Avahu said: What is" the source? 'If you refrain from making a vow, you will not incur any sin' (Devarim 23:23). And a connection is derived 'refrain' 'refrain': here it says: 'If you refrain from making a vow' and there it says: 'There the wicked shall refrain from their anger (Iyov 3:17)

Nedarim 77b

דתני רב דימי אחיה דרב ספרא כל הנודר אף על פי שהוא מקיימו נקרא חוטא אמר רב זביד מאי קרא וכי תתחיל לנדור לא יהיה בך חטא (דברים כג:כג) הא לא תדלת איפא חטא:

Rav Dimi the brother of Rav Safra taught: Whoever makes a vow, even if he fulfills it, is called a sinner. Rav" Zevid said: Why does it say: 'If you refrain from making a vow, you will not incur any sin' (Devarim 23:23)? This implies that if you don't refrain from making a vow, you will incur sin

Shulchan Aruch, Yoreh De'ah Siman 203

אל תהי רגיל בנדרים כל הנודר אף ע"פ שמקיימו נקרא רשע ונקרא חוטא:

Do not accustom yourself to vows, for anyone who makes a vow even if he fulfills it is called wicked and a" sinner

Fascinatingly, the language used by Mechilta DeRabbi Yishmael borrows directly from the Torah's description of Esav's promise to Yaakov in Breishit 25. Having returned famished from the field, Esav swore away his birthright to Yaakov in exchange for some food. The Torah emphasizes that Esav spurned the birthright through his actions

Breishit 25:33-34

ויאמר יעקב השבעה לי פיום וישבע לו וימכר את בכורתו ליעקב: ויעקב נתן לעשו לחם וגזיר עדשים ויאכל וישת וילך ויבז עשו את הבכרה:

Yaakov said: Swear to me today. So Esav swore to him, and sold his birthright to Yaakov. In exchange, Yaakov" gave Esav bread and lentil soup. He ate and drank, got up and left; Esav spurned the birthright

The Torah views Esav swearing away his personal birthright negatively. By employing the same exact language Mechilta DeRabbi Yishmael urges us to take issue with Moshe's swearing away his right to the firstborn as well

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The simplest reading of the phrase "*vayoe'el moshe*" is that Moshe agreed to dwell with Yitro as opposed to moving elsewhere with his new bride. That reading can be maintained even if the force of the agreement was an oath rather than something more informal

Yalkut Shimoni on Torah Remez 814

אתה החלות (דברים ג:כד). אתה התרת לי נדרי, בשעה שאמרת לי לך הוצא את עמי בני ישראל מארץ מצרים, אמרתי לפניך איני יכול שכבר נשבעתי ליתרו שאיני זו מאצלו שנאמר ויאל משה לשבת את האיש (שמות ב:כא) ואין הואלה אלא לשון שבועה שנאמר ויאל שאול (שמואל א יד:כד):

You have begun' (Devarim 3:24). You released me from my vow when You said to me: Go redeem My nation'" Bnai Yisrael from the land of Egypt. I said before you that I cannot for I had already sworn to Yitro that I would not leave him, as it says: 'Moshe swore to dwell with the man Yitro' (Shmot 2:21), and there is no language of ".ho'alah except for swearing, as it says: 'Shaul swore (Shmuel Aleph 14:24)

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See the prophecy Rivka receives about the twins struggling in her womb, and Rashi's insistence that a midrashic interpretation must be relied upon

Breishit 25:22-23

ויתרצצו הבנים בקרבה ותאמר אם כן למה זה אנכי ותלד לדרש את יהוה: ויאמר יהוה לה שני (גיים) גוים בבטןך ושני לאמים ממעיך יפרדו ולאם מלאם יאמץ נרב יעבד צעיר:

The children struggled within her; and she said: If so, why do I exist? She went to seek out Hashem. Hashem" said to her: You have two nations in your belly, and two separate peoples shall issue from your body. One shall ".be stronger than the other, and the older will serve the younger

Rashi to Breishit 25:22 d"h vayitrotzetzu

ע"כ המקרא הזה אומר דרשני, שסתם מה היא רציצה זו וכתב אם כן למה זה אנכי? רבותינו דרשוהו לשון ריצה; כשהיתה עוברת על פתחי תורה של שם ועבר יעקב רץ ומפרס לצאת, עוברת על פתח עבודת אליהם, עשו מפרס לצאת. דבר אחר מתרועעים זה עם זה ומריבים בנחלת שני עולמות:

You must admit that this pasuk says 'interpret me', for it does not disclose what this struggle is and why it says" 'if so, why do I exist'. Our Rabbis (Breishit Rabbah 63:6) interpreted this as referring to running; when Rivka passed entrances of Torah of Shem and Ever, Yaakov ran and squirmed to exit, but when Rikva passed entrances of Avodah Zarah, Esav squirmed to exit. Another idea (Yalkut Shimoni on Torah Remez 111): They were ".struggling with each other and fighting on how to divide up the inheritance of two worlds

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This concept is not only confined to sibling rivalry, where one is chosen and the other is rejected. The midrash
:"also notes that within a specific person's life he can go through periods of "chosenness" and "rejection

Midrash Aggadah Shmot 29:1

זה שאמר הכתוב אשרי תבחר ותקרב וגו' (תהלים ס"ה ה'), אשרי מי שבחרתו וקירבתו ... יש מי שנבחר ונדחה ונתקרב, ויש שנבחר
ונדחה ולא נתקרב, ויש מי שנבחר ונתקרב שהיה מרוחק ...:

*This is as it says: 'Praiseworthy is he who is chosen and comes close' (Tehillim 65:5) - praiseworthy is he who
is chosen and He brings him close ... There are those who are chosen, rejected and then come close, and there
are those who are chosen, rejected and then do not come close, and there are those who are chosen and then
"... come close that were far away*

Bamidbar Rabbah 3:2

הדא הוא דכתיב (תהלים סה, ה): אשרי תבחר ותקרב, אשרי מי שבחרו הקדוש ברוך הוא אף על פי שלא הקריבו, ואשרי איש שקרבו אף
על פי שלא בחרו ... רבי נחמיה בשם רבי שמואל בר רב יצחק לא כל הקרוב קרוב ולא כל הרחוק רחוק, יש נבחר ונדחה ונתקרב, יש
נבחר ונדחה ולא נתקרב ...:

*This is as it says: 'Praiseworthy is he who is chosen and comes close' (Tehillim 65:5) - praiseworthy is he who
HaKadosh Baruch Hu chose, even if He did not bring him close, and praiseworthy is he who He brought close,
even if He did not choose him ... Rabbi Nehemiah in the name of Rabbi Shmuel Bar Rav Yitzhak said, not every
close one is close, and not every far one is far. There are those who are chosen, rejected and then come close,
"... and there are those who are chosen, rejected and then do not come close*

286 Devarim 30:15-20.

286 Devarim 30:15-20.

287 There is an important nuance worth emphasizing here, namely that death and evil await those who do not
listen to G-d more generally, not just those who serve idols. While it is true that the most blatant and egregious
example of rejecting G-d is *Avodah Zarah*, long life is reserved for those who cleave to Hashem and denied those
who do not. Even someone who is not an idol worshiper per se, but who disobeys G-d's command, will still fall
under the category of someone whose "*heart turns away and does not listen*".

Understood in this light, the familial divide between brothers can be extended from Sefer Breishit not only to
Moshe's children, but to Aharon's children as well. Aharon had four sons, two of whom were killed by G-d and
two of whom were spared. The reason given for the death of Nadav and Avihu is that they brought a "*foreign fire
which Hashem had not commanded*" (*Vayikra 10:1*). Traditions differ on the exact nature of their sin, but the
indisputable fact is that they violated the injunction to "*listen to His voice*". Aharon - like Adam, Avraham,
Yitzhak and Yosef - sees his children split down the middle: the younger half listen to G-d's voice and receive
greatness; the older half are drawn to idolatrous practice and punished by G-d. See our notes to **Part II** on Nadav
and Avihu's death.

288 Although Adam HaRishon also had a third son named Shet, the larger point regarding the story of Kayin and
Hevel (*Breishit 4:1-15*) remains.

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Bava Batra 16b

אמר רבי יוחנן חמש עבירות עבר אותו רשע באותו היום בא על נערה מאורסה והרג את הנפש וכפר בעיקר וכפר בתחיית המתים וקטל את הבכורה:

Rabbi Yochanan said, that wicked one Esav violated five sins on that day when Avraham died: He slept with an engaged maiden, committed murder, denied G-d's existence, denied the resurrection of the dead, and spurned the ".birthright

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:The rationales given behind each child's name lends support to this idea as well

Shmot 18:3-4

ואת שני בניה אשר שמ האחד גרשם כי אמר גר היתי בארץ נכריה: ושם האחד אליעזר כי אלהי אבלי בעזרי ויצלתי מתרבו פרעה:

And her two sons: One was named Gershom, for Moshe said 'I was a stranger in a foreign land', and the other" ".was named Eliezer, for 'the G-d of my father assisted me and saved me from the sword of Pharaoh

The description for Gershom relates to being a "stranger in a foreign land" while Eliezer's name relates to "the G-d of my father". Gershom is the child of strange foreigners; Eliezer is the child of G-d

Idolatrous Prophet

Gershom and Eliezer only appear again explicitly one other time in the entire Tanach:

בני עמרם אהרן ומשה ויבדל אהרן להקדישו קדש קדשים הוא ובניו עד עולם להקטיר לפני יהוה לשרתו ולברך בשמו עד עולם: ומשה איש האלהים בןיו יקראו על עבט הלוי: בני משה גרשום ואליעזר: בני גרשום שבואל הראש: ויהיו בני אליעזר רחביה הראש ולא היה לאליעזר בנים אחרים ובני רחביה רבו למעלה: ²⁹¹

"Amram's sons were Aharon and Moshe. Aharon was set apart, he and his sons forever, to be consecrated as most holy, to offer incense before Hashem and to serve him and bless with his name for all time. As for Moshe, the man of G-d: his sons were named after the tribe of Levi. Moshe's sons were Gershom and Eliezer. Gershom's sons: Shevuel the chief. Eliezer's sons: Rechaviah the chief. Eliezer did not have any other sons, but Rechaviah's children were very numerous." ²⁹¹

Gershom had a son named Shevuel and Eliezer had a son named Rechaviah, both of whom - aside from being Moshe's grandsons - were men of authority. This passage is short and dry, a chronological account without much aggadically favorable substance to it. Far more interesting is a veiled reference to Gershom found in Sefer Shoftim:

וַיָּקִימוּ לָהֶם בְּנֵי דָן אֶת הַפֶּסֶל וַיְהוֹנָתָן בֶּן גֵּרְשֹׁם בֶּן מֹשֶׁה הָיָה וּבָנָיו הָיוּ כַהֲנִים לְשִׁבְט הַדָּנִי עַד יוֹם גְּלוֹת הָאָרֶץ:
וַיִּשְׁיִמוּ לָהֶם אֶת פֶּסֶל מִיֶּכָה אֲשֶׁר עָשָׂה כָּל יְמֵי הָיִוֹת בֵּית הָאֱלֹהִים בְּשִׁילָה: ²⁹²

"The offspring of Dan established the idol, and Yehonatan Ben Gershom Ben Menashe - he and his sons were priests for the tribe of Dan until the land went into exile. They maintained the idol that Micha had made all the time that the house of G-d stood at Shiloh." ²⁹²

must be suspended in the air and written מנשה of נ According to Masoretic tradition the smaller than other letters. Exegetically this means we are allowed to ignore its existence, which would then render the name of this Danite priest as Yehonatan Ben Gershom Ben Moshe. A mysterious Levite who suddenly appears only to never be mentioned again, who works as a Kohen for idolatry and whose father's name is Gershom son of Moshe - surely this must be the final link, a continuation and culmination of the complex interplay between Yitro, Moshe and Gershom

Shir HaShirim Rabbah records a tradition about Yehonatan which can also be found with some variations and additions in the Talmud Yerushalmi Berachot:

נִכְנַס רַבִּי מֵאִיר וְדָרַשׁ (מַלְכִּים א יג, יא): וְנִבְיָא אֲחָד זָקֵן יֹשֵׁב בְּבֵית אֵל, וְאִיזָה זֶה, זֶה אֲמָצְיָה כֹהֵן בֵּית אֵל, אָמַר לוֹ רַבִּי יוֹסִי מֵאִיר פְּתוּפוֹתֵי בִיצִים יֵשׁ כָּאֵן, אִיזָה זֶה, זֶה יוֹנָתָן בֶּן גֵּרְשֹׁם בֶּן מֹשֶׁה, הֵדָא הוּא דְכְּתִיב (שׁוֹפְטִים יח, ל): וַיְהוֹנָתָן בֶּן גֵּרְשֹׁם בֶּן מֹשֶׁה, נִוֵּן תְּלוּיָהּ בְּמִנְשָׁה, זָכָה, בֶּן מֹשֶׁה, וְאֵם לָאוּ, בֶּן מִנְשָׁה ... אָמְרוּ כִּיּוֹן שְׁמַת דְּוֹד חֲזוֹר לְסוּרוֹ, הֵדָא הוּא דְכְּתִיב (מַלְכִּים א יג, יח): וַיֹּאמֶר לוֹ גַּם אֲנִי נִבְיָא כְּמוֹךָ וְגו' כְּחֵשׁ לוֹ, מֵהוּ כְּחֵשׁ לוֹ, שְׁקָר לוֹ, וּמֵה שְׁקָר לוֹ, הֵאֲכִילָהוּ לֶחֶם כְּזָבִים, וְכְתִיב (מַלְכִּים א יג, כ): וַיְהִי הֵם יֹשְׁבִים אֶל הַשְּׁלֶחָן וַיְהִי דְבַר ה' אֶל הַנְּבִיָּא אֲשֶׁר הָשִׁיבוּ: ²⁹³

"Rabbi Meir entered and taught: There was an old prophet dwelling in Beit El' (Melachim Aleph 13:11). Who was this? Amaziah HaKohen of Beit El a false prophet found in Amos 7:10. Rabbi Yosi said to him: Meir, this is utter stupidity. Who was that? Yehonatan Ben Gershom Ben Moshe, as it says: 'Yehonatan Ben Gershom Ben Menashe' (Shoftim 18:30). The Masoretic tradition records a hanging nun suspended in the air, which means if he merits it, he is the son of Moshe, but if he does not merit it, he is the son of Menashe ... They said:

when David died he returned to his former bad ways. That is what is written: 'He said to him I am a prophet like you ... he deceived him' (Melachim Aleph 13:18). What does 'he deceived him' mean? He lied to him. And how did he lie to him? He fed him bread of falsehoods, as it says: 'They were sitting at the table and the word of Hashem came to the prophet that brought the man of G-d back with him' (Melachim Aleph 13:20)."²⁹³

רבי חונא ושמעון קמטריא בשם רבי שמואל בר נחמן ויהונתן בן גרשם בן מנשה בן תלוייה. אם זכה בן מנשה. ואם לאו בן מנשה. תבריא בעון קומי רבי שמואל בר נחמן כומר הנה לעבודה זרה והאריד זמים. אמר לון על יד שהנה עינו צרה בעבודה זרה שלו. כיצד היתה עינו צרה בעבודה זרה שלו. הנה בר נש אתי למקרה תור או אימר או גדי לעבודה זרה ואמר ליה פייסיה עלי. והוא אמר ליה מה זו מועילה לך לא רואה ולא שומעת לא אוכלת ולא שותה לא מטיבה ולא מריעה ולא מדברת ... פיון שעמד דוד המלך שלח והביאו. אמר ליה את בן בנו של אותו צדיק ואת עובד עבודה זרה. אמר ליה כה אני מקובל מבית אבי אבא מכור עצמך לעבודה זרה ואל תצטרך לבריות. אמר ליה חס ושלום לא אמר בן אלא מכור עצמך לעבודה זרה שהיא זרה לך ואל תצטרך לבריות. פיון שראה דוד כה שהנה אוהב ממון מה עשה העמידו קומוס על תיסבריות שלו. ההוא דכתיב ושבואל בן גרשם בן מנשה נגיד על האוצרות. שבואל ששב אל אל בכל לבו ובכל כחו. נגיד על האוצרות שמניהו על תיסבריות שלו. מתיבין לרבי שמואל בר נחמן והא דכתיב עד יום גלות הארץ. אמר לון פיון שמת דוד עמד שלמה וחילף סנקליטין שלו. חזר לקלקולו הראשון. ההוא דכתיב ונביא אחד זקן יושב בבית אל וגו'. אפרין הוא הנה:²⁹⁴

"Rabbi Huna and Shimon Kamataria said in the name of Rabbi Shmuel Bar Nachman: 'Yehonatan Ben Gershom Ben Menashe' (Shoftim 18:30). The Masoretic tradition records a hanging nun suspended in the air, which means if he merits it, he is the son of Moshe, but if he does not merit it, he is the son of Menashe. The Rabbis asked before Rabbi Shmuel Bar Nachman: He was a priest of idol worship and lived so long? He said to them: the reason he merited such a long life is because Yehonatan was grudging towards his idol. How was he grudging towards his idol? If a man came to sacrifice an ox, a sheep, or a goat to the idol and told him: Make it favorably inclined towards me, he would say: What use does it have for you? It neither sees, nor hears, nor eats, nor drinks, nor does good or evil, and does not talk ... When David became king, he sent and brought him. He said to him: You are the grandson of that righteous man Moshe and you worship idols? He said to him: I have a tradition from my grandfather's house: Sell yourself to Avodah Zarah rather than need other people. David said to him: Heaven forbid. He did not say so, but rather sell yourself to work that is strange to you rather than need other people i.e. not idol worship but 'strange work'. When David saw that he loved money, he made him overseer of his treasuries. That is what is written: 'Shevuel Ben Gershom Ben Moshe, overseer of the treasuries' (Divrei HaYamim Aleph 26:24). Shevuel -

because he returned to G-d with all his heart and all his might. 'Overseer of the treasuries' - he made him count of the treasuries. They objected to Rabbi Shmuel Bar Nachman: 'Yehonatan and his descendants served until the day the land went into exile' (Shoftim 18:30). He said to them: When David died, Shlomo rose and exchanged all his counselors. Yehonatan returned to his former bad ways after that. That is what is written: 'There was an old prophet dwelling in Beit El' (Melachim Aleph 13:11). They say: this prophet was Yehonatan."²⁹⁴

found in Yehonatan's grandfather's name, while not unique in the 1 A small letter such as the Masoretic text, is quite rare. This gives the aggadah creative license to interpret such a word as if it were written both with and without the small letter, an exegetical technique we also find elsewhere.²⁹⁵ If Moshe is the paradigmatic symbol of righteousness, then Menashe is the his polar opposite, the quintessential example of wickedness and rebellion against HaKadosh Baruch Hu; as a result of his horrific actions Menashe was even denied a share in the World to Come.²⁹⁶ Yehonatan was biologically the grandson of Moshe but acted as a priest for *Avodah Zarah*. Tanach dares not insult Moshe's honor by having his name is suspended in midair, as if to 1 associated with his offspring's nefarious activities.²⁹⁷ The say that technically Yehonatan was Moshe's Rabbeinu's grandson, but his behavior and life .choices draw him towards Menashe

If this priest was indeed Moshe's grandson, a basic question of chronology arises. Hundreds of years had elapsed between *Yetziat Mitzrayim* and the story of Micha's idol told in Sefer Shoftim 18. How could Moshe's grandson possibly still be alive?²⁹⁸ Like many other midrashim concerned with conserving Biblical characters, the claim is that Yehonatan merited to live an extraordinary number of years, far beyond those of a normal lifespan.

When questioned in the Talmud Yerushalmi why Yehonatan merited such a long life, Rabbi Shmuel Bar Nachman paints a portrait of a man who's relationship with *Avodah Zarah* is complicated and self-contradictory. He serves idols, but only as a way to earn a living. He does not believe in them or their power, but facilitates and enables idolatrous practices. We are also told that like Menashe King of Yehudah, Yehonatan repented and returned to HaKadosh Baruch Hu with a full heart - Yehonatan son of Gershom of course being identical with the chief Shevuel son of Gershom recorded in Divrei HaYamim Aleph - only to then revert back to a path of wickedness and immorality. He is even equated with a false prophet who also receives actual *nevuah* in the days of Yeravam Ben Nevat, first King of *Malchut*

Yisrael.²⁹⁹ What is motivating Rabbi Shmuel's bizarre elaboration of Yehonatan's character?

In isolation the scope of this midrash may be confusing, but the justification for its ambition becomes clear when we read it through the lens of Mechilta DeRabbi Yishmael quoted earlier. Gershom, son of Moshe, spent his entire childhood being dragged back and forth in a custody battle between Yitro and Moshe, between G-dliness and idolatry, and as a result condemned to dance back and forth between two belief systems, unsure where the truth actually lies and not really at home in either one. Born a servant of Yitro's god in Midian, then circumcised by his mother for Hashem; sent home to Midian, then brought back to rendezvous with G-d's people by his idolatrous grandfather. What hope did Gershom really have to ever develop a cohesive and consistent theology for himself and his own children?

The consequence of such a messy upbringing is obvious: a lack of strong commitment towards anything specific for one's entire life, a defense mechanism to not get too close out of fear of being pulled in a different direction and forced to change one's entire religious outlook. Yehonatan - like his father Gershom before him - is a Kohen of idolatry, one who insensitively downplays his congregants' beliefs; his religious values are ungrounded and circumstantial.³⁰⁰ He is interested in making a decent living, for in that he can be certain; as to the question of what role G-d or gods actively play in the world, however, in his heart of hearts he remains aloof and distant. Even his return to Hashem, a miraculous overturning of the trauma he inherited from his father, is short-lived: his inner turmoil cannot be left at bay for long, and he soon slides back into a life of indifference and inconsistency.

That is precisely why - as Rabbi Yosi scoffingly declares to Rabbi Meir in Shir HaShirim Rabbah - Yehonatan and not Amaziah HaKohen is the best candidate for the false prophet in Melachim Aleph 13. The story told there is unsettling: motives are left unstated, incentives are blurry and ambiguous. If in a previous life Yehonatan had been an idolatrous Kohen who dissuaded the masses from worshiping properly, his transformation into a vengeful old man who actively has a prophet killed but then receives prophecy himself is strangely fitting. Yehonatan's behavior of straddling the fence between righteousness and wickedness, between worship of Hashem and worship of Ba'al: this is the sad legacy which began with Moshe and was perpetuated by Gershom, instigated by that fateful circumcision on the way down to Egypt. Moshe's decision in first making an ill-informed pact with Yitro and his subsequent

dereliction in circumcising Gershom led to Gershom being fed "sour grapes", and this in turn led to a domino effect, destroying the life of his grandson Yehonatan. [^]**301**[^]

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:Divrei HaYamim Aleph 23:13-17. In particular, Shevu'el was in charge of the treasury

Divrei HaYamim Aleph 26:24

ושבואל בן גרשום בן משה נגיד על האוצרות:

"Shevu'el son of Gershom son of Moshe was in charge of the treasury"

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292 Shoftim 18:30-31.

292 Shoftim 18:30-31.

293 Shir HaShirim Rabbah 2:5.

293 Shir HaShirim Rabbah 2:5.

294 Yerushalmi Berachot 9:2.

294 Yerushalmi Berachot 9:2.

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according to Masoretic tradition. Vayikra Rabbah א is written with a small (ויקרא) The first word in Sefer Vayikra He appeared to Bilam - to teach the - ויקר He called to Moshe - with the word - ויקרא contrasts the words superiority of Yisrael's prophets over the nations' prophets in general. Tanna DeVei Eliyahu Rabbah applies the same concept to the individual prophets themselves, deriving Moshe's prophetic superiority over Bilam from the :is what lends this word to such a comparison א Kitzur Ba'al HaTurim explicitly notes that the small .א additional

Vayikra Rabbah 1:13

מה בין נביאי ישראל לנביאי אמות העולם, רבי חמא בר חנינא ורבי יששכר דקפר מנדי, רבי חמא בר חנינא אמר אין הקדוש ברוך הוא נגלה על אמות העולם אלא בתצי דבור, כמה דתימר (במדבר כג, ד): ויקר אלהים אל בלעם, אבל נביאי ישראל בדבור שלם, שנאמר: ויקרא אל משה. ורבי יששכר דקפר מנדי אמר, כך היה שכן, אין לשון ויקרא אלא לשון טמאה, כמה דתימר (דברים כג, יא): אשר לא יהיה טהור מקרה לילה, אבל נביאי ישראל בלשון קדשה בלשון טהרה בלשון פרוור בלשון שפילאכי השתר מקלסין בו להקדוש ברוך הוא, כמה דתימר (ישעיה ו, ג): וקרא זה אל זה ואמר:

What is the difference between the prophets of Yisrael and the prophets of the nations of the world? Rabbi Chama Bar Chaninah and Rabbi Yissachar from Kfar Mandi debate it. Rabbi Chama Bar Chaninah said: HaKadosh Baruch Hu does not reveal Himself to the nations of the world except through partial speech, as it says: 'G-d appeared to Bilam' (Bemidbar 23:4), but He reveals Himself to the prophets of Yisrael with full speech, as it says: 'He called out to Moshe' (Vayikra 1:1). Rabbi Yissachar from Kfar Mandi said: So shall their respective rewards be. 'Appeared' only comes from a place of impurity, as it says: 'That will not be pure, an appearance at night' (Devarim 23:11). But the prophets of Yisrael are with holy language and pure language and with language that the angels praise HaKadosh Baruch Hu with, as it says: 'They called out to one another, saying' (Yishayahu 6:3)

Tanna DeVei Eliyahu Rabbah 28

משה יתר בדבר אחד מבלעם במשה הוא אומר (ויקרא א, א) ויקרא אל משה ובבלעם כתיב (במדבר כג, ד) ויקר אלקים אל בלעם. במשה הוא אומר (דברים ה, כז) ואתה פה עמוד עמדי ובבלעם הוא אומר (במדבר כד, ד) נופל וגלוי עינים:

Moshe had an advantage over Bilam regarding one thing. Regarding Moshe it says: 'He called out to Moshe' (Vayikra 1:1), but regarding Bilam it says: 'G-d appeared to Bilam' (Bemidbar 23:4). Regarding Moshe it says: 'You come stand here with Me' (Devarim 5:27), but regarding Bilam it says: 'Fallen and covered eyes' (Bemidbar 24:4)

Kitzur Ba'al HaTurim Vayikra 1:1 d"vayikra

א' דויקרא זעירא שמשה לא רצה לכתוב אלא ויקר כדרך שנא' בבלעם כאלו לא נראה לו השם אלא במקרה ואמר לו הקב"ה לכתוב גם באל"ף וכתבה קטנה:

The Aleph of 'vayikra' is small, for Moshe did not want to write in the Torah 'vayikra' but rather 'vayiker', like" what it says regarding Bilam, as if Hashem did not appear to him except by chance. HaKadosh Baruch Hu told "Moshe to keep the Aleph for his honor, so Moshe wrote it small

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Sanhedrin 10:2

שְׁלֹשָׁה מְלָכִים וְאַרְבָּעָה הַדְּיוֹטוֹת אֵין לָהֶם חֵלֶק לְעוֹלָם הַבָּא. שְׁלֹשָׁה מְלָכִים, יֶרָבָעַם, אַחָאב, וּמְנַשֶּׁה. רַבִּי יְהוּדָה אֹמֵר, מְנַשֶּׁה יֵשׁ לוֹ חֵלֶק לְעוֹלָם הַבָּא, שְׁנָאָמַר (דְּבָרֵי הַיָּמִים ב' ל"ג) וַיִּתְפַּלֵּל אֵלָיו וַיַּעֲתֶר לוֹ וַיִּשְׁמַע תְּחִנָּתוֹ וַיְשִׁיבֵהוּ יְרוּשָׁלַיִם לְמַלְכוּתוֹ. אָמְרוּ לוֹ, לְמַלְכוּתוֹ הִשְׁיבּוּ וְלֹא לַחַיִּי הָעוֹלָם הַבָּא הִשְׁיבּוּ. אַרְבָּעָה הַדְּיוֹטוֹת, בִּלְעָם, וְדֹאֵג, וְאַחִיתֶּפֶל, וְגִיחָזִי:

Three kings and four commoners have no share in the World to Come. The three kings are: Yeravam, Achav and Menashe. Rabbi Yehudah says: Menashe has a share in the World to Come, as it says: 'And he prayed to Him, and He received his entreaty, He heard his supplication and He brought him back to Jerusalem to his kingdom' (Divrei HaYamim Bet 33:13). They said to him: HaKadosh Baruch Hu restored Menashe to his kingdom, but He did not restore him to life in the World to Come. The four commoners are: Bilam, Doeg, Achitophel and ".Geichazi

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In a similar vein, one midrash teaches that Korach's lineage only goes back to Levi because Yaakov asked his name not be associated with the wickedness of his descendants

Tanchuma Yelamdenu Korach 4

בֶּן יִצְחָר בֶּן קֵהַת בֶּן לֵוִי. וְלָמָּה לֹא כָתִיב בֶּן יַעֲקֹב אוֹ בֶּן יִשְׂרָאֵל. זֶה שְׁאָמַר הַכָּתוּב: בְּסוּדָם אֵל תִּבְּא נַפְשֵׁי וְגו' (בראשית מט, ו). בְּסוּדָם אֵל תִּבְּא נַפְשֵׁי, אֱלֹהֵי הַמְּרַגְלִים. בְּקִהְלָם אֵל תִּחַד כְּבוֹדִי (שם), זֶה קִרַּח. אָמַר יַעֲקֹב לְכֹנֵי הַקְדוּשׁ בְּרוּךְ הוּא, רַבּוֹנוֹ שֶׁל עוֹלָם, לֹא בְּמַרְגְּלִים וְלֹא בְּמַחְלָקָתוֹ שֶׁל קִרַּח יִזְכָּר שְׁמִי עַל אוֹתָן רָשָׁעִים שֶׁעֲתִידִים לְהַכְעִיס. וְאִימָתִי יִכְתֹּב שְׁמִי עֲלֵיהֶם. כְּשֶׁהֵם מְתַיַּחֲסִין וְעוֹמְדִין עַל הַדּוֹכָן, שְׁנָאָמַר: בֶּן תַּחַת בֶּן אֲסִיר בֶּן אֲבִיאָסוֹף בֶּן קִרַּח בֶּן יִצְחָר בֶּן קֵהַת בֶּן לֵוִי בֶּן יִשְׂרָאֵל (דה"א ו, כב-כג):

Korach son of Yitzhar son of Kehat son of Levi' (Bemidbar 16:1). Why does it not say 'son of Yaakov' or 'son of Yisrael'? This is as it says: 'May my soul not enter their council (Breishit 49:6) - this is the spies; 'May my glory not be united in their congregation' (Breishit 49:6) - this is Korach. Yaakov said before HaKadosh Baruch Hu: Master of the Universe, may my name not be remembered with those wicked ones who are destined to anger You, neither the spies nor the rebellion of Korach. When should my name be written with them? When they are going up on the platform to serve You, as it says: 'Son of Tachath son of Asir son of Aviasasf son of Korach son of Yitzhar son of Kehat son of Levi son of Yisrael' (Divrei HaYamim Aleph 6:22-23)

Yaakov asked that his name not be included in reference to Korach, but in the Talmud Yerushalmi Moshe is not is small and suspended without Moshe's personal input. How 1 consulted in regards to his grandson's lineage; the could this be? Since it is for Moshe's benefit, to protect his honor, it is permissible. We are allowed to do something for someone's benefit even if he is not present

Mishnah Eruvin 7:11, Mishnah Gittin 1:6

לְפִי שְׂזָכִין לְאָדָם שְׁלֹא בְּפָנָיו, וְאֵין חֲבִירוֹ לְאָדָם שְׁלֹא בְּפָנָיו:

One may act for a person's benefit in his absence, but one may not act for a person's disadvantage in his absence

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An entirely different approach to this question than the one our midrash develops can be found in Seder Olam Rabbah, which understands the last several chapters of Sefer Shoftim to have occurred chronologically at the beginning of the Sefer, namely right after Yehoshua died. The reason why these stories are recorded at the end of Sefer Shoftim - even though they actually happened centuries earlier - is to preserve Bnai Yisrael's honor, for it would not be fitting to open Sefer Shoftim with tales such as Micha's idol or the concubine of Givah

Seder Olam Rabbah 12

יהושע פרנס את ישראל עשרים ושמנה שנה, ויהי אחרי הדברים האלה וימת יהושע בן נון וגו', ויקברו אותו וגו' (יהושע כ"ד:כ"ט), בו בפרק מת אלעזר, שנאמר ואלעזר בן אהרן מת וגו' (שם כד לג), ויעבד ישראל את ה' וגו' אשר האריכו ימים (שם כד לא), ימים האריכו ולא שנים, ואחריו עתניאל בן קנז ארבעים שנה, צא מהן שני שעבוד של כושן רשעתים שמנה שנים. בימי כושן רשעתים, היה פסלו של מיכה, שנאמר ויקימו להם בני דן את הפסל וגו' (שופטים יח ל), ובימיו היתה פילגש בגבעה:

Yehoshua served Yisrael for 28 years: 'After these things Yehoshua Bin Nun died ... and they buried him' (Yehoshua 24:29). In that same chapter Elazar died, as it says: 'And Elazar Ben Aharon died' (Yehoshua 24:33). 'Yisrael served Hashem ... during the lives of the elders who outlived in days' (Yehoshua 24:31) - they outlived Yehoshua in days, not in years. After him was Otniel Ben Kenaz who ruled for 40 years. Subtract from those years the 8 years of servitude under Kushan Rishatayim. The story of Micha's idol occurred In the days of Kushan Rishatayim, as it says: 'The sons of Dan erected the idol' (Shoftim 18:30), and in his days was also the incident of the concubine in Givah

Based on these calculations the incident of Micha's idol happened $28 + 40 - 8 =$ roughly 60 years after Moshe's death. It is certainly plausible for his grandson to have been alive and active at that time

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See Melachim Aleph 13 in its entirety. Why this particular *navi* deceives a man of G-d and leads him to his death is not at all clear from the pesukim. Radak notes that aside from Yonatan and Amaziah there are some other possibilities offered by the Rabbis

Radak to Melachim Aleph 13:11 d"h venavi zaken echad

תרגום יונתן ונביא שקרא חד סבא ויש נוסחאות שכתוב בהם ושמיה מיכה וכן בדברי רז"ל כי מיכה היה, מהם אמרו כי אמציה כהן בית אל היה ומהם אמרו זה עידוא הנביא ומהם אמרו זה יונתן בן גרשם ותחלת ישיבתו בשמרון היתה כמו שכתוב בדברי יאשיהו הנביא אשר בא משמרון (מלכים ב כג:יח) ובא לבית אל וישב שם:

Targum Yonatan translates this as: 'One elderly false prophet' inserting the word 'false' which does not exist in the pasuk. There are versions which also include: 'And his name was Micha', and similarly in the words of Chazal it was Micha, though some said it was Amaziah Kohen Beit El, some said it was Iddo HaNavi, and some said it was Yonatan Ben Gershom. His first home was Shomron, as it says regarding Yoshiyahu: 'The prophet who came from Shomron' (Melachim Bet 23:18); he then came to Beit El and settled there

300 We can suggest the parallel between their lives extends even further. Gershom started as a Kohen for *avodah zarah* in the tradition of his grandfather Yitro; similarly, Yehonatan started as a Kohen for the tribe of Dan, also for *avodah zarah*. Gershom then - albeit against his will - flips to service of G-d via the circumcision administered by Tzipporah; Yehonatan too returns to G-d "with all of his heart and all of his soul" as the name Shevu'el suggests. And finally, when Gershom is sent back to Midian, he reverts back to his old ways in service of idolatry, as evidenced by his absence in the story of Moshe's succession; Yehonatan's spiritual correction is also temporary, as he too ends up as a wicked *navi sheker*. Both father and son begin their lives serving evil, find redemption, only to slide back into oblivion, or perhaps, as found in the midrashim in **Note 40**: both Gershom and Yehonatan were chosen, then rejected, then tragically unable to come close again.

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Yirmiyahu 31:29

אבות אכלו בוסר ושיני בנים תקדינה:

"Parents have eaten sour grapes and the teeth of their children will be blunted"

Second Cousins

We find another important figure in Jewish history during the period of Shoftim: Aharon's grandson Pinchas. ^{^302^} He was both *Kohen* and *Navi* for HaKadosh Baruch Hu, zealous for His honor and absolutely convinced of His justice. Moshe's grandson Yehonatan, while also involved in the politics of the time, led a life of mediocrity, passivity and compromise, inheriting the uncertainties and insecurities that were an outgrowth of his father Gershom's syncretism.

And with this understanding, a beautiful interpretation emerges: a message hidden between the lines of Eliyahu at Har HaCarmel. While trying to win over the hearts of the people, frustrated with the nation's indecision, Eliyahu desperately demands an answer:

וַיֵּגֶשׁ אֵלָיו אֵל כָּל הָעָם וַיֹּאמְרוּ עַד מָתַי אַתֶּם פֹּסְחִים עַל שְׁתֵּי הַסַּעֲפִים אִם יְהוָה הָאֱלֹהִים לָכֵן אֶתְּרִי וְאִם הַבַּעַל לָכֵן אֶתְּרִי וְלֹא עָנּוּ הָעָם אֹתוֹ דָּבָר: וַיֹּאמֶר אֵלָיו אֵל הָעָם אֲנִי נֹתֵרְתִי נִבְיָא לַיהוָה לְבִדִּי וְנִבְיָאֵי הַבַּעַל אַרְבַּע מֵאוֹת וְחֲמִשִּׁים אִישׁ: ^{^303^}

"Eliyahu approached the nation and said: How long will you keep hopping back and forth between two opinions? If Hashem is G-d, follow Him, and if Baal is god, follow him! But the nation had nothing to answer him. Eliyahu then said to the nation: I alone remain as a prophet of Hashem, while the prophets of Baal are 450 men." ^{^303^}

If Yehonatan really is the unnamed prophet in Melachim Aleph 13 as Rabbi Shmuel Bar Nachman contends, it is not at all inconceivable that he was among the nation present on that fateful day at Har HaCarmel.³⁰⁴

Eliyahu continues the legacy of his grandfather Aharon and father Elazar, whose lives represented the idea of fidelity to G-d no matter what life throws at you and consistency through daily service and ritual as *Kohen Gadol*. But his second cousin Yehonatan inherited a very different religious legacy, for Moshe had not "*tended to his fruit*" in the way that Aharon had. Gershom's childhood was spent, not at his father Moshe's side in service of G-d, but back and forth between the world of Israelite belief and that of Midianite apostasy. He was an old man, still agonized after hundreds of years, and tired of his constant state of internal unrest.

Eliyahu's cry of "*How long will you keep hopping back and forth between two opinions*",³⁰⁵ while aimed at the entire nation, struck Yehonatan at the core of his very being; he, along with the rest of the nation, "*had nothing to answer him*". Eliyahu was hinting to his cousin - also present in the crowd³⁰⁶ - that even after centuries of searching and flip-flopping, the blood of Gershom's circumcision and what it represented still stained his son even after centuries had passed. Only Eliyahu "*alone remains as a prophet of Hashem*", of Hashem specifically; Yonatan too remains, but as a *navi sheker*, a false prophet, still cursed with the ambivalence and ambiguity that sprang into being hundreds of years earlier.

What became of Yonatan? Did he remain in his tragic, sunken state until his dying breath, or did he eventually achieve redemption? After a lifetime of oscillation between chosenness and rejection, was he able, in the words of Bamidbar Rabbah 3:2 (see **Note 40**), to *come close*? In this, the foil between Pinchas and Yonatan truly comes full circle, for not only did both live extraordinarily long lives - keeping the outstretching arms of the Angel of Death at bay for centuries - but perhaps they also cheated death as well. Pinchas, also known as Eliyahu, did not die; as a reward for his steadfastness he merited to ascend to Heaven alive in a whirlwind.³⁰⁷ Yonatan died but was resurrected, his revival perhaps representing a final cleansing of his past and a purification of his soul.

When Elisha, the student of Eliyahu, died and was buried, a strange story is told of an unidentified man whose bones touched Elisha's bones and who miraculously came back to life.³⁰⁸ Resurrection from the dead is not a common occurrence, to say the least; why did this anonymous man merit a supernatural revival? The Talmud suggests an answer to this

obvious question, arguing that this person was wicked, and because the wicked and the righteous cannot be buried together, he was brought back to life so that his bones would not lie next to those of the righteous prophet Elisha:

דאמר ר' אחא בר חנינא מנין שאין קוברין רשע אצל צדיק שנאמר (מלכים ב יג, כא) ויהי הם קוברים איש והנה ראו את הגדוד וישליכו את האיש בקבר אלישע ויגע האיש בעצמות אלישע ויחי ויקם על רגליו. אמר ליה רב פפא ודילמא לאיקיומא (מלכים ב ב, ט) ויהי נא פי שנים ברוחך אלי? אמר ליה אי הכי היינו דתניא על רגליו עמד ולביתו לא הלך אלא ויהי נא פי שנים היכי משכחת לה דאחייא א"ל רבי יוחנן שריפא צרעת נעמן שהיא שקולה כמת דכתיב (במדבר יב, יב) אל נא תהי כמת: ³⁰⁹

"Rav Aha Bar Hanina said, how do we know that the wicked should not be buried next to the righteous? As it says: 'It happened that people were burying a man, and when they saw the raiding band they threw the man into the grave of Elisha. The man touched the bones of Elisha, and came to life; and stood up on his legs.' (Melachim Bet 13:21). Rav Pappa said to him, perhaps this person was resurrected in order to fulfill: 'May twice your spirit rest upon me' (Melachim Bet 2:9) and since Eliyahu resurrected the dead once and Elisha resurrected the dead once, in order for Eliyahu's blessing to come to fruition Elisha still had to resurrect a second time? He said to him, if so, what about that which was taught: He stood on his legs, but did not go to his home? Meaning, he died right after he moved away from Elisha's bones. If so, where do we find the fulfillment of: 'May twice your spirit rest upon me'? Rabbi Yohanan said, that Elisha healed Na'aman's tzara'at, which is considered like death, as it says: 'Do not let her be as dead' (Bamidbar 12:12)."³⁰⁹

In his commentary to this Talmudic discussion Rashi explicitly equates the person who was resurrected with the false prophet from Melachim Aleph 13:

אותו הנקבר נביא השקר היה הוא הנביא אשר השיב את עידו לאכול ולשתות בבית אל ונענש עידו על ידו והמיתו הארי וכשמת לאחר ימים קברוהו אצל אלישע ולא הוכשר אצל המקום שיקבר אצלו והחייהו: ³¹⁰

"That buried man was the false prophet who tricked Iddo to eat and drink in his house, and Iddo was punished on his account and killed by a lion, and when the false prophet died after some years he was buried with Elisha, but he was not worthy of that place to be buried next to Elisha, because the wicked are not to be buried next to the righteous, and so he came back to life."³¹⁰

There is some difficulty with Rashi's approach, as the false prophet explicitly adjured his family to bury him alongside the true prophet - identified by Rashi as Iddo - whose death he caused,³¹¹ and we are told that his burial wish had indeed been fulfilled.³¹² So how could this man's bones have touched those of Elisha - thereby bringing him back to life - if he is identical to the man whose bones were found by Yoshiyahu centuries later?³¹³

If we connect this aggadic tradition cited by Rashi with the idea found in **Notes 48 and 49** that the false prophet in question was actually Yonatan Ben Gershom Ben Moshe, we find that Moshe's grandson actually came back from the dead. Thus the parallel between Pinchas/Eliyahu and Yonatan/Shevu'el is complete: both lived extraordinarily long lives, from before Yehoshua conquered Eretz Yisrael until the days of Elisha the prophet; and both had a legacy which outlasted an earthly death: Eliyahu went to Heaven alive, while Yonatan was resurrected and came back to life.

It can even be argued that, while the Talmud prefers not to accept Rav Pappa's argument, his attempt to find in Yonatan's resurrection a fulfillment of Eliyahu's double blessing to Elisha would imply that Yonatan merited rebirth due to the legacy of Eliyahu. And thus, in life and in death, Eliyahu redeems Yonatan: in life, when he rebukes him for his half-heartedness, prompting genuine internal reflection, and in death, when his blessing brings his cousin back to life.³¹⁴

Aharon was comforted by Moshe's presence at Hor HaHar, for he realized that his legacy as an *Eved Hashem* would continue through Elazar and his descendants while Moshe's legacy would end with his death. And so it was: Aharon's grandson Pinchas/Eliyahu kept the faith like his father before him, while Moshe's grandson Yehonatan had nothing to answer, like his father before him. Because Elazar received the crown from Aharon, and then Pinchas received it from Elazar, Aharon merited having his grandson loyal to HaKadosh Baruch Hu and His Torah hundreds of years after he was buried, a legacy enshrined for generations to come. Gershom and Eliezer "*sat idly and did not learn Torah*", for they could not overcome the contradictions of their childhood and the distance from their biological father. Moshe's descendants were doomed to dwell in the shadows, unable on their own to throw off the shackles of syncretic confusion from their childhood.

There are two important lessons to be extracted from the success of Aharon and the misfortune of Moshe. The first is the importance of marrying into, and surrounding oneself

people are influenced by their families and טוב לצדיק טוב לשכנו: by, a righteous family environment. Look no further than the story of Zimri and Kozbi: Pinchas recognized the danger of a union between Jew and Midianite and took action to stamp it out, whereas Moshe ^- himself married to a Midianite - was crying in despair, unable to act. ³¹⁵

The second lesson is the importance of proper *chinuch*, and the enormous implications of doing it incorrectly. A single, traumatic event can have an incalculable impact on a child's life and beliefs, and the butterfly effect of that can have unintended consequences for a long time. The curse of conflicting deities led to a nagging sense of doubt which began with Gershom's circumcision, continued with his mother's banishment back to Midian and subsequent return to Har Sinai, and still reverberated and held sway at Har HaCarmel centuries later, much to Eliyahu's chagrin. Invest in your children's education and values, and sacrifice whatever it takes to impart on them your religious convictions. Otherwise, you may find yourself like Moshe Rabbeinu, bewailing your impending doom and having no one left to comfort you. ³¹⁶

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A fascinating parallel exists in the aggadic discussion surrounding Pinchas, Aharon's grandson. He too is mentioned at the end of Sefer Shoftim as still being alive

Shoftim 20:28

וַיִּנָּחֵם בֶּן אֱלֶעָזָר בֶּן אַהֲרֹן עֹמֵד לִפְנֵי בְנֵי מִיכָאֵל הָאִדֹּל לֵאמֹר הֲאִם לִצָּאת לִמְלָחְמָה עִם בְּנֵי בְנֵימִן אֲחִי אִם אֶחָדָל וַיֹּאמֶר יְהוָה עָלָיו כִּי מָחָר אֶתְּנֶנּוּ בְיָדְךָ:

Pinchas Ben Eleazar Ben Aharon the priest ministered before Him in those days, and said: Shall I again go out to battle against the children of my brother Benjamin, or should I refrain from battle?" Hashem said, "Go up, for tomorrow I will deliver them into your hands

Here as well there are two approaches to solve the chronological issue. One solution is to rely on Seder Olam Rabbah's assertion (see **Note 53** above) that both Micha's idol - when Moshe's grandson Yehonatan is mentioned - and the concubine of Givah - when Pinchas is mentioned - happened in the days of Kushan Rishatayim, and not hundreds of years later. The other approach is to simply declare, as the Talmud Yerushalmi and Shir HaShirim Rabbah do in regards to Yehonatan, that Pinchas lived for many hundreds of years

This is perhaps the primary motivation behind the famous midrashic tradition equating Pinchas with Eliyahu HaNavi. Eliyahu was swept up to heaven in a whirlwind of fire, and since he never died he is a natural candidate for someone who lived for hundreds of years

Pirkei DeRabbi Eliezer 47

רבי אליעזר אומר, קרא שמו של פנחס בשמו אליהו, אליהו זכור לטוב מתושבי הגלעד, שעשה ישראל תשובה על ידו בהר גלעד:

Rabbi Eliezer says: He called the name of Pinchas by the name of Eliyahu - Eliyahu, may his memory be blessed, from the inhabitants of Gilad, who brought about repentance for Yisrael at Har Gilad

To summarize: two distinct pesukim at the end of Sefer Shoftim indicate that both Moshe's grandson and Aharon's grandson each lived respectively for over 500 years

303 Melachim Aleph 18:21-22.

303 Melachim Aleph 18:21-22.

304 Asa became King of *Malchut Yehudah* in the 20th year of Yeravam Ben Nevat, King of Yisrael, and he reigned for 41 years (Melachim Aleph 15:9). Achav became King of *Malchut Yisrael* in the 38th year of Asa, King of Yehudah, and he reigned for 22 years (Melachim Aleph 16:29). Let us assume the largest possible gap in years between the story of the old prophet which happened during Yeravam's reign (Melachim Aleph 13:1) and the story of Eliyahu on Har HaCarmel which happened during Achav's reign (Melachim Aleph 18:20). This means:

- Yehonatan must have been alive no earlier than Yeravam's first year of rule - Achav took the throne $20 + 38 = 58$ years after Yeravam's first year of rule - Eliyahu must have been alive no later than $58 + 22 = 80$ years after Yeravam's first year of rule

The largest possible gap in years between the two stories is less than 80 years. Surely if Rabbi Shmuel Bar Nachman believes that Yehonatan lived from the beginning of the *Shoftim* period to when Yeravam was in power - a timeframe of several hundred years - appending another 80 years maximum to his life should not pose any concern.

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The theme of two animal sacrifices who begin as equals but whose destinies then diverge, with one for Hashem and one for *Avodah Zarah*, is made explicit by the midrash. This concept finds its most well-known source in the Yom Kippur service (Vayikra 16:8), and the fates of Gershom and Eliezer also fit into this trope

Vayikra 16:8

וַיָּתֵן אֶהָרֹן עַל שְׁנֵי הַשְּׂעִירִים גִּרְלוֹת גִּרְלָהּ אֶחָד לַיהוָה וְגִרְלָהּ אֶחָד לְעִזְאֵזֶל:

"And Aharon placed lots on the two goats: one lot for Hashem, and one lot for Azazel"

Tanchuma Yelamdenu Masei 8

זֶה שֶׁאָמַר הַכְּתוּב: מִלִּפְנֵי מִבְּהֶמוֹת אֶרֶץ, וּמֵעוֹף הַשָּׁמַיִם יִחַכְמְנוּ (איוב לה, יא). מִלִּפְנֵי מִבְּהֶמוֹת אֶרֶץ. אָמַר לָהֶם הַקָּדוֹשׁ בְּרוּךְ הוּא לְיִשְׂרָאֵל, לְמַדּוּ מִפָּרוֹ שֶׁל אֱלֹהֵינוּ, שֶׁבְּשָׂעָה שֶׁאָמַר לָהֶם אֱלֹהֵינוּ לְעוֹבְדֵי הַבַּעַל, בָּחֲרוּ לָכֶם הַפָּר הָאֶחָד וַעֲשׂוּ רִאשׁוֹנָה וְגו' (מלכים א יח, כה), בְּאוֹתָהּ שָׂעָה נִתְקַבְּצוּ אַרְבַּע מֵאוֹת וְחֲמִשִּׁים גְּבִיאי הַבַּעַל וְאֶרְבַּע מֵאוֹת וְחֲמִשִּׁים גְּבִיאי הָאֱשֵׁרָה, וְלֹא יָכְלוּ לְזוּזוֹ אֶת רִגְלוֹ מִן הָאֶרֶץ. רָאָה מֶה כְּתִיב שָׁם, וַיִּתְּנוּ לָנוּ שְׁנַיִם פָּרִים וְגו' (שם פסוק כג). מֶה עָשָׂה אֱלֹהֵינוּ. אָמַר לָהֶם: בָּחֲרוּ לָכֶם שְׁנַיִם פָּרִים תְּאוֹמִים מֵאֵם אַחַת, הַגְּדִלִים עַל אֲבוֹס אֶחָד, וְהִטִּילוּ עֲלֵיהֶם גִּרְלוֹת, אֶחָד לְשֵׁם שְׁמַיִם, וְאֶחָד לְשֵׁם הַבַּעַל. וּבָחֲרוּ לָהֶם הַפָּר הָאֶחָד. הַפָּר שֶׁל אֱלֹהֵינוּ מִיָּד נִמְשָׁךְ אַחֲרָיו וְהִלָּךְ. וְאוֹתוֹ הַפָּר שֶׁעָלָה לְשֵׁם הַבַּעַל, נִתְקַבְּצוּ אוֹתָם גְּבִיאי הַבַּעַל וְגְבִיאי הָאֱשֵׁרָה לְזוּזוֹ עִמָּם וְלֹא יָכְלוּ, עַד שֶׁפָּתַח אֱלֹהֵינוּ וְאָמַר לֵיהֶם: לֵךְ עִמָּהֶם. הַשִּׁיב הַפָּר וְאָמַר לְאֱלֹהֵינוּ לִפְנֵי כָל הָעָם, אֲנִי וְחֻבְרֵי יִצְחָנוּ מִרְחֶם אֶחָד, וְגִדְלָנוּ בְּמִרְעָה אֶחָד עַל אֲבוֹס אֶחָד, וְהוּא עָלָה לְחִלְקוֹ שֶׁל מְקוֹם, וְשִׁמוֹ שֶׁל הַקָּדוֹשׁ בְּרוּךְ הוּא מִתְקַדֵּשׁ עָלָיו. וְאֲנִי עֲלִיתִי בְּחִלְק הַבַּעַל, לְהַכְעִיס אֶת בּוֹרְאִי. אָמַר לֵיהֶם אֱלֹהֵינוּ, לֵךְ עִמָּהֶם, וְאַל יִמָּצְאוּ לִי עֲלִילָה, שֶׁכְּשֵׁם שֶׁשִּׁמוֹ שֶׁל הַקָּדוֹשׁ בְּרוּךְ הוּא מִתְקַדֵּשׁ עַל זֶה שְׁעָמִי, כִּךָּ מִתְקַדֵּשׁ עָלֶיךָ:

This is as it says: 'Who gives us more knowledge than the beasts of the earth, and makes us wiser than the birds' of the sky' (Iyov 35:11). HaKadosh Baruch Hu said to Yisrael: Learn from the bull of Eliyahu, for at the time that Eliyahu said to the prophets of Baal: 'Choose one bull for yourselves and prepare it first' (Melachim Aleph 18:25) - at that time four hundred and fifty prophets of Baal and four hundred (and fifty) prophets of Asherah gathered together; but were unable to budge the bull's foot from the ground. Look at what is written there: 'Let them give us two bulls' (Melachim Aleph 18:23). What did Eliyahu do? He said to them: Choose two bulls for yourselves, twins from the same mother; who are being fattened at the same trough. Cast lots over them, one for the name of Heaven i.e. HaKadosh Baruch Hu and one for Baal. And so they choose one bull for themselves. s bull kept following him, but the bull which had been assigned to the name of Baal, all the'Now Eliyahu prophets of Baal plus the prophets of Asherah assembled to move even its foot from the ground and were unable to do so, until Elijah began to say to it for them: Go with them. The bull answered and spoke to Eliyahu before the eyes of all the people and said to him: My fellow bull and I came out of the same womb, and we grew up in the same pasture at the same feeding trough. That one was assigned to the portion of HaMakom, and the name of the HaKadosh Baruch Hu is sanctified through him. So why have I been assigned to the portion of Baal, to provoke my Creator? Eliyahu said to him: Go with them, and do not let them find an excuse against me. Just as the name of the HaKadosh Baruch Hu is being sanctified through this one with me, so will it be sanctified through you

Like the two goats on Yom Kippur, the two bulls on Har HaCarmel, and the dedication of Gershom and Eliezer, the *metzora* purification rite requires two identical birds; one is slaughtered while one is set free over the open field. This connection is further developed below

306 Yonatan lived and operated in the Kingdom of Yisrael, first serving the tribe of Dan (see **Note 48**) whose inheritance lay to the north, and eventually settling in Beit El (see **Note 55**), which was found in the Shomron. It is only natural that he would attend a monumental confrontation between his cousin and the prophets of Ba'al in a direct challenge to the region's king.

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Melachim Bet 2:11

וַיְהִי תַמָּה הַלָּיְלָה וַיֵּדְבָר וַהֲגָה רֶכֶב אֵשׁ וְסוּסֵי אֵשׁ וַיִּפְרְדּוּ בֵּין שְׁנֵיהֶם וַיַּעַל אֵלֵיהֶם בְּסַעֲרָה הַשָּׁמַיִם:

Behold, they were walking and talking, and a chariot of fire and horses of fire appeared and separated between" them, and Eliyahu went up in a whirlwind to Heaven

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Melachim Bet 13:20-21

וַיָּמָת אֵלִישָׁע וַיִּקְבְּרוּהוּ וַיְגִדּוּ מוֹאָב יְבֹאוּ בְּאֶרֶץ בְּנֵי שֹׁנָה: וַיְהִי הֵם לִבְרִים אִישׁ וַהֲבִיל רָאוּ אֶת הַגְּדוּד וַיִּשְׁלִיכוּ אֶת הָאִישׁ בְּקֶבֶר אֵלִישָׁע וַיֵּלֶךְ וַיִּגַע הָאִישׁ בַּעֲצָמוֹת אֵלִישָׁע וַיָּחִי וַיָּקָם עַל רַגְלָיו:

Elisha died and was buried. Raiding bands of Moav came to the land the following year. It happened that" people were burying a man, and when they saw the raiding band they threw the man into the grave of Elisha. "The man touched the bones of Elisha, and came to life; and stood up on his legs

309 Sanhedrin 47a.

309 Sanhedrin 47a.

310 Rashi, Sanhedrin 47a d"h vayehi vayakom al raglav.

310 Rashi, Sanhedrin 47a d"h vayehi vayakom al raglav.

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Melachim Aleph 13:31

וַיְהִי אַחֲרֵי קִבְרוֹ אֹתוֹ וַיֹּאמֶר אֶל בָּנָיו לֵאמֹר בְּמוֹתִי וַקְבְּרֵתֶם אֹתִי בְּקֶבֶר אִשָּׁר אִישׁ הָאֶל-לֵהִים קָבֹר בּוֹ אֲצַל עַצְמוֹתָיו הַנִּיחוּ אֶת עַצְמוֹתַי:

After the false prophet buried the true prophet he said to his sons, when I die, bury me in the grave where the" man of G-d is buried; place my bones next to his

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Melachim Bet 23:17-18

וַיֹּאמֶר מָה הַצִּיּוֹן הַלֵּוֹ אֲשֶׁר אָנֹכִי רֹאֶה וַיֹּאמְרוּ אֵלָיו הָעִיר הַקְּבֵר אִישׁ הָאֶל־לֵהִימָן אֲשֶׁר בָּא מִיְּהוּדָה וַיִּקְרָא אֶת הַדְּבָרִים הָאֵלֶּה אֲשֶׁר עָשְׂתָה עַל הַמִּזְבֵּחַ בֵּית אֵל: וַיֹּאמֶר הִנִּיחוּ לוֹ אִישׁ אֶל יָגַע עֲצָמוֹתָיו וַיִּמְלֹטוּ עֲצָמוֹתָיו אֶת עֲצָמוֹת הַנָּבִיא אֲשֶׁר בָּא מִשְׁמֶרֶן:

Yoshiyahu said, what is this marker that I see? The people of the city said to him, that is the grave of the man of G-d who came from Yehudah and prophesied these things which you have done on the altar of Beit El. He said, leave him, no one shall touch his bones; and they left his bones along with the bones of the false prophet who came from Shomron

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Although the Talmud quotes a teaching which states that the man came back to life only to die again shortly thereafter, if we assume instead that he did "go back to his house" it could be that after his resurrection that false prophet lived again only to die once more at some point between the death of Elisha and the reign of Yoshiyahu; upon his second death he was buried, presumably by his children's descendants, in the grave of the true prophet as he had originally commanded

Maharsha wonders how this false prophet, wicked as he was, could have been buried next to Iddo, a righteous and true prophet; he had been brought back to life so as *not* to be buried next to Elisha, so why were his bones allowed to remain next to Iddo

Maharsha Sanhedrin 47a d"b yayehi vayakam al raglav

ויש ליישב דלא קאמר אלא אצל עצמותיו הניחו עצמותי דהיינו אחר שנתעכל הבשר דאז נתכפר הרשע כדתנן במתני' נתעכל הבשר מלקטין עצמותיו וקוברין אותן במקומן וכדמפרש בגמרא לקמן אבל לגבי אלישע נקבר ההוא נביא שקר מיד אחר מותו:

And we can suggest that the false prophet only said: 'Place my bones near his bones' after his flesh would have already decomposed, since at that point the wicked are atoned for and can be buried near the righteous, as it is taught in a Mishnah Sanhedrin 45b: 'If the flesh has decomposed, they clean off the bones and bury the wicked who was killed by Beit Din in his ancestral plot', as the Talmud explains. But regarding Elisha, that false prophet was buried there immediately after his death

314 This redemptive arc for Moshe's legacy, as realized through his grandson, provides an alternative answer to the problem raised in the previous note (**Note 67**). The reason why Yonatan was not allowed to be buried with Elisha, but was allowed to be buried with Iddo, is not because the flesh hadn't yet decomposed when his bones touched those of Elisa but had when they were lain next to Iddo's - as Maharsha suggests - but rather because Yonatan himself had undergone a transformation: when Elisha died he was still a wicked *navi sheker*, and as such could not be buried alongside him; but perhaps his physical resurrection also represents a spiritual awakening, a reformation and repentance. After nearly a thousand years, Eliyahu's stinging remarks on Har HaCarmel pierced his cousin's heart; Eliyahu's blessing literally and figuratively brought him "back to life". After living hundreds of years and dying in the same generation as his cousin, Shevu'el finally overcame the shadow of Yonatan, the false prophet became a true servant of G-d, returning to Hashem with 100% conviction, no longer oscillating back and forth between two worlds. Perhaps that is why he was permitted, finally, to rest alongside the bones of a true prophet of G-d: we bury a tzaddik alongside another tzaddik.

315 See our notes to **Part IV** for an aggadic explication of this episode (Bemidbar 25:1-15).

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:Although Moshe did not teach his own sons Torah, he did teach Elazar and Itamar

Sanhedrin 19b

אמר רבי שמואל בר נחמני א"ר יונתן כל המלמד בן חבירו תורה מעלה עליו הכתוב כאילו ילדו שנאמר (במדבר ג, א) ואלה תולדות אהרן ומשה וכתוב ואלה שמות בני אהרן לומר לך אהרן ילד ומשה לימד לפיכך נקראו על שמו:

Rabbi Shmuel Bar Nachmai said in the name of Rabbi Yonatan: Whoever teaches his fellow's son Torah - the text considers it as if it is his own son, as it says: 'There are the generations of Aharon and Moshe' (Bemidbar 3:1), and then it says: 'These are the names of the sons of Aharon'. This teaches you that Aharon birthed but ".Moshe taught, and therefore the children are named after him

The midrash considers Moshe's nephews to be like his own sons. This idea does lessen somewhat the immense weight of Moshe's despair described in Yalkut Shimoni, for after all he did have sons - albeit not biological ones - that carried his Torah on after him. This also explains why Moshe had to be present at Hor HaHar; it is fitting for Moshe to present his "son" Elazar with the *Kehunah Gedolah*.

Part 2: Tzipporah

Introduction

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Introduction

Names have an important role to play in Hazal's aggadic toolbox. They often carry special significance about the people they designate, and the Rabbis were fond of explaining how names are related to the events of a particular person's life.³¹⁷ It is even claimed that people used to be named - or perhaps more accurately, renamed - by the Torah based on important events that happened to them.³¹⁸

This idea also extended beyond the normal bounds of aggadic exercise and interpretation. Names were not merely seen as a tool that could be used to uncover additional layers and meaning of a given text. There was also a belief that names are causal; the essence of a

person's name can have a real, actual, material impact on his personality and life.^{^319^} Some Rabbis were inclined to judge people as righteous or wicked based on their names and react accordingly; for example, Rabbi Meir refused to entrust his belongings with an innkeeper who had a "wicked" name, thereby preventing the man from cheating him the next day.^{^320^} Names, in other words, are not just explanatory, but also predictive.

It is with this in mind that we turn our attention to Moshe's wife, Tzipporah. Unlike Moshe, Gershom or Eliezer - whose names are explained by the Torah (Shmot 2:10, 2:22, and 18:4 respectively) - the reason behind Tzipporah's name is not given. The most straightforward rendering is that her name is related to a female bird, but does this have anything to do with her character or any of her stories we are familiar with?

One explanation relates her name to the "bridegroom of blood" story discussed above (Shmot 4:24-26). Moshe and Tzipporah were confronted by G-d Himself who sought to kill them, so it would have been an understandable reaction had they panicked and frozen up under pressure.^{^321^} Instead, Tzipporah took drastic, dangerous measures to save her family, and did so without hesitation. This instinctual response evokes for us the image of a mother bird hovering over her eggs protectively.^{^322^} Another midrash also relates Tzipporah's name to a bird's speed, but ties it to a different episode: her running to fetch Moshe from the well after he saves her and her sisters from abusive shepherds.^{^323^}

It is a different tradition, however, which demands our attention and scrutiny. Tzipporah's name is connected to the concept of purity and blood:

ד"א למה נקראת צפורה שטיהרה כל בית אביה כדם הציפור:^{^324^}

"Why was her name Tzipporah? Because she purified her entire father's house like the blood of a bird."^{^324^}

It might be tempting to understand this as acknowledging that because Tzipporah's marriage to Moshe eventually led to her father Yitro recognizing Hashem - which then logically led the rest of his family to follow suit - the purification of Yitro and his house from the sins of *Avodah Zarah* is in her merit. But could there be a deeper, thematic connection between Tzipporah's essence on the one hand, and the "*purified ... blood of a bird*" on the other hand? And how does this connect to Tzipporah's relationship with Moshe and their children?

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Rut Rabbah 2:5

רבי מאיר הנה דורש שמות. רבי יהושע בן קרחה הנה דורש שמות. וישם האיש אלימלך, שהנה אומר אלי תבוא מלכות. וישם אשתו נעמי, שהיו מעשיה נאים ונעימים. וישם שני בנים מחלון וכליון, שנמחו מן העולם. וכליון, שכלו מן העולם:

Rabbi Meir and Rabbi Yehoshua Ben Karcha used to interpret names. For example: 'The man's name was' Elimelech' (Rut 1:2) - he used to say, kingship will come to me. 'His wife's name was Naomi' - her deeds were nice and pleasant. 'And the names of his two sons were Machlon and Kilion' - Machlon, because he was erased from the world, and Kilion, because he disappeared from the world

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Breishit Rabbah 37:7

רבי יוסי ורבן שמעון בן גמליאל, רבי יוסי אומר הראשונים על ידי שהיו מפירים את יחוסיהם היו מוציאים שמן לשם המאדע, אבל אנו שאין אנו מפירים את יחוסינו, אנו מוציאים לשם אבותינו. רבן שמעון בן גמליאל אומר הראשונים על ידי שהיו משתמשין ברוח הקדש, היו מוציאים לשם המאדע, אבל אנו שאין אנו משתמשין ברוח הקדש אנו מוציאים לשם אבותינו:

Rabbi Yosi and Rabban Shimon Ben Gamliel. Rabbi Yosi says, the first ones were familiar with their lineages" and used to take out their names for the sake of the event, but we do not know our lineages and so we take out our names for the sake of our forefathers. Rabbi Shimon Ben Gamliel says, the first ones used to receive ru'ach hakodesh and so they used to take out their names for the sake of the event, but we do not receive ru'ach hakodesh and so we take out our names for the sake of our forefathers

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:See Berachot 7b and Maharsha's comments there for the source of this idea

Berachot 7b

מִנָּא לֵן דְּשִׁמָּא גָרִים? אָמַר רַבִּי אֱלִיעֶזֶר, דָּאִמַּר קָרָא: "לְכוּ הַזֶּה מִפְעֻלוֹת ה' אֲשֶׁר שָׁם שְׁמוֹת בְּאֶרֶץ" (תהילים מו:ט), אֶל תִּקְרִי "שְׁמוֹת" אֶלָּא "שְׁמוֹת":

How do we know that a name affects a person's life? Rabbi Eliezer said: It says: 'Go see the works of Hashem' ". 'who has placed desolations in the land' (Tehillim 46:9) - do not read it 'desolations' but rather 'names

Chiddushei Aggadot to Berachot 7b d"h minalan

וע"כ דרשו שמות מלי' שמות שפעולות ה' נמשכים אחרי השם של אדם שהוא גרם וק"ל:

This is why Chazal interpreted names, because of this idea regarding names that the works of Hashem follow" ".after a person's name, and it is causal

One midrash emphasizes that this should be taken seriously, and when naming children this causal power should :be factored into the decision

Tanchuma Yelamdenu Haazinu 7

לְעוֹלָם יִבְדֹּק אָדָם בְּשְׁמוֹת לְקָרָא לְבָנוֹ, הֲרָאוּי לִהְיוֹת צַדִּיק. כִּי לְפַעְמִים הַשֵּׁם גּוֹרֵם טוֹב אוֹ גּוֹרֵם רָע, כְּמוֹ שְׁמֻצְיָנוּ בְּמַרְגְּלִים וְכוּ':

A person should always check if the name he is calling his son is a worthy name for a tzaddik. Sometimes a" ".name influences for the good or influences for the bad, as we see regarding the spies etc

This idea is greatly expanded upon in later mystical and Kabbalistic works; it is even seen as an early hint to the :or transmigration of the souls, in the thought of the Arizal, secret of

Sefer HaBahir 80

כל מה שהביא הקדוש ברוך הוא בעולמו שם מעניינו דכתיב (בראשית ב' י"ט) וכל אשר יקרא לו האדם נפש חיה הוא שמו:

Whatever HaKadosh Baruch Hu brings into the world, its name has to do with its essence as it says: 'Whatever' ".Adam called each animal's soul, that was its name' (Breishit 2:19)

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Yoma 83b

רבי מאיר ורבי יהודה ורבי יוסי הוּ קא אָנלי באַוּרְחא, רבי מאיר הנה דייק בשמא, רבי יהודה ורבי יוסי לא הוּ דייקי בשמא. פי מוטו לההוא דוקתא, בעו אושפיןא ... ולבסוף הוּ דייקי בשמא:

Rabbi Meir, Rabbi Yehudah and Rabbi Yosi were walking along the road. Rabbi Meir interpreted names, but" Rabbi Yehudah and Rabbi Yosi did not interpret names. When they got to their destination, they sought out a "place to stay ... In the end, Rabbis Yehudah and Yosi learned from this and also interpreted names

321 Indeed, this could be the *peshat* understanding of Moshe's conspicuous absence in the story - not that he was swallowed up by Satan or some angelic messenger, and not that he was bound by an oath which prevented him from intervening, but simply that he was too shocked to respond quickly enough in that moment.

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Pesikta Zutreta to Shmot 4:25

ותקח צפורה צר, שהיתה זריזה כצפור:

"Tzipporah took a rock' (Shmot 4:25) - she was agile like a bird and able to act quickly'"

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Shmot 2:16-20

וילכו מדן שבע בנות ותבאנה ותדלנה ותמלאנה את הרהטים להשקות צאן אביהן: ויכאו הרעים ויגרשו ויקם משה וישען וישק את צאנם: ותבאנה אל רעואל אביהן ויאמר מדוע מהרתן בא היום: ותאמרן איש מצרי הצילנו מיד הרעים וגם דלה דלה לנו וישק את הצאן: ויאמר אל בנותיו ואין למה זה עזבתן את האיש קראן לו ויאכל לחם:

The priest of Midian had seven daughters. They used to come draw water, fill up their jugs and water their" father's flock. One day shepherds came and drove them off, but Moshe stood up and rescued them, and watered their flock. They came to their father Reu'el, who said: How are you back so soon today? They said: An Egyptian man rescued us from the shepherd, and he also grew water for us, and watered our flock. Reu'el said to his "daughters: and where is Moshe? Why did you abandon the man - call him here and he shall eat bread

Tanchuma HaKadum Shmot 11

ויאמר אל בנותיו ואין (שם שם כ), מיד (יצאתה) רצתה צפורה כצפור והביאתהו:

Yitro said to his daughters: And where is Moshe?' (Shmot 2:20). Immediately Tzipporah ran like a bird and"" brought him to them

324 Tanchuma HaKadum Shmot 11.

324 Tanchuma HaKadum Shmot 11.

Back Home

After Bnai Yisrael are delivered from Egypt and begin their wanderings in the desert, Yitro "heard about what G-d did for Moshe and His nation Yisrael, that Hashem took Yisrael out of Mitzrayim" (Shmot 18:1). He travels to the desert to visit Moshe, and brings Tzipporah and her two sons with him "after she was sent away" (Shmot 18:2). This revelation is unexpected, for the last time we encountered Tzipporah she was accompanying Moshe down to Egypt on his way to confront Pharaoh. When was she sent back to Midian, and why?

One midrash contends that Tzipporah and her children went back to Midian after they had already arrived in Egypt and spoke to Pharaoh, who responded by increasing the Jews' workload (Shmot 5:1-9). Not only that, but Moshe accompanied them there:

וַיָּצֵאוּ נָגְשֵׁי הָעָם וְשֹׁטְרָיו, כִּי יֵינוּ שְׂגֹזֵר כֹּן הָלַךְ מֹשֶׁה לְמִדְיָן וַעֲשָׂה שְׂפָה חֲדָשִׁים וְאַהֲרֹן הָיָה יוֹשֵׁב בְּמִצְרַיִם, וְאוֹתָהּ שָׁעָה הִתְחַזֵּיר מֹשֶׁה אֶשְׁתּוֹ וּבָנָיו לְמִדְיָן: ^{^325}

'The taskmasters of the people and their officers went out' (Shmot 5:10). Once this decree was made Moshe went back to Midian and waited there for six months, and Aharon remained behind in Egypt. At that time Moshe also returned his wife and children to Midian." ^{^325}

Unable to face the excessive suffering in Egypt which had repulsed him decades earlier, and eager to avoid responsibility for his initial failure to free the people, Moshe flees to Midian with his family for six months. He remains there until Hashem appears to him and commands him to try again, promising this time to actually begin the redemptive process. ^{^326}

A second midrash argues that Tzipporah was sent back to Midian by Moshe soon after she circumcised their son:

ויקח יתרו חותן משה את צפורה אשת משה אחר שלוחיה. רבי יהושע אומר, אחר שנפטרה ממנו בגט. נאמר כאן שלוח ונאמר להלן שילוח, מה שלוח האמור להלן גט, אף כאן גט. רבי אלעזר המודעי אומר, מאחר שנפטרה ממנו במאמר, שבשעה שאמר הקדוש ברוך הוא למשה, לך הוצא את עמי בני ישראל ממצרים, שנאמר (שמות ג) ועתה לכה ואשלחך אל פרעה, באותה שעה נטל אשתו ושני בניו והיה מוליכם למצרים, שנ' (שמות ד, כ) ויקח משה את אשתו ואת בניו וירכיבם על החמור וישב ארצה מצרים. באותה שעה נאמר לאהרן, (שם) לך לקראת משה. יצא לקראת משה וחבקו ונשקו. א"ל משה היכן היית כל השנים הללו, אמר לו במדין. א"ל מה טף ונשים אלו עמך, אמר לו אשתי ובני. אמר לו, ולאן אתה מוליכם, אמר לו למצרים; א"ל על הראשונים אנו מצטערים ועכשיו נצטער גם

באלו. באותה שעה אמר לצפורה, לכי לבית אביך. ובאותה שעה הלכה לבית אביה ונטלה שני בניה, לכך נאמר אחר שלוחיה:^{327^}

"Yitro, the father-in-law of Moshe, took Tzipporah, Moshe's wife, after she was sent away'. Rabbi Yehoshua said, after she was sent away from him with a divorce document: it says here 'sending away' and it says there 'sending away', just as the 'sending away' there means a divorce document, so too the 'sending away' here means a divorce document. Rabbi Elazar HaModa'i said, after she was sent away from him with words. When HaKadosh Baruch Hu said to Moshe, go take My nation Bnai Yisrael out of Egypt, as it says: 'Now go and I shall send you to Pharaoh' (Shmot 3), at that time Moshe took his wife and two sons and brought them with him to Egypt, as it says: 'Moshe took his wife and children and placed them on the donkey and returned to the land of Egypt' (Shmot 4:20). At that time it was said to Aharon: 'Go to Moshe'. He went to Moshe, hugged him and kissed him, and said to him, Moshe, where were you all these years? He said to him, in Midian. He said to him, who are these children and women with you? He said to him, my wife and sons. He said to him, where are you taking them? He said to him, Egypt. He said to him, we are in distress about the first ones, now you are adding these to the distress? At that time Moshe said to Tzipporah, go home to your father's house. At that time Tzipporah went back to her father's house and took her two sons, and therefore it says: 'After she was sent away.'"^{327^}

It is Aharon who, after reuniting with his brother after many years,^{328^} convinces Moshe that the last thing their mission needs is more people to worry about. Moshe sends Tzipporah and their children back to her father, and continues onward with Aharon to confront Pharaoh.

Both of these aggadot suggest that Tzipporah and her children were actually in Midian during *Yetziat Mitzrayim*. They did not merit to see firsthand the incredible signs and wonders that Bnai Yisrael were witness to. The awe-inspiring and prophetic^{329^} events at *Yam Suf* that moved Bnai Yisrael to believe in G-d and Moshe and to sing His praises - Moshe's own family were not present at that momentous occasion.^{330^} This implies that when the Torah records: "*Moshe told his father-in-law all that Hashem had done to Pharaoh and the Egyptians for Yisrael's sake, told him all the travail that had come upon them along the way that Hashem saved them from*" (Shmot 18:8), it was not just Yitro who heard about *Yetziat Mitzrayim* directly for the first time but also Tzipporah and her children.

The primary difference between the two is the question of Moshe's motivation. According to Shmot Rabbah, Moshe's decisions to send Tzipporah home must have been driven by something other than concern over the danger of bringing her to Egypt: the damage had already been done. Rather, Moshe believed that their mission had failed. He had never wanted any part in G-d's master plan, and had fled Egypt decades earlier to escape the cruelty and injustice rampant in the empire of his childhood. Moshe was likely more eager than ever to return to the comfortable anonymity afforded to him by Midian.^{^331^}

In contrast, the reason Moshe sent Tzipporah back to Midian according to Mechilta DeRabbi Yishmael was so that they would not be a source of worry or concern, as their presence risked the danger of additional lives that could be lost, additional blood that could be tragically shed. Moshe ordered Tzipporah home so that she - and their children - would not have to experience any of the hardships or dangers that being in Egypt would inevitably entail.^{^332^}

Alternatively, unlike Moshe and Aharon - who each had an intimate knowledge of Bnai Yisrael's suffering in Egypt - Tzipporah had never been exposed to the Jews' slavery before. While the Torah does not tell us how much of the background behind Moshe's mission he revealed to his wife, one thing is clear: even if Moshe had in fact "caught Tzipporah up" on the suffering Bnai Yisrael were being subjected to and his mandate to free them, that is not anywhere near the same thing as her going there and seeing it for herself. This is due to a basic truth of human nature: there is an enormous difference between hearing about something terrible and processing it intellectually, and actually experiencing it empirically with one's own senses.^{^333^} In addition to removing Tzipporah from the very real physical danger of being present in Egypt, Moshe was also sparing her from the emotional trauma of seeing the blood in Egypt. In other words, both Tzipporah's body and mind were both spared from the shackles of Egyptian oppression.

It is armed with this insight gleaned from the words of Mechilta DeRabbi Yishmael that we can begin to analyze the larger implications of Tzipporah's name. Recall that when Yitro comes to visit Moshe in the desert he is accompanied by Tzipporah after she had been sent away with her two children:

וַיִּשְׁמָע יִתְרוֹ כֹּהֵן מִדְיָן חֹתֵן מֹשֶׁה אֵת כָּל אֲשֶׁר עָשָׂה אֱלֹהִים לְמֹשֶׁה וּלְיִשְׂרָאֵל עַמּוֹ כִּי הוֹצִיא יְהוָה אֶת יִשְׂרָאֵל מִמִּצְרָיִם:
וַיָּקֻחַ יִתְרוֹ חֹתֵן מֹשֶׁה אֶת צִפּוֹרָה אִשְׁתּוֹ מִלֵּוֹי בְּתוּלָה: וְאֵת שְׁנֵי בָנֶיהָ אֲשֶׁר שָׂם הָאֱלֹהִים גֵּרְשֹׁם כִּי אָמַר גֵּר הָיִיתִי
בְּאֶרֶץ מִצְרָיִם: וְשֵׁם הָאֶחָד אֱלִיעֶזֶר כִּי אֱלֹהֵי אֲבִי בְּעֻזִּי וַיִּצְלַנִּי מִתֶּרֶב פְּרָעָה:^{^260^}

"Yitro, the priest of Midian, the father-in-law of Moshe, heard about what G-d did for Moshe and His nation Yisrael, that Hashem took Yisrael out of Mitzrayim. Yitro, the father-in-law of Moshe, took Tzipporah, Moshe's wife, after she had been sent away. And her two sons: One was named Gershom, for Moshe said 'I was a stranger in a foreign land', and the other was named Eliezer, for 'the G-d of my father assisted me and saved me from the sword of Pharaoh.'" ²⁶⁰

Note the key concepts being employed here:

(ציפור) A bird, in this case a mother -

(שני בני) The bird's two children -

(קיהה) An act of taking the bird -

(שילוח) An act of sending the bird away -

These remind us of another instance in the Torah which contains many of the same words, albeit applied in an entirely different - and halachic, rather than narrative - context:

וַיְדַבֵּר יְהוָה אֶל מֹשֶׁה לֵאמֹר: זֹאת תְּהִי־הַתּוֹרָה הַמִּצְוֶה בְּיוֹם טְהִרְתּוֹ וְהוּבָא אֶל הַכֹּהֵן: וַיֵּצֵא הַכֹּהֵן אֶל מִחוּץ לַמִּחֲנֶה וַרְאֵה הַכֹּהֵן וְהָיָה נִרְפָּא גִגֵּעַ הַצָּרַעַת מִן הַצָּרוּעַ: וַצֹּהֵל הַכֹּהֵן וּלְקַח לַמִּטְהָר שְׁתֵּי צִפְּרִים טְהוֹרוֹת וְעֵץ אֶרְזוֹ וְשִׁגְי תוֹלַעַת וְאַזְבִּ: וַצֹּהֵל הַכֹּהֵן וְשָׁחַט אֶת הַצִּפּוֹר הָאֶחָת אֶל כְּלִי חָרָשׁ עַל מִים חַיִּים: אֶת הַצִּפּוֹר הַשֵּׁנִי יָקַח אֹתָהּ וְאֶת הָאֶרְזוֹ וְאֶת שִׁגְי הַתוֹלַעַת וְאֶת הָאֶזְבִּ וְטָבַל אוֹתָם וְאֶת הַצִּפּוֹר הַשֵּׁנִי בְּדַם הַצִּפּוֹר הַשְּׁחֻטָּה עַל הַמִּים הַחַיִּים: וְהָיָה עַל הַמִּטְהָר מִן הַצָּרַעַת שִׁבְעַת פְּעָמִים וְטָהֲרוּ וְשָׁלַח אֶת הַצִּפּוֹר הַתִּיָּה עַל פְּנֵי הַשָּׂדֶה: וְכַבֵּס הַמִּטְהָר אֶת בְּגָדָיו וְגִלְחָה אֶת כָּל שְׂעָרוֹ וְרָחַץ בַּמַּיִם וְטָהַר וְאַחֵר יָבֹוא אֶל הַמִּחֲנֶה וַיֵּשֶׁב מִחוּץ לָאֹהֶל שְׁבַע יָמִים: ³³⁴

"Hashem spoke to Moshe, saying: This shall be the law of the metzora on the day of his purification; he shall be brought before the Kohen. The Kohen shall go outside of the camp, and the Kohen shall see that the tzaru'a has been healed of the affliction of tzara'at. The Kohen shall command, and they shall take for the one being purified two pure, live birds, cedar wood, crimson stuff and hyssop. The Kohen shall command, and he will slaughter one of the birds in an earthenware utensil over running water. He shall then take the remaining live bird, the cedar wood, the crimson stuff and the hyssop, and he shall dip them and the live bird in the blood of the slaughtered bird, over the running water. He shall sprinkle it seven times on the one being purified from tzara'at, and purify him; then he shall set the live bird free over

the open field. The one being purified shall then wash his clothes, shave all his hair, bathe in water, and be purified; then he shall come back into the camp, and sit outside his tent for seven days."³³⁴

The first phase in the purification process of a *metzora* involves the taking of two live birds. The Kohen leaves the camp and goes out to visit the *metzora* who has been quarantined outside. Once the Kohen confirms that the affliction has disappeared, a ritual involving two birds is undertaken, after which the *metzora*, no longer condemned beyond the camp's borders, is allowed to return.

Based on the midrashim quoted above, we realize that the *metzora* purification process is in fact an elaborate metaphor for the story of Tzipporah and her children. We will develop two ways to understand this metaphor. The first adds an incredible layer of richness to the teaching of Mechilta DeRabbi Yishmael, while the second should answer our initial question of why Tzipporah is referred to by Tanchuma HaKadum Shmot as having *"purified her entire father's house like the blood of a bird"*.

325 Shmot Rabbah 5:19.

325 Shmot Rabbah 5:19.

The Torah makes no explicit mention of this significant gap in time between Moshe's first unsuccessful attempt to set Bnai Yisrael free and the onset of the 10 plagues. Ramban convincingly argues that the narrative regarding the additional workload placed on the slaves and the dialogue between Pharaoh and the Jewish officers actually took a long time to play out. This explains why the officers suddenly become the focus in Shmot 5:10-19: Moshe had returned to Midian, so they are the de facto leaders left in charge of handling the fallout from Pharaoh's new decree. It also underscores their bitter, possibly threatening reaction upon seeing Moshe and Aharon (Shmot 5:20-21):

Ramban on Shmot 5:22 d"l lama hare'ota

ולפי דעתי שחשב משה רבינו כי יאמר ה' שלא ישמע אליהם פרעה להוציאם מיד במצותו, ולא באות ומופת, עד שיעשה בו נפלאותיו הרבות, אבל חשב כי יביאם עליו תכופות זו אחר זו בימים מעטים וכשומר לא ידעתי את ה' יצוה לעשות מיד לפניו אות התנין, והוא לא ישמע, ויכה אותו בו ביום בדם ואח"כ בכל המכות. וכשראה שעמדו שלשה ימים והוא יריע להם בכל יום, וה' לא כהה בו, ולא נתגלה למשה להודיעו מה יעשה, אז חשב משה כי ארוכה היא.

ויתכן שהיו בזה המעשה שספר הכתוב ימים רבים, כי כאשר הוכו שוטרי בני ישראל עמדו ימים עד שדברו עם פרעה עצמו, ואמרו לו למה תעשה כה לעבדיך (שמות ה':ט"ו), כי אין ברשות כל אדם לבא בהיכל מלך פנימה ולדבר אליו פנים בפנים, אף כי שוטרי העם הנבאשים בעיניו, והנה סבלו עמלם ולחצם ימים רבים והיו באים עד לפני שער המלך עד שנשמעה צעקתם לפני המלך וצוה שיבאו לפניו וידברו עמו וכן אפשר ששב משה אל ה' ואמר למה הרעותה אחרי ימים מעט שפגעו בו השוטרים.

ובאלה (שמות רבה ה':י"ט) אמרו ויצאו נוגשי העם ושוטריהם (שמות ה':י'), כיון שגזר כן הלך משה למדין ועשה שם ששה חדשים, ואהרן היה יושב במצרים, ואותה שעה החזיר משה אשתו ובניו למדין ועוד אמרו (שם ה' כד) ויפגעו את משה ואת אהרן (שמות ה':כ'), אחר ששה חדשים נגלה הקב"ה אל משה במדין ואמר לו לך שוב מצרים, בא משה ממדין ואהרן ממצרים, ופגעו בהם שוטרי ישראל כשהן יוצאין מלפני פרעה:

In my opinion Moshe Rabbeinu thought that Hashem had told him that Pharaoh would not let them go" immediately at his command, and not even after Moshe would show him a sign and wonder, until He would perform His many wonders among them. But Moshe thought that Hashem would bring the wonders upon Pharaoh in uninterrupted succession shortly. And Moshe thought that when Pharaoh said: 'I know Hashem not' (Shmot 5:2) Hashem would immediately command Moshe to perform the sign of the serpent before Pharaoh, and if Pharaoh would still not listen He would smite Pharaoh on that very day with the plague of blood, followed by all the rest of the plagues. But when Moshe saw that three days had passed and Pharaoh increased their woes every day and Hashem did not rebuke him, and He did not reveal Himself to Moshe to inform him what he should do - then Moshe thought that the exile is 'A long one' (Yirmiyahu 29:28)

It is possible that there was a long period of time contained in this story recounted here by the Torah. When 'the officers of Bnai Yisrael were beaten' (Shmot 5:14) many days passed until they spoke to Pharaoh himself and said to him: 'Why have you done this to your servants' (Shmot 5:15). Not every person has a right to come into the inner chambers of the king's palace and speak to him face to face, and all the more the officers of those people who are abhorrent to him. They must have therefore suffered in their burden and oppression for many days, and they would come 'before the king's gate' (Esther 4:2) until their outcry was heard before the king and he commanded that they come before him and speak with him. It is likewise possible that Moshe returned to Hashem and said: 'Why have you dealt wickedly with Your nation' (Shmot 5:22) many days after he and Aharon met the officers of Bnai Yisrael

In the midrash it says: 'The taskmasters of the people and their officers went out' (Shmot 5:10). Once this decree was made Moshe went back to Midian and waited there for six months, and Aharon remained behind in Egypt. At that time Moshe also returned his wife and children to Midian (Shmot Rabbah 5:19). They also said: 'The officers met Moshe and Aharon' (Shmot 5:20) - after six months, HaKadosh Baruch Hu appeared to Moshe in Midian and said to him: 'Go return to Egypt' (Shmot 4:19). Moshe came from Midian and Aharon was in Egypt, ".and the officers of Yisrael met them when they were leaving Pharaoh's presence

327 Mechilta DeRabbi Yishmael 18:2.

327 Mechilta DeRabbi Yishmael 18:2.

328 Alternatively, it could have been the first time Aharon and Moshe ever met face-to-face. We are not told of Moshe interacting with his biological family at any point between 3 months when Yocheved placed him in the river and when he fled to Midian in his youth.

329

Mechilta DeShirah 15:3

ראתה שפחה על הים מה שלא ראה יחזקאל בן בוזי:

"A maidservant experienced at the sea what even Yechezkel Ben Buzi did not merit to experience"

330 *Yetziat Mitzrayim* was surely a transformational experience spiritually and a foundational experience politically, so the fact that Tziporrah and her children were not present (and that Aharon's children were) may have been another contributing factor to Moshe's childrens' religious decline into irrelevance. See previous **Part**.

331 Moshe had originally fled to Midian in his youth because he had killed an Egyptian taskmaster and was afraid of the royal death sentence pronounced upon him (Shmot 2:15). Knowing this was a source of concern, Hashem assured him before his return that *"all the people seeking your life are dead"* (Shmot 4:19). It is reasonable to assume that Moshe's direct hand in increasing the burden on the people, and the subsequent attack hurled at him by the Jewish officers that *"May Hashem look at you and judge, because you have made our smell abhorrent in the eyes of Pharaoh and his servants"* (Shmot 5:21), was interpreted by him as a threat against his life. It is possible the midrash is drawing this parallel as well: Midian is not only conceptually the place Moshe takes refuge from his past failure; it is also literally the place Moshe takes refuge when he is afraid for his life.

332

Moshe asks Yitro permission to return to Egypt to see how his brothers are faring; there is no indication that he explained to Yitro or anyone else - including Tzipporah - his true reason for going

Shmot 2:18

וַיֵּלֶךְ מֹשֶׁה וַיָּנֻשׁב אֶל יִתְרוֹ חֹתֵנּוֹ וַיֹּאמֶר לוֹ אֵלֶכָה נָא וְאֶשׁוּבָה אֶל אֶחָי אֲשֶׁר בְּמִצְרַיִם וְאֶרְאֶה הָעוֹנֶה חַיִּים וַיֹּאמֶר יִתְרוֹ לְמֹשֶׁה לֵךְ לְשָׁלוֹם:

Moshe went back to his father-in-law Yeter and said to him: Let me go back to my kinsmen in Egypt and see" how they are faring. And Jethro said to Moshe: Go in peace

If Tzipporah did not know Moshe's true purpose in descending to Egypt, then when Aharon told Moshe: "Now you are adding these to the distress" (see **Note 80**), it could be that this was the first time Tzipporah heard about the oppression in Egypt. One can imagine her confusion, and anger, at Moshe for hiding the state of affairs of his people and his reason for going down; perhaps Moshe sent Tzipporah back as a response to her reaction upon discovering his true intentions and her subsequent refusal to endanger herself or their children in Egypt

This phenomenon of "seeing is believing" is also used by the midrash to explain why Moshe broke the *luchot* upon his descent from Har Sinai and witnessing the people dancing before the golden calf. Although he had been told informed by HaKadosh Baruch Hu at the top of Har Sinai that the people were sinning, he tried to excuse their behavior; only once he descended and saw it firsthand was he overcome with anger and broke the *luchot*.

Devarim Rabbah 3:11

ירד משה מן הרקיע והיו הלוחות בידו ולא שברן עד שראה בעיניו, מפיו שנאמר (שמות לב, יט): ויהי כאשר קרב אל המחנה וירא את העגל, אותה שעה (שמות לב, יט): ויחר אף משה ויטלף מיד את הלוחות, אמר לו הקדוש ברוך הוא, משה, לא היית מאמין לי שעשו לך עגל, שנאמר (שמות לב, ח): סרו מהר מן הדרך אשר צויתם. רבנו אמרי מן הדבר הזה שקד משה היאך לזכות את ישראל, שנאמר לו הקדוש ברוך הוא אשר צויתם, אמר לפניו רבנו של עולם אני נצטויתי, שמא עברתי על הצווי, הם לא נצטוו ולא היו יודעים. אמר לו הקדוש ברוך הוא, משה, לא נצטוו, אמר לו: לאו.....

Moshe descended from the heavens and had the luchot in his hand, but he did not break them until he saw Bnai Yisrael sinning with his own eyes. How do we know this? As it says: 'And it was when Moshe came close to the camp he saw the calf' (Shmot 32:19), and at that time: 'Moshe got angry and threw the luchot from his hand' (Shmot 32:19). HaKadosh Baruch Hu said to him: Moshe, did you not believe Me that they had made the calf, as it says: 'They have turned quickly from the path that they were commanded on' (Shmot 32:8). The Rabbis say: From this you can learn that Moshe tried whatever he could to find merit for Yisrael, so that when HaKadosh Baruch Hu said to him 'that they were commanded on' he said to Him: Master of the Universe: I was commanded so perhaps I violated the commandment, but they were not commanded and didn't know any better. HaKadosh Baruch Hu said to him: Moshe, they weren't commanded? He said to Him: No

Maharsha Yevamot 62a d"h mai darish

וא"ת ולמה לא היה דן משה ק"ו זה מיד כשא"ל הקב"ה רד כי שחת עמך גוי וי"ל כדאמרינן במדרש אפשר שלא היה משה מאמין בהקב"ה שא"ל כי שחת גוי אלא הודיע לישראל שאפי' יהיה אדם שומע מפי יחידי נאמן לו אסור לקבל עדותו ולעשות דבר ע"פ ובעל עיקרים מאמר ד' פ' ט"ו תירץ שהדבר הנראה לעינים מצער אדם צער גדול יותר מהידיעה שהאדם יותר מתפעל מהמורגש בחוש יותר ממה שיתפעל מהנודע באמיתות כו' ע"ש גם עיין בזה בשאר מפרשי התורה וק"ל:

And if you want to ask, why didn't Moshe make his kal vachomer from Korban Pesach right away, when" HaKadosh Baruch Hu said to him 'go down for the people you brought out of Egypt have become corrupted' etc.? And we can explain based on that which is said in the midrash: 'Is it possible that Moshe did not believe HaKadosh Baruch Hu when he said to him etc.? Rather, this is meant to teach Yisrael that even if a person hears something from a single trustworthy source, it is forbidden for him to accept that testimony and make a judicial case based on it since two witnesses are required. Ba'al Ikkarim 4:15 explained that a thing which is seen by the eyes distresses a man much more than knowledge. A man is much more moved from that which is felt by the senses than by something which becomes based on what is known intellectually to be true. See also all the other "mefarshim

Shmot 6:20

וַיֵּלֶךְ עִמָּרָם אֶת יוֹכֶבֶד דִּדְתוֹ לֹא־שָׂה וַתֵּלֶד לּוֹ אֶת אֶהֱרֹן וְאֶת מֹשֶׁה וַשְּׁנֵי חֲמֵי עֶמְרָם שָׁבַע וַשְּׁלֹשִׁים וּמֵאֵת שָׁנָה:

"Amram took Yocheved his aunt as a wife, and she gave birth to Aharon and Moshe. Amram lived for 137 years"

Moshe himself was 119 years old at the time of Aharon's death. Therefore, the only way Amram could even theoretically still be alive at Hor HaHar is if Yocheved had given birth to Moshe when Amram was less than 18 years old ($18 + 119 = 137$). Aharon was three years older than Moshe (Shmot 7:7) and Miriam was even older than Aharon. Although the pesukim do not tell us by how much, one midrashic tradition assumes she was five when Moshe was born. If we assume Amram was alive when Moshe died, it follows that the oldest Amram could have possibly been when Miriam was born was a mere 11 years of age, such that he was 16 when Moshe was born and 136 when Moshe died.

Assuming Amram was so young is tenuous at best, yet in truth we know from elsewhere that Amram was no longer alive during the 40th year. The Talmud assumes that at some point Amram and Yaakov Avinu were both alive and their lives overlapped, implying that Amram must have died many years before Bnai Yisrael even left Egypt.

Bava Batra 121b

תָּנוּ רַבֵּנוּ שְׁבַע קָפְלוּ אֶת כָּל הָעוֹלָם כּוּלוֹ מִתּוֹשֵׁלַח רָאָה אָדָם שֶׁם רָאָה מִתּוֹשֵׁלַח יַעֲקֹב רָאָה אֶת שֵׁם עִמָּרָם רָאָה אֶת יַעֲקֹב אַחֲזִיָּה הַשִּׁילֹנִי רָאָה אֶת עִמָּרָם אַחֲזִיָּה הַשִּׁילֹנִי וְעֵדִיָּין קָנִים וְאַחֲזִיָּה הַשִּׁילֹנִי רָאָה אֶת עִמָּרָם וְהָא קָתִיב וְלֹא נֹתַר מֵהֶם אִישׁ כִּי אִם כָּלֵב בֶּן יִפְנֶה וַיְהִי־שָׁע בֶּן נֹון (במדבר כו:סה) אָמַר רַב הַמְנוּנָא לֹא נִגְזַרָה גְזֵרָה עַל שְׁבָטוֹ שֶׁל לֹוי דְּכָתִיב בַּמִּדְבָּר הַזֶּה יָפְלוּ פְגָרֵיכֶם וְכָל פְּקֻדֵיכֶם לְכָל מִסְפָּרָכֶם מִבְּנֵי עֶשְׂרִים שָׁנָה וּמֵעֵלָּה מִי שְׁפָקוּדֵי מִבְּנֵי עֶשְׂרִים יָצָא שְׁבָטוֹ שֶׁל לֹוי שְׁפָקוּדֵי מִבְּנֵי שְׁלֹשִׁים:

The Rabbis taught: Seven people spanned the whole history of the world. Methuselah saw Adam, Shem saw Methuselah, Yaakov saw Shem, Amram saw Yaakov, Achiyah HaShiloni saw Amram, Eliyahu saw Achiyah HaShiloni, and Eliyahu is still alive. But did Achiyah HaShiloni see Amram? Is it not written: 'Not a man was left from them except for Kalev Ben Yefuneh and Yehoshua Bin Nun' (Bemidbar 26:65)? Rav Hamnuna said, this decree excluded the tribe of Levi, as it says: 'Your carcasses will fall in this wilderness, and all those who were counted among you, according to your whole number, from twenty years old and upward' (Bemidbar 14:29). This means to specify whoever has a count of twenty years old and upward, excluding the tribe of Levi whose count is thirty years old and upward

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Shmot 6:20

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Assuming Amram was so young is tenuous at best, yet in truth we know from elsewhere that Amram was no longer alive during the 40th year. The Talmud assumes that at some point Amram and Yaakov Avinu were both alive and their lives overlapped, implying that Amram must have died many years before Bnai Yisrael even left Egypt.

Bava Batra 121b

תָּנוּ רַבָּנָן שִׁבְעָה קָפְלוּ אֶת כָּל הָעוֹלָם כּוּלּוּ מִתּוֹשֶׁלַח רָאָה אָדָם שָׁם רָאָה מִתּוֹשֶׁלַח יַעֲקֹב רָאָה אֶת שָׁם עִמָּרָם רָאָה אֶת יַעֲקֹב אַחֲיָה הַשִּׁילֹנִי רָאָה אֶת עִמָּרָם אַלְיָהוּ רָאָה אֶת אַחֲיָה הַשִּׁילֹנִי וְעֵדִיָּין קָנִים וְאַחֲיָה הַשִּׁילֹנִי רָאָה אֶת עִמָּרָם וְהָא קָתִיב וְלֹא נֹתַר מֵהֶם אִישׁ כִּי אִם כָּלֵב בֶּן יִפְנָה וַיְהִי־שָׁע בֶּן נֹון (במדבר כו:סה) אָמַר רַב הַמְנוּנָא לֹא נִגְזַרָה גְזֵרָה עַל שְׁבִטוֹ שֶׁל לֹוי דְּכָתִיב בַּמִּדְבָּר הַזֶּה יָפְלוּ פְגִרְיָכֶם וְכָל פְּקֻדֵיכֶם לְכָל מִסְפָּרָכֶם מִבְּנֵי עֶשְׂרִים שָׁנָה וּמֵעֵלָּה מִי שְׁפָקוּדֵי מִבְּנֵי עֶשְׂרִים יָצָא שְׁבִטוֹ שֶׁל לֹוי שְׁפָקוּדֵי מִבְּנֵי שְׁלֹשִׁים:

The Rabbis taught: Seven people spanned the whole history of the world. Methuselah saw Adam, Shem saw Methuselah, Yaakov saw Shem, Amram saw Yaakov, Achiyah HaShiloni saw Amram, Eliyahu saw Achiyah HaShiloni, and Eliyahu is still alive. But did Achiyah HaShiloni see Amram? Is it not written: 'Not a man was left from them except for Kalev Ben Yefuneh and Yehoshua Bin Nun' (Bemidbar 26:65)? Rav Hamnuna said, this decree excluded the tribe of Levi, as it says: 'Your carcasses will fall in this wilderness, and all those who were counted among you, according to your whole number, from twenty years old and upward' (Bemidbar 14:29). This means to specify whoever has a count of twenty years old and upward, excluding the tribe of Levi whose count is thirty years old and upward

334 Vayikra 14:1-8.

334 Vayikra 14:1-8.

Taking Flight

The linguistic associations between the halachot of the *metzora* on the one hand and the return of Tziporah and her two children on the other hand are too glaring to ignore. For example,

just as regarding *metzora* the Kohen commands that two birds be taken, so too Yitro takes two "birds":

וַיִּלָּח יִתְרוֹ ... צִפֹּרֶה ... שְׁנֵי בְּנֵיהֶ: (שמות יח:ב-ג)

וַצֹּה הַכֹּהֵן וְלָקַח ... שְׁתֵּי צִפֹּרִים: (ויקרא יד:ד)

One of the birds is slaughtered over an earthenware utensil, and its blood is later sprinkled on the *metzora* to purify him:

וַשְׁחַט אֶת הַצִּפֹּר הָאֶחָת אֶל כָּלִי חֶרֶשׁ עַל גִּמִּים חַיִּים ... בְּדָם ... הַצִּפֹּר הַשֵּׁחֲטָה ... וְהִזָּה ... וְטָהַר: (ויקרא יד:ה-ז)

The second bird is dipped in the blood of the first, and afterwards released over the open field:

וַשְּׁלַח אֶת הַצִּפֹּר הַחַיָּה עַל פְּנֵי הַשָּׂדֶה: (ויקרא יד:ז)

The earthenware utensil is used as a metaphor for the iron smelting pot of Egypt.³³⁵ Just as this vessel fills with the blood of the slaughtered bird, so too Egypt was filled with the blood of the Jewish slaves. The slaughtered bird, therefore, represents the death and suffering associated with slavery in Egypt.

According to this reading, the *metzora* ritual becomes transformed into a description of the historical aggadah developed in Mechilta DeRabbi Yishmael. Moshe and his family face a critical decision after their son's shotgun circumcision, and the two birds represent the two options that the "birds" of Moshe's family - Tzipporah and her children - have before them. Moshe had not considered traveling down to Egypt alone and leaving his family behind, as his bringing Tzipporah with him to begin with makes evident. The situation demands that a Kohen command two birds be taken: Aharon HaKohen presents Moshe with two choices. One choice is to stay the course, but this would lead to the shedding of bird blood into the earthenware vessel, a metaphor for Tzipporah and her children being harmed, traumatized or killed in Egypt. The other choice is for Moshe to allow his birds to turn back to "*the open field*", freeing them from danger and letting them continue their lives unencumbered by his mission.

Halachah dictates that these two live birds should be identical, symbolizing the equal potential inherent in both before the ritual begins and their destinies are irreversibly set in opposite directions.³³⁶ It is in this vein that Aharon HaKohen tells Moshe: you still have the chance

to determine if Tzipporah is destined to be the first bird, who will not come out from Egypt unscathed, or the second bird, free to blissfully fly away and not look back. Right now either of those outcomes are possibilities, and which eventuality is actualized is up to you. But surely, concludes Aharon, we have enough bird blood on our hands already - why are you insisting on adding even more?

This midrash about Moshe and Tzipporah and the *metzora* ceremony, unrelated on the surface but linguistically and thematically intertwined on a deeper level, is one way to approach the significance of the two live^{^337^} birds mandated by the Torah. The *mashal-nimshal* mapping can be summarized as follows:

- Aharon represents the Kohen who commands that two birds be taken while Moshe represents the one who actually performs the act of taking.^{^338^}
- The first bird's blood spilled over an earthenware represents the danger of Tzipporah continuing down to Egypt, which is compared to an iron smelting pot.
- The second bird being set from over the field represents having Tzipporah turn around and go back to Midian, free from the dangers of Egypt.
- The two birds being identical represents the choice Moshe has to make by taking them.

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:Egypt is referred to by Shlomo HaMelech as analogous to an iron smelting pot

Melachim Aleph 8:51

כִּי עַמְּךָ וְנַחֲלָתְךָ הֵם אֲשֶׁר הוֹצֵאתָ מִמִּצְרַיִם מִתּוֹךְ כּוּר הַבְּרִזָּל:

"For Bnai Yisrael are your nation and inheritance, which You freed from Egypt, from the iron smelting pot"

An iron smelting pot is actually an earthenware utensil that refines metals heated inside it, similar to how Bnai Yisrael were refined by the hardships of Egypt.. See Rashi and Radak

Rashi to Melachim Aleph 8:51 d"h kur habarzel

הַתֵּרֶס שֶׁמְזַקְקִין בוֹ זָהָב, קְרוּי כּוּר:

"An earthenware vessel that is used to purify gold, is referred to as a smelting pot"

Radak to Melachim Aleph 8:51 d"h mitoch kur habarzel

כִּי כִּמוֹ שֶׁצּוֹרֵפִין הַכֶּסֶף וְהַזָּהָב בְּכוּר כֵּן נִצְרָפוּ בַּמִּצְרַיִם בַּעֲבוּדָה קָשָׁה:

"Just as silver and gold are refined in a smelting pot, so too Bnai Yisrael were refined in Egypt by hard work"

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Mishnah Negaim 14:5

שְׁתֵּי צִפֹּרִים מִצֻּוֹתָן שִׁוּיוֹ שְׁוֵהוּ בַּמֶּרְאֶה וּבַקוֹמָה וּבַדְּמִים, וְלִקְיָהֶן כְּאַחַת:

*With regard to the two birds: the mitzvah is that they should be identical in appearance, in size and in price,"
"and they must be purchased at the same time*

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In addition to the other examples discussed shortly, an interesting emphasis is made in the pesukim around the idea of life, *chayim*. Both birds are required to be *chayot*, and the water used to catch the slaughtered bird's blood is also required to be *chayim*. Naturally the concept of life is one which also relates to a mother bird, since motherhood is intrinsically tied to the idea of life. A proof of this is found early on the Torah when Adam named his wife Chava owing to her being the "mother of all things that are living

Breishit 3:20

וַיִּקְרָא הָאָדָם שֵׁם אִשְׁתּוֹ חַוָּה כִּי הִיא הִיְתָה אֵם כָּל חַיִּי:

"Adam called his wife Chava, for she had been the mother of all life"

Breishit Rabbah 20:11

רַבִּי סִימּוֹן אָמַר אֵם כָּל חַיִּי, אִמָּן שֶׁל כָּל הַחַיִּים:

"Rabbi Simon said: 'Mother of all life' - the mother of all things that are living"

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The Kohen must make the official declaration, but anyone can fulfill the mitzvah to take the birds. In our case, Aharon is the one declaring while Moshe - a Levite - is doing the taking

Sifra, Metzora Section 1:8 וצוה הכהן ולקח - הציווי בכהן והלקיחה בכל אדם:

The Kohen shall command, and he shall take' (Vayikra 14:5). The command must be done by a Kohen, but the"
"taking can be done by anybody

As an aside, there is a *machloket* in Torat Kohanim (Sifra) about whether a non-Kohen is allowed to slaughter the first bird. Rambam holds that only a Kohen is permitted to slaughter, while some prominent mefarshim including Chizkuni and Ibn Ezra believe even a Yisrael can slaughter. Haamek Davar clarifies that even the opinion which holds that it must be a Kohen who slaughters, does not limit it to the same Kohen who commands
 :the taking

Sifra, Metzora 1:1

וצוה הכהן - ציווי בכהן ושחיטה בכל אדם דברי ר' יהודה בר' יוסי. ורבי אומר אף שחיטה בכהן:

The Kohen shall command' (Vayikra 14:5) - the command must be done by a Kohen but the slaughtering of the"
birds can be done by anybody, these are the words of Rabbi Yehudah BeRabbi Yosi. Rabbi says: even the
"slaughtering must be done by a Kohen

Rambam, Mishneh Torah Hilchot Tumat Tzara'at 11:5

שחיטת הצפור והתגלחת וההנזה ביום ושאר כל מעשיו בין ביום בין בלילה. אלו באנשים ושאר כל מעשיו בין באנשים בין בנשים. אלו בכהנים ושאר כל מעשיו בין בכהנים בין בישראל:

The slaughtering of the bird, the shaving of the metzora and the sprinkling of the blood are done during the day,"
but everything else can be done either during the day or during the night. These three things can only be done by
men, but everything else can be done either by men or women. These three things can only be done by Kohanim,
"but everything else can be done either by Kohanim or Yisraelim

Chizkuni to Vayikra 14:5 d"h vetziva hakohen veshachat

הצווי בכהן והשחיטה בכל אדם:

"The command must be done by a Kohen, but the slaughtering can be done by anyone"

Ibn Ezra to Vayikra 14:5 d"h vetziva hakohen veshachat

כהן אחר או ישראל ויש אומרים המצורע והוא רחוק:

It can be done by another Kohen or by a Yisrael. There are those that say it is the metzora himself, but this is"
"farfetched

Haamek Davar to Vayikra 14:5 d"h vetziva hakohen veshachat

מי שהוא ואפילו לתנא בת"כ דשחיטה בכהן דוקא מ"מ לא דוקא אותו כהן שיש בכחו לראות הנגע ולטהרו אלא מצוה לאיזה כהן שישחוט:

Anyone. And even according to the Tanna in Torat Kohanim i.e. Rabbi's opinion in Sifra that the slaughtering" must be done by a Kohen specifically, in any case it doesn't have to be the same Kohen who has the power to see ".the affliction and purify it. Rather, the mitzvah is that any Kohen can slaughter

Contagious Redemption

While the above interpretation certainly makes sense, it does not seem to be what Tanchuma HaKadum 11 had in mind when it referenced Tziporah purifying her father's house. Surely the bird's blood as a purifying agent is meant to draw a parallel to the *metzora*, but what idea could this succinct midrash be trying to impart?

We can also understand the birds, not as two mutually exclusive possibilities, but rather as the unfolding of a story of purification told in order. Instead of the birds both representing Tziporah (and her children) as we just described, perhaps the two birds both represent the same person, whose blood is first drawn in order to enable his redemption.

The pesukim explain how the sprinkling of the first bird's blood is a purifying process that allows the *metzora* back into the camp. Whereas before the sprinkling the *metzora* was a condemned outcast, his symbolic bloodletting via the bird's death acts as a return ticket into the camp of G-d. Similarly, Tziporah spilled the blood of a "bird" when she circumcised her son during the journey down to Egypt: *"Tziporah took a rock and cut off the foreskin of her son, touched his feet, and said: You are a bridegroom of blood to me" (Shmot 4:25)*. This act caused the Hashem - understood by various aggadot to mean the Angel of Death, Destruction, Anger/Wrath, or Satan - to leave her family alone, not unlike to how spreading a lamb's blood on the lintel and doorposts acted as a sign to the Angel in Egypt to pass over the house and leaves its inhabitants unharmed. In the previous section we explained how according to Mechilta DeRabbi Yishmael this episode is referring to the *brit milah* of Gershom, who had never been circumcised due to Moshe's vow. Seen in this light, Tziporah's actions for her "baby bird" had a redemptive quality because they rescued Gershom from the wickedness and evil of *Avodah Zarah* and allowed him entry under the wings of the Shechinah: freedom to fly over the open field as a free bird.

This interpretation fits nicely with a detail of the *metzora* ritual not yet discussed: "*And he shall dip them and the live bird in the blood of the slaughtered bird*" (*Vayikra 14:6*). Why did the bird who was permitted a return to the skies have to be dipped in the blood of its dead counterpart? Redemption can only be achieved through blood, freedom only realized through the sweat and tears of hardship and exile. The second bird is only set free after encountering the sacrificial blood required to allow its salvation to mature and come to fruition. So too, Gershom could only be purified and brought into the fold of his father's people after his mother released him from the bondage of his domineering, idolatrous grandfather.

Bnai Yisrael experience a national redemption through the blood of *korban pesach* while Gershom merits a personal redemption through the blood of *brit milah*. These two mitzvot are closely related to one another, as both signify a rebirth and cleansing through the forming of a covenant sealed in blood. The blood of *pesach* and the blood of *milah* are, in the eyes of the halachah and the midrash, inextricably intertwined,³³⁹ and both symbolize a redemptive process that leads to renewal.³⁴⁰

How did Yitro feel about his daughter circumcising Gershom in flagrant violation of his agreement with Moshe? Mechilta DeRabbi Yishmael is silent on this point, but the answer can be found in the pesukim themselves. Once Yitro heard about the redemption of *Yetziat Mitzrayim* he too was purified of his idolatry, confessing a belief in Hashem as "*greater than any other god*" (*Shmot 18:11*) and offering sacrifices of his own (*Shmot 18:12*). Surely even in the eyes of Mechilta DeRabbi Yishmael, Yitro must not have been angry at Tzipporah's actions, for he himself recognizes Hashem soon after Gershom's *brit milah* occurs.³⁴¹ While the Torah attributes Yitro's declaration as a result of hearing about the miracles done in Egypt, perhaps the fact that his grandson had already been converted by his daughter had already opened his mind to the idea. A person's views can certainly be influenced and changed by the decisions and choices made by his or her descendants, so Tzipporah's decision to circumcise Gershom may have also planted the seed in Yitro's mind that eventually sprouted into an acceptance of Hashem and His people.

This is what Tanchuma HaKadum 11 meant when it taught that Tzipporah's essence was "*purifying her entire father's house like the blood of a bird.*" By cutting her baby bird's foreskin and shedding his blood, she was purifying him from a life of vanity and emptiness to one full of meaning and purpose, from a life of exclusion outside the camp to one of inclusion under the Divine presence, just like the blood of a bird slaughtered and sprinkled to heal a

metzora. Her redemptive actions had a domino effect, eventually purifying Yitro as well who, by bringing Tzipporah and his two circumcised children with him to the desert, is acknowledging their contribution to his conversion as an honorary member of Bnai Yisrael.

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Regarding the halachic connection, these are the only two positive mitzvot which carry *karet* as punishment for not performing them, and an uncircumcised person is forbidden from partaking in the *korban pesach*. Additionally, accordingly to one aggadic tradition the delicious smell of the *korban pesach* was even used by HaKadosh Baruch Hu to entice Bnai Yisrael into accepting circumcisions

Mishnah Keritot 1:1

... והפסח והמילה מצות עשה דעל אלו חייבין על זדונו כרת ועל שגגתו חטאת:

And korban pesach and brit milah are the only two positive mitzvot for which, in addition to 34 negative ... mitzvot one receives karet Divine death for their willful violation and is required to bring a sin offering for their accidental violation

Shmot Rabbah 19:5

ורבותינו אמרו, לא בקשו ישראל למול במצרים, אלא כלם בשלו המילה במצרים חוץ משבטו של לוי, שנאמר (דברים לג, ח): וילויי אמר תמיד ואורידי, למה (דברים לג, ט): כי שמרו אמתך ובריתך יגזרו, במצרים. והנה הקדוש ברוך הוא מבקש לגאלן ולא הנה להם זכות, מה עשה הקדוש ברוך הוא קרא למשה ואמר לו לך ומהול אותם. ויש אומרים, שם הנה יהושע שמל אותם, שנאמר (יהושע ה, ב): ושוב מל את בני ישראל שנית, והרבה מהו לא היו מקבלים עליהם למול, אמר הקדוש ברוך הוא שיעשו הפסח וכיון שעשה משה את הפסח גזר הקדוש ברוך הוא לארבע רוחות העולם ונושבות בגן עדן מן הרוחות שבגן עדן הלכו ונדבקו באותו הפסח, שנאמר (שיר השירים ד, טז): עורי צפון ובואי תימן, והנה ריחו הולך מהלך ארבעים יום, נתפנסו כל ישראל אצל משה אמרו לו בבקשה ממך האכילנו מפסחך, מפני שהיו עניים מן הריח, הנה אומר הקדוש ברוך הוא, אם אין אתם נמולין אין אתם אוכלין, שנאמר: ויאמר ה' אל משה ואל אהרן זאת חקת הפסח וגו', מיד נתנו עצמן ומלו, ונתערב דם הפסח בדם המילה, והקדוש ברוך הוא עובר ונוטל כל אחד ואחד ונושקו ומברכו, שנאמר (יחזקאל טז, ו): ואעבר עליך ואראך מתבוססת בדמך וגו', הרי בדם הפסח, הרי בדם מילה:

Our Rabbis said: Yisrael did not want to get circumcised in Egypt, for all of them had foregone the mitzvah of brit milah except for the tribe of Levi, as it says: 'And Moshe said of Levi, merit Your Urim V'Tumim ... for they observed Your words and kept Your covenant' (Devarim 33:8-9), in Egypt. HaKadosh Baruch Hu wanted to redeem them but they didn't have enough merit. What did HaKadosh Baruch Hu do? He called to Moshe and said to him: Go circumcise them. Some say, Yehoshua was there and he circumcised them, as it says: 'Circumcise Bnai Yisrael again, a second time' (Yehoshua 5:2). Many of them did not want to be circumcised, so HaKadosh Baruch Hu said that they should do the korban pesach. Once Moshe had done the korban pesach, HaKadosh Baruch Hi commanded the four winds of the world that blow in Gan Eden from the winds in Gan Eden, and they went and cleaved to that korban pesach, as it says: 'Wake up, North wind, and come, South wind' (Shir HaShirim 4:16), and its smell wafted the distance of 40 days. All of Yisrael gathered before Moshe and said to him: Please let us eat from your korban pesach - for they were tired from the smells. HaKadosh Baruch Hu would then say: If you are not circumcised you cannot eat, as it says: 'Hashem said to Moshe and Aharon, this is the law of the Pesach' (Shmot 12:43). Immediately Bnai Yisrael gave themselves over to be circumcised, and the paschal blood mixed with the blood of circumcision. HaKadosh Baruch Hu passed over and took every person and kissed him and blessed him, as it says: 'I passed by you and say you wallowing in your blood' (Yechezkel 16:6) - you shall live because of the paschal blood, you shall live because of the blood of circumcision

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The redemptive nature of *brit milah* is also comparable to the slaughtering of the *korban pesach* - and by extension, the slaughtering of the bird for a *metzora* - in another way: just as a dead animal cannot come back to life, circumcision is (unless drastic measures is taken) an irreversible procedure, forever ensuring that the circumcised will be free from the afflictions of *Avodah Zarah*

Vayikra Rabbah 16:9

וְצִוָּה הַכֹּהֵן וְשָׁחַט אֶת הַצִּפּוֹר הָאֶחָת (ויקרא יד, ה), לָמָּה שׁוֹחֲט אֶחָת וּמַנִּיחַ אֶחָת, לומר לך פֶּשֶׁם שְׂאִי אֶפְשָׁר לְשַׁחוּטָהּ לְחֹזֵר כִּי אֵי אֶפְשָׁר לְנִגְעִים לְחֹזֵר:

*The Kohen shall command, and he will slaughter one of the birds' (Vayikra 14:5). Why slaughter one and spare "*one? To tell you that just as the slaughtered one cannot return, so too the afflictions of tzara'at cannot return

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Yitro's arrival in the desert happened less than two years after Gershom was circumcised. This can be calculated based on adding together the time which elapsed between (a) Gershom's circumcision and *makat bechorot*, and (b) *makat bechorot* and Yitro's arrival.

From the text itself we only know the lengths of three plagues: blood lasted a week (Shmot 7:25), darkness lasted three days (Shmot 10:21-23), and death of the firstborn lasted one night (Shmot 12:29-31). If we extrapolate from this an average of say 4 days per plague, that would mean the 10 plagues in total lasted around 40 days, a number which has plenty of significance elsewhere in the Torah - Moshe's stay on Har Sinai lasted three sets of 40 days, and the spies explored Eretz Canaan for 40 days before the nation was condemned to 40 years of wandering in the desert. For the Rabbis this is a subject of some debate. The most oft-repeated timeframe for the ten plagues in the midrash is one year

Seder Olam Rabbah 3

מכות מצרים י"ב חדשים, שנאמר ויפץ העם וגו' (שם ה יב), אימתי דרכו של תבן באייר, והם יצאו בניסן, לקו המצריים עשר מכות כל י"ב חדש:

The plagues in Egypt were 12 months, as it says: 'The nation scattered to find straw' (Shmot 5:12). When is the time for gathering straw? In Iyyar; and Bnai Yisrael left in Nissan. The Egyptians were stuck with the ten plagues ".the entire 12 months

Other midrashim argue for a much shorter timeline. For example, according to Midrash Lekach Tov (also known as Pesikta Zutreta) the plagues only lasted 2.5 months from start to finish

Pesikta Zutreta Shmot 10:24

יש אומרים כי משבט התחילו המכות למצריים ... חשוב עשר מכות לשמונה שבועות, ארבעה בחודש שבט, וארבעה באדר, ושנים בחצי ניסן, ובחמשה עשר בניסן יצאו, כאשר שמע למצרים יחילו כשמע צור (ישעיה כג ה):

There are those who say that the plagues began for the Egyptians in Shevat ... calculate that the ten plagues" happened over eight weeks. Four in Shevat, four in Adar, and two in the first half of Nissan, and on the fifteenth ".of Nissan they left: 'When the report comes to Egypt, they will be pained at the report of Tzor (Yishayahu 23:5)

Regarding the question of when Yitro arrived in Egypt and declared "*now I know that Hashem is greater than any other god*" (Shmot 18:11), the Torah tells us that the final plague of *makat bechorot* happened on the 15th of Nissan, and that *Matan Torah* happened seven weeks later (i.e. counting of the *omer* between Pesach to Shavuot). Did Yitro and company arrive before or after *Matan Torah*? This is a subject of debate as well

Avodah Zarah 24a-b

ת"ש (שמות יח, יב) ויקח יתרו חתן משה עולה וזבחים לא-לקים יתרו נמי קודם מתן תורה הוה הניחא למ"ד יתרו קודם מתן תורה הוה אלא למ"ד יתרו לאחר מתן תורה הוה מאי איכא למימר אלא יתרו מישראל זבן:

Come and hear: 'Yitro, the father-in-law of Moshe, took a burnt-offering and offerings for G-d' (Shmot 18:12). 'Yitro was not a Jew, and yet he brought offerings for G-d so how can we say that animals from non-Jews may not

be used for korbanot? The incident with Yitro was before Matan Torah. Granted, this works out well according to the one who says that the incident with Yitro was before Matan Torah. But according to the one who says that the incident involving Yitro was after Matan Torah, what is there to say? Rather, it must be that Yitro purchased the animals from a Jew

Since the Torah records Yitro's arrival before *Matan Torah* perhaps the simpler understanding is that he arrived less than seven weeks after *makat bechorot*. And as Rashi explains, even according to the opinion that Yitro arrived at Har Sinai after *Matan Torah*, it still must have occurred before the 20th of Iyyar of the following year, since on that date Bnai Yisrael left Har Sinai and traveled to Midbar Paran (Bemidbar 10:11-12). In fact, the midrash bounds it even earlier: after Shavuot, but before Yom HaKippurim

Rashi to Shmot 18:13 d"h vayehi mimacharat

מוֹצָאֵי יוֹם הַפְּפוּרִים הָיָה, כִּף שְׁנֵינֻ בְּסִפְרִי ... וְאִין פְּרָשָׁה זֹאת כְּתוּבָה בְּסִפְרִי, שֶׁלֹּא נֶאֱמַר וַיְהִי מִמָּחֳרָת עַד שְׁנֵה שְׁנֵינָה - אִף לְדַבְרֵי הָאוֹמֵר יִתְרוֹ קָדֵם מִתּוֹרָה בָּא, שְׁלֹחֹה אֶל אֶרְצוֹ לֹא הָיָה אֲלָא עַד שְׁנֵה שְׁנֵינָה - שֶׁהָרִי נֶאֱמַר כָּאֵן וַיִּשְׁלַח מֹשֶׁה אֶת חֲתָנוֹ, וּמִצִּינֻ בְּמִסַּע הַדְּגָלִים שֶׁאֵמַר לוֹ מֹשֶׁה נִסְעִים אֲנַחְנוּ אֶל הַמָּקוֹם וְגו' (במדבר י כט), אֶל נָא תַעֲזֹב אֶתְנוּ (שם לא), וְאֵם זֶה קָדֵם מִתּוֹרָה, מִשְׁשִׁלְּחוֹ וְהִלָּף הִיכֵן מִצִּינֻ שְׁחֹזֵר? :

It was the day after Yom HaKippurim, as was taught in the Sifre i.e. the day Yitro gave Moshe advice about how" to judge the nation ... this section is not written in the chronological order, for it doesn't say 'on the next day' until the second year. Even according to the one who says that Yitro came before Matan Torah, his being sent back to his land Midian was not until the second year, for it says here: 'Moshe sent his father-in-law' (Shmot 18:27), and we find by the journey of the flags that Yitro said to Moshe: 'We are going to the place ... do not leave us' (Bemidbar 10:29, 31), and if that was before Matan Torah, where do we see that he returned after being sent away

To summarize: *makat bechorot* happened on the 15th of Nissan. The most straightforward understanding would indicate the ten plagues happened over a couple of months, though there are traditions of up to a year. Likewise, the most straightforward understanding of how long after *Yetziat Mitzrayim* Yitro arrived is a couple of months, though there is a tradition of six months (Pesach to Yom HaKippurim); the absolute longest possible gap in time is less than a year

Pesikta Zutreta Bemidbar 10:11

מִלְמַד שֶׁעָשׂוּ יִשְׂרָאֵל בְּמִדְבַּר שְׁנַיִם עָשָׂר חֳדָשׁ פְּחוֹת עֶשְׂרֵה יָמִים שְׁנֵינֻ (שְׁמוֹת י"ט:א') בְּחֹדֶשׁ הַשְּׁלִישִׁי לְצֵאת בְּנֵי יִשְׂרָאֵל מֵאֶרֶץ מִצְרַיִם בְּיוֹם הַזֶּה בָּאוּ מִדְבַּר סִינַי:

This teaches that Yisrael were in the Sinai desert for twelve months minus ten days, as it says: 'In the third" month from when Bnai Yisrael left the land of Egypt - on that day they came to Midbar Sinai

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Everlasting Life

There is another section of the Torah which contains all of the keywords found in the description of Tzipporah's banishment and by extension the *parsha* of *metzora* purification, the mitzvah of *shiluach haken*:

כִּי יִקְרָא בֶן צִפּוֹר לְפָנָיו בְּדֶרֶךְ כָּל עֵץ א֥וּ עַל הָאָרֶץ אֲפֻרְתִּים א֥וּ בִיצִים וְהָאֵם רֹבֶצֶת עַל הָאֲפֻרְתִּים א֥וּ עַל הַבִּיצִים לֹא תִקַּח הָאֵם עַל הַבָּנִים: שְׁלַח תְּשַׁלַּח אֶת הָאֵם וְאֶת הַבָּנִים תִּקַּח לָךְ לְמַעַן יִיטֵב לָךְ וְהָאֲרֶכֶת יָמִים: ^{^342^}

"If along the way you happen upon a bird's nest, in any tree or on the ground, with young chicks or eggs in it, and the mother is sitting over the young chicks or on the eggs, do not take the mother together with her young. You shall surely send the mother away and take only the young, so that it will be good for you and you will have a long life." ^{^342^}

Mother bird = (ציפור, האם) Moshe's wife = (ציפורה אשת משה)

Children or eggs = (על הבנים) Moshe's children = (ואת שני בניה)

Send the mother away = (שלח תשלח את האם) Tzipporah was sent away = (אחר שילוחיה)

Taking the children or eggs = (ואת הבנים תקח לך) Yitro took Tzipporah and the children = (ויקח יתרו ... שני בניה)

The parallel between Tzipporah's name and the word used to describe the mother bird along with other glaring similarities implies importance of this commandment to the mysterious story of Tzipporah and her children. As in both the story of Tzipporah and the laws regarding a *metzora* in need of purification, we find here mention of multiple birds, an act of taking, and an act of sending away. While the *peshat* of this mitzvah is obviously halachic in nature, ^{^343^} this mitzvah can be interpreted using a similar methodology to the one applied by the *metzora* ceremony as a parable for the life story of Tzipporah and her children.

To understand why, one needs to ask: what is the purpose, the motivation, the rationale behind *shiluach haken*? The most straightforward answer is also the one most commonly found in the midrashic literature:

וְשׁוּר א֥וּ שָׂה אֶתֹּו וְאֶת בָּנָו לֹא תִשְׁחָטוּ בְּיוֹם אֶחָד (ויקרא כב, כח), אָמַר רַבִּי בְּרַכְיָה בְּשֵׁם רַבִּי לִוִּי כְּתִיב (משלי יב, י): יוֹדֵעַ צְדִיק נֶפֶשׁ בְּהֶמְתּוֹ, זֶה הַקְדוּשׁ בְּרוּךְ הוּא שֶׁכְּתוּב בְּתוֹרָתוֹ (דברים כב, ו): לֹא תִקַּח הָאֵם עַל הַבָּנִים: ^{^344^}

"An ox or a sheep, you shall not slaughter it and its son on the same day' (Vayikra 22:28). Rabbi Berechya said in the name of Rabbi Levi, it says: 'A tzaddik knows the soul of his animal' (Mishlei 12:10), this is HaKadosh Baruch Hu, as it says in His Torah: 'Do not take the mother with her children' (Devarim 22:6)."³⁴⁴

Shiluach haken is meant to teach and instill mercy and compassion in us. Indeed, the midrash points us to another mitzvah, namely the prohibition to slaughter a mother and her kid on the same day, which is instructing a similar ethical lesson; other mitzvot, such as the humane nature of ritual slaughter, can be interpreted similarly.

A completely different rationale for this mitzvah is quoted in the commentary of Rabbeinu Bahaye,³⁴⁵ one that is Kabbalistic instead of intellectual, Zoharic instead of Maimonidean. This mitzvah is meant to embody, not mercy, but cruelty; through the cruelty displayed by the person performing the mitzvah, Divine mercy is aroused and increased in the world. In other words, separating a mother bird from her children who will befall harm is seen on the one hand as merciful, sparing the mother further pain, but on the other hand is brutish, as it causes the mother initial pain, and through that pain inflicted on the mother bird, the world as a whole will benefit from a cosmic realignment of the balance between compassion and justice.

This debate between the rational and mystical, between mercy and cruelty, mirrors the divergent midrashic opinions on why Moshe sent Tzipporah away in Mechilta DeRabbi Yishmael in **Note 81**. Rabbi Elazar HaModa'i argues that Moshe sent Tzipporah away with words after Aharon reprimanded him for endangering her; this act of sending the mother bird away was an act of kindness and concern on Moshe's part, to spare her from witnessing and being subject to, terrible suffering in Egypt. In contrast, Rabbi Yehoshua claims that Moshe sent Tzipporah away with a divorce document; although he does not state why, divorce is not usually done from a place of love and compassion for the other party. It could be argued that the outcome of sending Tzipporah away with a bill of divorce is similar in concept to the Zohar's reading that sending the mother bird away is actually meant to be intentionally unkind to her.

Shiluach haken can be found towards the end of Sefer Devarim, which records Moshe's final address and parting words to Bnai Yisrael. At this point Moshe is acutely aware that he will not merit to lead the nation into Eretz Yisrael; his own death is imminent, and his successor Yehoshua has been selected. As Moshe delivers his speech, he reflects on what he has

accomplished in his life, and in parallel confronts his own impending mortality. Gershom and Eliezer not being viable candidates for leadership weighs on him; he knows that with his death there will be no continuation of his crown, no children to take over for him in the Promised Land. Indeed, Moshe's parting words in Sefer Devarim are delivered six months after Aharon's death, where Moshe saw firsthand his brother's sons inherit from their father.

Perhaps Moshe, looking back on his life and the role his children played in it, is riddled with guilt and regret. His sons were not a part of his destiny or his mission to free the Jewish people. They had been sent home before *Yetziat Mitzrayim*, were absent as G-d exalted Himself in all of His glory over Egypt. When Tzipporah was sent away, she took her children with her back to Midian. Gershom and Eliezers' mother was the deciding factor in their development, and even with Yitro's amenability to the Jewish cause and Tzipporah's heroic circumcision, their homeland and identity became Midian, through and through. Unlike Elazar and Itamar, they did not grow up surrounded by miracles and G-dliness; instead, they were raised in a land filled with idolatry, without a father figure to give them guidance and direction. In effect, Moshe realizes, his sending away Tzipporah and their children, even if done with noble intentions, meant that they would always be attached to their mother. Tzipporah's historical background and culture became the sole environmental presence in their lives.

Moshe understands that the sacrifice he made regarding his own family, while for the larger good of Bnai Yisrael, came at a price. He does not wish this same fate on others, and believes that he can warn others based on his experience. He therefore conceals within the mitzvah of *shiluach haken* a warning for others; a bitter, resigned exhortation that others should not follow his example. Interpolating the words of Yitro taking Tzipporah and the boys onto the mitzvah of *shiluach haken*, it can be read instead as a personal cry from Moshe to Bnai Yisrael. "If you send away the mother bird, make sure to take the children with you"; if you send away your Tzipporah, your wife and the mother of your children, make sure to take your children, keep them an integral part of your life, don't let them slip away. Do not sacrifice at the altar your lineage, the best guarantee for a legacy that will carry on your teachings and values, for the sake of a personal calling. I had no choice, Moshe desperately announces, because G-d had other plans for me; but, avoid what I have suffered, and what I now have to confront in my final days, at all costs. If you have to send away the mother bird, make sure to take the children with you; don't let others take them instead.

If you do this, Moshe concludes, "*it will be good for you and you will have a long life.*" Many a commentator wondered why this seemingly trivial mitzvah contains a reward for long days, something rarely found explicitly in the Torah.^{^346^} What does Moshe mean here when he says that whoever observes the mitzvah will "have it good" and merit a "lengthening of days"?

If *shiluach haken* is understood as a poignant metaphor for taking your children under your wing and passing on your values to them, *length of days* takes on an entirely new meaning: it does not mean the number of years a person lives in this world before his physical body begins to decay, but rather his presence and legacy in the world. There is no greater good for a man than children who carry on his name^{^347^} and ensure that his legacy does not get erased and end with his death.^{^348^} A long life is not a *reward* for fulfilling a mitzvah to send the mother bird away before taking her chicks; it is a *consequence* of taking those chicks and ensuring they stay with you if the mother bird leaves. A person with sons that take on his crown will outlive his life, and continue to live on through his children. This is true *arichut yamim*.^{^349^}

Aharon achieved longevity through his sons Elazar and Itamar continuing the *Kehunah* and passing it onto the next generation. Moshe, seeing this, is moved to soberly offer up his own loss of *arichut yamim* as proof that a person should not do as he was compelled to if it is not absolutely necessary. The trappings and allure of achievements and honor in this world are not worth it if it means giving up on having your children be the embodiment of who you are and what you stand for.

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342 Devarim 22:6-7.

342 Devarim 22:6-7.

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The Talmud sees halachic significance in the word choice of *tzippor* as opposed to *'of*, which does not contradict other, aggadic motivations for using *tzippor* specifically

Hullin 139b

עוף טמא פטור מלשלח: מנה"מ אמר רבי יצחק דאמר קרא כי יקרא קן צפור לפניך עוף משמע לן בין טהור בין טמא צפור טהור אשכחן דאיקרי צפור טמא לא אשכחן דאיקרי צפור:

An impure bird is exempt from being sent. How do we know this? Rabbi Yitzchak said, the pasuk says: 'If you' come across a bird's nest'. 'Of' indicates pure and impure, while regarding 'Tzippor' we find that pure birds are called tzippor while impure birds are not called tzippor

344 Vayikra Rabbah 27:11.

344 Vayikra Rabbah 27:11.

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Rabbeinu Bahaye Devarim 22:7 d"l shaliah teshalah et ha'em

ויש עוד דעת אחרת, שיש בקיום מצוה זו התעוררות רחמים על כל העולם, והוא כי מתוך שהוא משלח את האם הנה היא מצטערת ודואגת על חרבן קנה ורחוק בניה ומצטערת והולכת ורוצה לאבד את עצמה, ומתוך צערה הגדול השר הממונה על העופות מבקש רחמים מהקב"ה, ואז הקב"ה שכתוב בו (תהילים קמה, ט) ורחמיו על כל מעשיו ממשיך שפע הרחמים על כל המצטערים והצריכים רחמים ומרחם עליהם. נמצאת אומר שהמקיים מצוה זו ומשלח הוא סבה לעורר רחמים על כל העולם וטוב לו עמהם, וזהו שאמר למען ייטב לך והארכת ימים, כלומר אותו השלוח יהיה לטוב לך והארכת ימים עליו, כי אריכות ימים בסבת הרחמים:

But there is another opinion i.e. the Kabbalistic one found in Tikkunei HaZohar 23a, namely that in the fulfillment of this mitzvah there is an awakening of mercy for the entire world, and it is because when he sends away the mother she is distressed and worried about the destruction of her nest and being separated from her children, and she is distressed and goes and wants to kill herself, and from her great distress the angel who is appointed over the birds asks for mercy from HaKadosh Baruch Hu, and then HaKadosh Baruch Hu, about whom it is written: 'His mercy is on all of His creations' (Tehillim 145:9), draws down the influence of mercy among all those who are in distress and in need of mercy, and is merciful upon them. Which is to say, that whoever fulfills this mitzvah and sends the mother away, that is the reason that mercy is awakened for the whole world, and it is good for him regarding them, and this is what it means when it says: 'So that it will be good for you, and so that you shall have a lengthening of days', a lengthening of days due to this mercy which is drawn down.

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Only two other mitzvot guarantee long life as a reward: the need to have fair weights (Devarim 25:13-16) and the injunction to honor one's parents (Shmot 20:11; Devarim 5:15). One midrashic explanation for this revolves around the tension between the simplicity and ease of fulfilling *shiluach haken* compared to the difficulty in honoring one's parents

Devarim Rabbah 6:2

זה שצאמר הכתוב (משלי ה, ו): ארח חיים פן תפילס נעו מעגלתיקה לא תדע. מהו ארח חיים פן תפילס, אצמר רבי אבא בר כהנא, אצמר הקדוש ברוך הוא לא תהא יושב ומשקל במצוותיה של תורה, כענין שצאמר (ישעיה מ, יב): וישקל בפילס הרים, לא תהא אומר הואיל והמצוה הזו גדולה אני עושה אותה ששכרה מרבה, והואיל וזו מצוה קלה אני עושה אותה, מה עשה הקדוש ברוך הוא לא גלה לבקירות מהו מתן שכרה של כל מצוה ומצוה, כדי שיעשו כל המצוות בתם, מנין, שצאמר: נעו מעגלתיקה לא תדע ... כך לא גלה הקדוש ברוך הוא מתן שכרן של מצוות, חוץ משתי מצוות, חמורה שבחמורות והקלה שבקלות, כבוד אב ואם, חמורה שבחמורות, ומתן שכרה אריכות ימים, שצאמר (שמות כ, יב): כבוד את אביך ואת אמך למען יארכון ימיה. והקלה, שלוח הקן, ומהו שכרה, אריכות ימים, שצאמר (דברים כב, ז): שלח תשלח את האם וגו' והארכת ימים, הוי כי יקרא קן צפור:

This is as it says: 'She does not chart a way of life, her course meanders due to lack of knowledge' (Mishlei 5:6). What does: 'She does not chart a way of life' mean? Rabbi Abba Bar Kahana said, HaKadosh Baruch Hu said, do not sit and weigh the mitzvot of the Torah, as it says: 'And weighs the chart of the mountains' (Yishayahu 40:12), so that you do not come to say, this mitzvah is great so I will do it for its reward is great, but that mitzvah is small so I will not do it. What did HaKadosh Baruch Hu do? He did not reveal to the creations what the reward for each mitzvah is, except for two: the most difficult to fulfill and the easiest to fulfill. Honoring one's parents is the most difficult, and its reward is a lengthening of days, as it says: 'Honor your father and your mother so that you shall experience a lengthening of days' (Shmot 20:12). And the easiest is shiluach haken, and what is its reward? Also a lengthening of days, as it says: 'Send away the mother ... so that you shall have a lengthening of days'. This is: 'If you come across a bird's nest

Tanchuma Yelamdenu Ki Teitzei 2

ומה שכר שלוח הקן, שכרה אריכות ימים. שכר מצות שיש בהן חסרון וטרה והחיית נפשו, על אחת כמה וכמה. לפיכך לא פרש הקדוש ברוך הוא שכר עושי מצוה בתורה, שיהיו ישראל עושין אותן מעצמן, להרבות שכר. שכך שנינו (אבות א, ג), אל תהיו כעבדים המשמשין את הרב על מנת לקבל פרס, אלא הו כעבדים המשמשין את הרב שלא על מנת לקבל פרס:

If the reward for shiluach haken is a long life, the reward for a mitzvah which requires loss and effort and livelihood - how much more so. This is why HaKadosh Baruch Hu did not reveal the reward of those who do mitzvot in the Torah, so that Yisrael would do them on their own, in order to increase reward. As was taught similarly (Avot 1:3): Do not be like slaves who serve their master to receive a reward, but rather be like slaves who serve their master not in order to receive a reward

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Yalkut Shimoni on Nach Remez 31

הברכה אחרונה היתה גדולה מן הראשונה שנאמר ביום השמיני שלח את העם וגו' וילכו לאהליהם, שמצאו נשותיהם בטהרה. שמחים שנהנו מזיו השכינה, טובי לב שכל אחד ואחד נתעברה אשתו בן זכר, על כל הטובה שיצאה בת קול ואמרה להם כלכם מזומנים לחיי העולם הבא:

The last blessing was even greater than the first, as it says: 'On the eighth day he sent the nation ... and they' went to their tents' (Melachim Aleph 8:66) - they found their wives were pure. 'Happy' that they had enjoyed the radiance of the Shechinah, 'of good heart' because each and every one's wife became pregnant with a male child, "for all the good' that a Bat Kol went out and said to them: You are all welcome into the World to Come

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Chessed L'Avraham, Ma'ayan 2 Sha'ar 63

ובמלת וישמרך צריך לכוון לברכה שיתן האל יתברך בנים לישראל, שאין לך שמירה לאדם שלא ימחה שמו מישראל אלא בבנים, ובבנים נשמר מכל רע: (חסד לאברהם מעיין ב שער סג):

And with the word 'and guard you' in Birkat Kohanim, he must have intention for the blessing that G-d, may He" be blessed, should give children to Yisrael, for there is no greater protection for a man to ensure his name is not "erased from Yisrael than children, and with children he will be guarded from all evil

349 Similarly, if a person honors his parents by observing their teachings and living according to their values, that will ensure his own children, who grow up seeing how their father respects his parents, will do the same regarding his own teachings and values. This is why this same reward is also found by the mitzvah of *kibud av v'em*: it too ensures *arichut yamim*. This explanation removes the question which bothered the midrashim in **Note 100**; once we understand *arichut yamim* as a consequence and not a reward, its applicability to both honoring one's parents and educating your children becomes readily apparent.

Part 3: Miriam**Introduction**

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Introduction

Any assessment of the relationship between Tziporah, the concept of spiritual purity which her name and essence connote, and the affliction of *tzara'at*, cannot be complete without

investigating the most lengthy - and midrashically informative - story that involves Tziporah:

וּתְדַבֵּר מִרְיָם וְאַהֲרֹן בְּמִלְשָׁה עַל אֲדֹת הָאִשָּׁה הַכֻּשִׁית אֲשֶׁר לָקַח בִּי אִשָּׁה כֻּשִׁית לָקַח: וַיֹּאמְרוּ הֵרֶם אִךְ בְּמִלְשָׁה דִּבֶּר יְהוָה הֲלֹא גַם בָּנוּ דִּבֶּר וַיִּשְׁמַע יְהוָה: וְהָאִישׁ מִלְשָׁה עָנָו מֵאֵד מְכַלֵּה הָאָדָם אֲשֶׁר עַל פְּנֵי הָאֲדָמָה: וַיֹּאמֶר יְהוָה פְּתָאֵם אֶל מִלְשָׁה וְאֶל אַהֲרֹן וְאֶל מִרְיָם צֵאוּ שְׁלֹשְׁתֵּכֶם אֶל אֹהֶל מוֹעֵד וַיֵּצְאוּ שְׁלֹשָׁתָם: וַיֵּרֶד יְהוָה בַּעֲמִיד עָנָו וַיַּעֲמֵד פֶּתַח הָאֹהֶל וַיִּקְרָא אֲהֲרֹן וּמִרְיָם וַיֵּצְאוּ שְׁנֵיהֶם: וַיֹּאמֶר שְׁמְעוּ גַּם דְּבָרִי אִם יִהְיֶה נִבְיָאֲכֶם יְהוָה בְּמִרְאָה אֵלָיו אֲתוּדַע בְּחִלּוֹם אֲדַבֵּר בּוֹ: לֹא כֵן עֲבַדְתִּי מִלְשָׁה בְּכָל בֵּיתִי נֶאֱמָן הוּא: פֶּה אֶל לֶף אֲדַבֵּר בּוֹ וּמִרְאָה וְלֹא בְחִידָת וּתְמִנָּה יְהוָה יִבִּיט וּמִדּוּעַ לֹא יֵרָאֶתְּ לְדַבֵּר בַּעֲבָדִי בְּמִלְשָׁה: וַיִּחַר אֵף יְהוָה בָּם וַיִּלְךְ: וְהָעָנָו סָר מֵעַל הָאֹהֶל וְהָנָה מִרְיָם מִצַּרְעֶת כַּשְׂלֵג וַיִּפְּן אַהֲרֹן אֶל מִרְיָם וְהָנָה מִצַּרְעֶת: וַיֹּאמֶר אַהֲרֹן אֶל מִלְשָׁה בִּי אֲדֹנִי אֵל נָא תִשֶׁת עָלֵינוּ חֲטָאת אֲשֶׁר נֹאֲלָנוּ וְאֲשֶׁר חָטְאָנוּ: אֵל גַּם תְּהִי כִפּוּת אֲשֶׁר בְּצִאתוֹ מִרְחֹם אִמּוֹ וַיֵּאכֹל חֲצִי בָשָׂרוֹ: וַיִּצְעַק מִלְשָׁה אֶל יְהוָה לֵאמֹר אֵל גַּם רָפָא גַּם לָהּ: וַיֹּאמֶר יְהוָה אֶל מִלְשָׁה וְאַבְיֵה יָרֵךְ יָרֵךְ בְּפִיָּה הֲלֹא תִכְלֹם שְׁבַעַת יָמִים תִּסָּגֵר שְׁבַעַת יָמִים מִחוּץ לַמַּחֲנֶה וְאַחַר תֵּאָסֵף: וּתְסַגֵּר מִרְיָם מִחוּץ לַמַּחֲנֶה שְׁבַעַת יָמִים וְהָעָם לֹא יָסַע עַד הָאֶסָף מִרְיָם: וְאַחַר יָסְעוּ הָעָם מִחֲצֵרוֹת וַיִּחַנּוּ בְּמִדְבַר פָּאָרָן: ³⁵⁰

"Miriam and Aharon spoke against Moshe regarding the Cushite woman he had taken, for he had taken a Cushite woman. They said: Does Hashem only speak through Moshe - does He not also speak through us? Hashem heard. Now the man Moshe was very humble, more so than any other man on the face of the earth. Hashem said suddenly to Moshe, Aharon and Miriam: Go out to the ohel moed, all three of you. All three of them went out. Hashem descended in a pillar of cloud and stood opposite the tent, and called: Aharon and Miriam. The two of them went out. Hashem said: listen to my words. If you have a prophecy from Hashem, I reveal myself to him in a vision, and speak to him in a dream. It is not so with my servant Moshe, in all My house he is trusted. I speak to him mouth-to-mouth, not with a vision of riddles. He views the image of Hashem - why did you not fear to speak against My servant Moshe? Hashem got angry at them and left. The cloud left from the tent, and behold Miriam had tzara't like snow; Aharon turned to Miriam and behold she had tzara'at. Aharon said to Moshe: Please my master, do not lay sin upon us, for we have acted foolishly and sinned. Do not let her be like a dead person who, upon leaving his mother's womb, has his flesh half-eaten. Moshe cried out to Hashem, saying: G-d, please heal her. Hashem said to Moshe: If her father had spit in her face, would she not quarantine for seven days? She shall be closed off outside the camp for seven days and then she shall come back. Miriam was quarantined outside of the camp for seven days, and the nation did not travel until Miriam was gathered in. Then the nation traveled from Chazerot and moved to Midbar Paran." ³⁵⁰

Miriam is afflicted with *tzara'at* as punishment for speaking ill about Moshe's wife, ³⁵¹ arguing that she and Aharon are prophets just like him. There is much ambiguity to this story

and as expected a myriad of interpretations exist, for similar to most examples where aggadic ingenuity is found, the pesukim seem to conceal more than they reveal. Tziporah has not been mentioned by the Torah since her father Yitro brought her back after being sent away (Shmot 18:2), and Miriam has not been mentioned since she led all the women in echoing praise to Hashem after *kriat yam suf* (Shmot 15:20-21). What, exactly, is the relationship between these sisters-in-law? Were they close, indifferent or hostile towards one another? A careful grammatical reading would suggest that Miriam spoke against Moshe regarding his relationship with Tziporah, and not against Tziporah herself, which would indicate that Miriam did not harbor negative feelings against Tziporah per se. But then what was Miriam upset about, and why did Hashem punish her so severely?

What is primarily motivating the midrashic approach to these questions is not only the contextual difficulties of this story in isolation, but the relevance of this episode to the rest of Torah. There is only one other explicit reference made to this incident, and even then the context is strictly regarding the halachot of *tzara'at*:

הַשֹּׁמֵר בְּגִגְעַת הַצִּרְעָתָה לְשֹׁמֵר מֵאֵד וְלַעֲשׂוֹת כְּכֹל אֲשֶׁר יֹרֵי אֶתְכֶם הַכֹּהֲנִים הַלְוִיִּם כְּאֲשֶׁר צִוִּיתָם תִּשְׁמְרוּ לַעֲשׂוֹת: זָכוֹר
אֵת אֲשֶׁר עָשָׂה יְהוָה אֱלֹהֶיךָ לְמִרְיָם בְּדֶרֶךְ בְּצִאתְכֶם מִמִּצְרַיִם: ^{^352^}

"In cases of an affliction of *tzara'at* be careful to do exactly as the Kohanim instruct you. Take care to do as I have commanded them. Remember what Hashem your G-d did to Miriam on the way after you left Egypt." ^{^352^}

Why is this story recorded in the Torah, seemingly materializing out of nowhere and without any obvious lasting repercussions? This is the only time all three of Amram's children are mentioned together, and therefore it should be relevant to any broader fundamental understanding of them as siblings on the one hand, and to a deeper understanding of each child's own self-contained family unit on the other. The key to unlocking this story will actually be in placing the stories found after this one in the text both geographically and chronologically, as a careful reading of the midrashim will demonstrate.

350 Bemidbar 12:1-16.

350 Bemidbar 12:1-16.

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The pesukim refer to Moshe's wife as the Cushite and do not mention Tziporah by name. According to traditional midrashic sources this Cushite woman is identical with Tziporah, and her name is concealed to teach positive qualities about her by association

Sifre Bemidbar 99

רבי אליעזר בנו של רבי יוסי הגלילי אומר: צפורה צפו וראו מה נאה האשה. הכושית, וכי היתה? אלא מדיינית היתה, שנאמר (שמות ב, ט) ולכהן מדין שבע בנות, ומה ת"ל כושית? מה כושי משונה בעורו, כך צפורה משונה בנויה יותר מכל הנשים:

Rabbi Eliezer the son of Rabbi Yosi HaGlili says: Why was she called Tziporah - look tzfu and see how" beautiful this woman is. 'The Cushite'. Was she? But she was a Midianite, as it says: 'The priest of Midian had seven daughters' (Shmot 2:16). What does it mean by referring to her as Cushite? Just as a Cushite stands out due to his skin, so too Tziporah stood out with her beauty more than all the other women

Midrash Shocher Tov 7:20

על דברי כוש. וכי כושי היה והלא כתיב (שם ט ב) ולו היה בן ושמו שאול בחור וטוב. אלא שהיה משונה ביופיו ככושי הזה שהוא משונה בעורו. כיוצא בו אתה אומר (במדבר יב א) על אודות האשה הכושית. וכי כושית היתה אלא כושית במעשיה כושית בשמה. יש אשה כשרה ואינה נאה ויש נאה ואינה כשרה. אבל צפורה נאה וכשרה. יש נאה בפני אחרים ואינה נאה בפני בעלה או נאה בפני בעלה ואינה נאה בפני אחרים אבל צפורה נאה בפני בעלה ונאה בפני הכל:

Concerning Cush' (Tehillim 7:1). Was Shaul a Cushite - does it not say about him: 'Kish had a son whose name' was Shaul, young and goodly' (Shmuel Aleph 9:2)? Rather, he stood out in his beauty like a Cushite, who stands out due to his skin. Similarly you find: 'Regarding the Cushite woman' (Bemidbar 12:1). Was Tziporah a Cushite? Rather, she was like a Cushite i.e. stood out in her deeds and like a Cushite in her name. There is a woman who is Kosher but not pleasant, and there is a woman who is pleasant and not Kosher. Tziporah, however, was pleasant and Kosher. There is a woman who is pleasant before others but not her husband, and there is a woman who is pleasant before her husband but not others. Tziporah, however, was pleasant before her husband and pleasant before others

Moed Katan 16b

היינו דכתיב: "שִׁגְיוֹן לְדָוִד אֲשֶׁר שָׁר לֵה' עַל דְּבָרֵי כוֹש בֶּן יִמִּינִי", וְכִי כוֹש שְׁמוֹ? וְהֲלֹא שְׁאוּל שְׁמוֹ! אָלֵא: מָה כוֹשִׁי מְשֻׁנָּה בְּעוֹרוֹ אֶף שְׁאוּל מְשֻׁנָּה בְּמַעֲשָׁיו:

This is as it says: 'A shiggayon for David that he sang to Hashem regarding Kush Ben Yemini' (Tehillim 7:1). Was Kush his name, was it not Shaul? Rather, just as a Cushite is distinguished via his skin, so too Shaul is distinguished by his deeds

There is also a tradition that the Cushite woman was actually not Tziporah but a different woman entirely, a second wife that Moshe had taken even before he got to Midian. During a long, elaborate exploration of Moshe's early life, the midrash claims that Moshe fled to Cush (Ethiopia) before Midian, serving the king and then inheriting the throne when the king passed away. He consolidated the kingdom and ruled for 40 years, and also married the king's widow. It is this Cushite queen, not Tziporah, that the Torah refers to

Yalkut Shimoni on Torah Remez 168

וילכוד משה את העיר בחכמתו ויושיבוהו על כסא המלוכה וישימו כתר מלכות בראשו וגם את הכושית הגבירה נתנו לו לאשה ויירא משה את אלקי אבותיו ולא בא אליה כי זכר את השבועה אשר השביע אברהם את אליעזר עבדו לאמר לא תקח אשה על בני מבנות כנען. וגם כה עשה יצחק בברוך יעקב מפני עשו ויצוהו ויאמר לו לא תתחתן בבני חם כי זכרנו את אשר נתן את בני חם לעבדים לבני שם ולבני יפת ויירא משה מפני ה' אלקיו ויתהלך לפניו באמת בכל לבבו ולא סר מן הדרך אשר הלכו בה אברהם יצחק ויעקב ויתחזק במלכות בני כוש וילחם את אדום ואת בני קדם ואת ארם ויכניעם תחת יד בני כוש. והימים אשר מלך על בני כוש ארבעים שנה. ויצלח בכל מלחמתו כי ה' אלקי אבותיו אתו:

"Moshe captured the city with his wisdom, and they placed him on the king's throne, and placed the crown of the king on his head, and they also gave him the Cushite woman i.e. the former king's widow as a wife. Moshe feared the G-d of his fathers and he was not intimate with her, for he remembered the oath that Avraham swore Eliezer his servant to, saying: Do not take a woman for my son Yitzchak from the daughters of Canaan. And similarly Yitzchak when Yaakov fled from Esav, when he commanded him: Do not marry with the children of Cham, for we remember how the children of Cham were given as slaves to the children of Shem and Yefet. Moshe feared Hashem his G-d and walked before Him in truth with all of his heart and he did not stray from the path that Avraham, Yitzchak and Yaakov walked on. He became strong in the kingdom of the children of Cush, and he fought Edom and the children of Kedem and Aram, and he subjugated them all under the hand of the children of Cush. The days that he ruled over the children of Cush were 40 years, and he was successful in all of his wars ".because Hashem the G-d of his fathers was with him

This, however, appears to be a later tradition. The overwhelming midrashic consensus equates the Cushite woman with Tziporah.

352 Devarim 24:8-9.

352 Devarim 24:8-9.

Rashi's Approach

Bnai Yisrael spent nearly a year at Har Sinai, arriving in the beginning of the 3rd month and departing on the 20th of the 2nd month the following year.³⁵³ We are told that the cloud rested in the desert of Paran:

וַיְהִי בַּשָּׁנָה הַשְּׁנִיָּתָה, בַּחֹדֶשׁ הַשְּׁנִי בָּעֶשְׂרִים בַּחֹדֶשׁ; נָעֲלָה, הָעֶנָּן, מֵעַל, מִשְׁכַּן הָעֵדֻת: וַיִּסְעוּ בְּנֵי-יִשְׂרָאֵל לְמִסְעֵיהֶם, מִמִּדְבַּר סִינַי; וַיִּשְׁכְּן הָעֶנָּן, בְּמִדְבַּר פָּאֶרָן: (במדבר י"א-יב)

"In the second year, in the second month on the twentieth of the month, the cloud rose from atop the Mishkan of the testimony. Bnai Yisrael journeyed on their journeys, from Midbar Sinai, and the cloud rested in Midbar Paran." (Bemidbar 10:11-12)

This account seems to contradict what is recorded later on in Sefer Bemidbar:

וַיִּקְרָא אֶת שֵׁם הַמָּקוֹם הַהוּא קִבְרוֹת הַתְּאֵנָה כִּי שָׁם קָבְרוּ אֶת הָעָם הַמְּתָאֲנִים: מִקְבְּרוֹת הַתְּאֵנָה נָסְעוּ הָעָם חֲצֵרוֹת וַיֵּהָיו בְּחֲצֵרוֹת: (במדבר יא: לד-לה)

"He named that place Kivrot HaTa'avah, since that was where the nation that desired was buried. From Kivrot HaTa'avah the nation journeyed to Chatzerot, and they were in Chatzerot." (Bemidbar 11:34-35)

וְאַתֵּר נָסְעוּ הָעָם מִחֲצֵרוֹת וַיִּחַנּוּ בְּמִדְבַּר פָּאָרָן: (במדבר יב: טז)

"After that the nation journeyed from Chatzerot, and encamped in Midbar Paran." (Bemidbar 12:16)

וַיִּשְׁלַח אֹתָם מֹשֶׁה מִמִּדְבַּר פָּאָרָן עַל פִּי יְהוָה כָּלָם אַנְשִׁים רָאשֵׁי בְנֵי יִשְׂרָאֵל הֵמָּה: (במדבר יג: ג)

"Moshe sent the spies from Midbar Paran by the word of Hashem, all of them men, the heads of Bnai Yisrael." (Bemidbar 13:3)

וַיֵּלְכוּ וַיִּבְּאוּ אֶל מֹשֶׁה וְאֶל אַהֲרֹן וְאֶל כָּל עֵדֶת בְּנֵי יִשְׂרָאֵל אֶל מִדְבַּר פָּאָרָן קַדְשָׁה וַיֵּשִׁיבוּ אֹתָם דְּבַר וְאֵת כָּל תְּעוּדָה וַיִּרְאוּם אֶת פְּרֵי הָאָרֶץ: (במדבר יג: כו)

"They went straight to Moshe and Aharon and the whole community of Bnai Yisrael at Kadesh in Midbar Paran, and they made their report to them and to the whole community, and showed them the fruit of the land." (Bemidbar 13:26)

וַיִּסְעוּ מִמִּדְבַּר סִינַי וַיִּחַנּוּ בְּקִבְרוֹת הַתְּאֵנָה: וַיִּסְעוּ מִקְבְּרוֹת הַתְּאֵנָה וַיִּחַנּוּ בְּחֲצֵרוֹת: וַיִּסְעוּ מִחֲצֵרוֹת וַיִּחַנּוּ בְּרִתְמָה: (במדבר לג: טז-יח)

"They journeyed from Midbar Sinai, and encamped in Kivrot HaTa'avah. They journeyed from Kivrot HaTa'avah, and encamped in Chatzerot. They journeyed in Chatzerot, and encamped in Ritmah ..." (Bemidbar 33:16-18)

In other words:

- Option 1 = Midbar Sinai → Midbar Paran / Kivrot HaTa'avah → Chatzerot → Midbar Paran / Kadesh (Bemidbar 10-13) - Option 2 = Midbar Sinai → Kivrot HaTa'avah → Chatzerot → Ritmah → etc (Bemidbar 33)

This problem is easily resolved by accepting that Midbar Paran was not the name of a specific place but rather a region that encompassed and included several campsites within it. Kivrot HaTa'avah, Chatzerot and Ritmah were all located in Midbar Paran. ^{^354^}

This confusion opens the door for some elasticity in interpreting not just the locations of several key events, but also the order in which they occurred. We are told the story of Miriam afflicted with *tzara'at* happened in Chatzerot. But what about the following story, of the sin of the spies? We are told it happened in Midbar Paran, but as we just said that is a general area as opposed to a specific place. What we can say is that the spies were not sent from Chatzerot, since the people traveled from Chatzerot to wherever the sin of the spies occurred. We also know when the sin of the spies happened, since the consequence of that sin was the punishment to wander in the desert for 40 years. It must therefore have happened in the second year, soon after Bnai Yisrael left Har Sinai. This explains why the sin of the spies is recorded right after the story of Miriam in Chatzerot, since that makes the most sense chronologically. ^{^355^}

Identifying the time and place of Korach's rebellion - which follows the story of the spies - is more challenging. Not only is no geographic information provided at all, but unlike the spies it is not clear when the rebellion happened. ^{^356^} Did Korach's rebellion happen after the sin of the spies, as a chronological reading would suggest?

כָּלֶם קְדוֹשִׁים, וּמִדּוּעַ תִּתְנַשְּׂאוּ (במדבר טז:ג). מִיָּד נִזְדַּעַזַּע מֹשֶׁה מִפְּנֵי הַמַּחְלָקֶת, מִפְּנֵי שֶׁכָּבֹד הָיָה בְּיָדוֹ סֶרְחוֹן רַבִּיעִי. מֹשֶׁה לָּמָּה הַדָּבָר דּוֹמֶה. לָכֵן מָלָךְ שֶׁסָּרַח עַל אֲבִיו, וּפָּסַע עָלָיו אוֹהֲבֵוּ פַּעַם אַחַת וּשְׁתַּיִם וְשִׁלֵּשׁ. בְּשֶׁסָּרַח פַּעַם רַבִּיעִית, נִתְרָשְׁלוּ יָדָיו אוֹהֲבֵוּ שֶׁל מָלָךְ, אָמַר, כִּמְהָ פַּעַמִּים אֲנִי מִטְרִיחַ אֶת הַמָּלָךְ. אַף כָּאֵן עֲשֵׂה מִשְׁהָ לְיִשְׂרָאֵל. חֲטָאוּ בַּעֲגֹל, וַיַּחַל מֹשֶׁה (שמות לב, יא). בְּמִתְאוֹנְנִים, וַיִּתְפַּלֵּל מֹשֶׁה (במדבר יא, ב). בְּמִרְגָּלִים, וַיֹּאמֶר מֹשֶׁה אֶל ה' וְשָׁמְעוּ מִצָּרִים (שם יד, יג). בְּמַחְלָקָתוֹ שֶׁל קֶרַח, נִתְרָשְׁלוּ יָדָיו. אָמַר, כִּמְהָ אוֹכַל לְהַטְרִיחַ אֶת הַמָּקוֹם. לְפִיכָךְ, וַיִּשְׁמַע מֹשֶׁה וַיַּפֵּל עַל פָּנָיו (שם טז, ד) ^{^357^}

"Everyone is holy ... and why should you lord over' (Bemidbar 16:3). Immediately Moshe shook from the machloket, because this was already the fourth transgression on their hands. What is this comparable to? The son of a king who transgressed against his father, and the king's friend appeased him once, twice and thrice. When the son transgressed a fourth time, the hands of the king's friend became weak, and he said: how many times can I bother the king? So too here with Moshe regarding Yisrael. They sinned by the calf, 'Moshe pleaded' (Shmot 32:11); by the murmurers, 'Moshe prayed' (Bemidbar 11:2); by the spies, 'Moshe said

to Hashem Egypt will hear' (Bemidbar 14:13); by the rebellion of Korach, his hands became weak, and he said: how many times can I bother HaMakom? Therefore: 'Moshe heard and he fell on his face' (Bemidbar 16:4)."³⁵⁷

Moshe's hands were weak because Korach was already the fourth transgression, thus indicating that Korach's rebellion took place after the sin of the spies. This is perhaps the most straightforward understanding and one that is easiest to explain, both because it is the order in which the stories are presented in, and because it frames the impetus for Korach's rebellion as a consequence of the devastating pronouncement of 40 years in the desert. The discontent and anger felt by the people in the aftermath of the deferred redemption helped fuel Korach's cause.

Rashi in his comments on Chumash to Bemidbar 16:4 quotes this Tanchuma Yelamdenu Korach, indicating his agreement with this interpretation. Yet in his comments to the beginning of Sefer Devarim Rashi offers another opinion, one that on the surface seems difficult to understand:

אֵלֶּה הַדְּבָרִים אֲשֶׁר דִּבֶּר מֹשֶׁה אֶל כָּל יִשְׂרָאֵל בְּעֵבֶר הַיַּרְדֵּן בְּמִדְבַּר בְּעֶרְבָה מִזֹּל סוּף בֵּין פָּאָרָן וּבֵין תְּפֵל וְחִצְרוֹת וְדִי זָהָב: אַחֲדָּ עָשָׂר יוֹם מִחֹרֵב הַיָּרֵךְ הַר שֵׁעִיר עַד קֹדֶשׁ בְּרִנְעָה: ³⁵⁸

"These are the words that Moses spoke to all Yisrael on the other side of the Jordan: in the desert, in the Aravah near Suph, between Paran and Tophel, Lavan, Chatzerot, and Di Zahav. It is eleven days from Chorev i.e. Har Sinai to Kadesh Barnea where the sin of the spies occurred via Har Seir."³⁵⁸ (Devarim 1:1-2)

וְחִצְרוֹת. בְּמַחְלֻקָתוֹ שֶׁל קָרַח; דִּבֶּר אַחֲרָי אָמַר לָהֶם הִנֵּה לָכֶם לִלְמַד מִמָּה שֶׁעָשִׂיתִי לְמִרְיָם בְּחִצְרוֹת בְּשִׁבְלִי לְשׁוֹן הָרֶעַ, וְאַתֶּם נִדְּבַרְתֶּם בְּמָקוֹם: ³⁵⁹

'And Chatzerot'. The place of the rebellion of Korach. Another idea: HaKadosh Baruch Hu said to Bnai Yisrael, you should have learned from what I did to Miriam in Chatzerot over lashon hara, yet you still spoke against HaMakom."³⁵⁹

Rashi believes that the list of locations Sefer Devarim opens with are allusions to places where Bnai Yisrael had sinned during their 40 years of wandering in the desert,³⁶⁰ and Chatzerot is one of the locations on that list. However, Rashi's first approach forces us to interpret the three stories of Miriam's *tzara'at* affliction, the sin of the spies, and Korach's

rebellion anachronistically, for if the stories involving Miriam and Korach both happened at Chatzerot, Korach's rebellion must have preceded the sin of the spies, which only unfolded after Bnai Yisrael had traveled from Chatzerot to Kadesh. If this were not challenging enough to accept, Rashi himself constrains the amount of time Bnai Yisrael spent in Chatzerot to exactly seven days, and no longer: Miriam spoke against Moshe and was stricken with *tzara'at* on the first day in Chatzerot, and Bnai Yisrael left after seven days when her mandatory quarantine had ended.^{^361^} In other words, Korach's rebellion took place during that seven day period while the nation was waiting at Chatzerot for Miriam's quarantine to end.

Fascinatingly, this first approach found in Rashi does not appear in any known midrashic sources that were known to predate him. It is not clear if Rashi was basing himself on an earlier midrashic tradition or innovating his own idea. Regardless, Rashi felt compelled to identify Chatzerot as the site of Korach's rebellion, despite it demanding an uprooting of the story from the natural chronological order given it by the text, and despite it being limited to a specific, narrow window of under a week. It is also curious that Rashi also offers a second approach, the more straightforward explanation of Chatzerot as the place of Miriam's *lashon hara*.^{^362^} Yet, he still felt it necessary to not only mention Korach's rebellion, but to mention it first before an idea more closely tied to the *peshat* as it requires less aggadic gymnastics and is supported by other midrashim.^{^363^}

Rashi appears to have felt that there was something fundamental and important that connects what happened to Miriam at Chatzerot with what transpired during the rebellion of Korach. This only becomes revealed with a deeper understanding of what really troubled Miriam and led her to speak out against her brother.^{^364^}

353 See **Note 97** on the time that elapsed between the onset of the ten plagues and Yitro's arrival at Har Sinai.

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Rashi on Bemidbar 10:12 d"b bemidbar paran

קברות התאווה במדבר פארן היה, ושם חנו ממסע זה:

"Kivrot HaTa'avah was in Midbar Paran, and that was where Bnai Yisrael encamped from this journey"

Gur Aryeh on Rashi on Bemidbar 10:12 d"b bemidbar paran

דאם לא כן, דכאן כתיב "ויחנו במדבר פארן", אם כן במדבר פארן היו, ואחר כך כתיב (במדבר יא, לה) "ויסעו מקברות התאווה", אלא קברות התאווה במדבר פארן היה:

For it were not so, here it says: 'They encamped in Midbar Paran', which means they were in Midbar Paran," but later it says: 'They journeyed from Kivrot HaTa'avah' (Bemidbar 11:35). Rather, Kivrot HaTa'avah was in "Midbar Paran

Ibn Ezra on Bemidbar 10:31 d"b vayomer

וטעם וישכן הענן במדבר פארן שם כלל לתבערה שהוא קברות התאווה ולחצרות ורתמה ומסעים רבים והעד שלא הזכיר הכתוב בפרשת אלה מסעי במדבר פארן:

And the reason that the cloud rested in Midbar Paran - this is a general name for Tav'erah which is Kivrot HaTa'avah and Chatzerot and Ritmah and many other journeys. The proof of this is that the text does not "mention Midbar Paran in Parshat Masei

See also Rashbam's comments in depth where he resolves these problematic pesukim in an entirely different way.

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The stories of Miriam and the spies are juxtaposed not only because they happened one after the other, but also :because they both revolve around *lashon hara*, first on an individual level and then on a national level

Bemidbar Rabbah 16:6

דָּבָר אַחֵר, שְׁלַח לָהּ אֲנָשִׁים וַיִּתְּרוּ, (במדבר יב, א): וַתְּדַבֵּר מִרְיָם וְאַהֲרֹן בְּמִשְׁחָה, וְאַחֵר כָּךְ שְׁלַח לָהּ, זֶה שֶׁאָמַר הַכָּתוּב (ישעיה מד, יח): לֹא יָדְעוּ וְלֹא יָבִינוּ כִּי טַח מִרְאוֹת עֵינֵיהֶם, מָה רָאָה לֹמֵר אַחֵר מַעֲשֵׂה מִרְיָם שְׁלַח לָהּ אֲנָשִׁים, אֲלֵא שֶׁהִיא צָפוּי לִפְנֵי הַקְּדוֹשׁ בְּרוּךְ הוּא שִׁיאָמְרוּ לְשׁוֹן הָרַע עַל הָאָרֶץ, אָמַר הַקְּדוֹשׁ בְּרוּךְ הוּא שְׁלֹא יִהְיוּ אוֹמְרִים לֹא הֵייוּ יוֹדְעִין עֲנֹשׁ לְשׁוֹן הָרַע, לְפִיכָךְ סָמַךְ הַקְּדוֹשׁ בְּרוּךְ הוּא הֶעֱנִין זֶה לָזֶה, לְפִי שֶׁדַּבְּרָה מִרְיָם בְּאַחִיָּה וְלָקְחָהּ בְּצַרְעַת, כְּדִי שֶׁיִּדְעוּ הַכָּל עֲנֹשׁוֹ שֶׁל לְשׁוֹן הָרַע, שֶׁאִם בִּקְשׁוּ לֹמֵר לְשׁוֹן הָרַע יִהְיוּ מְסַתְּפִלִין מִה נַעֲשֶׂה לְמִרְיָם, וְאַף עַל פִּי כֵן לֹא רָצוּ לְלַמֵּד, לְכָךְ נֶאֱמַר לֹא יָדְעוּ וְלֹא יָבִינוּ כִּי טַח מִרְאוֹת עֵינֵיהֶם:

Another idea: 'Send for yourself men and they will spy out the land' (Bemidbar 13:2). This is preceded in the" Torah by 'Miriam and Aharon spoke against Moshe' (Bemidbar 12:1) and only then 'Send for yourself'. This is as it says: 'They neither know nor understand, for their eyes are stuck shut so that they cannot see' (Yishayahu 44:18). What is the reason for saying 'send for yourself men' after the incident with Miriam? Rather, it was known before HaKadosh Baruch Hu that the spies would say lashon hara about the land. HaKadosh Baruch Hu said, they should not be able to say: We did not know the punishment of lashon hara. Therefore HaKadosh Baruch Hu placed this idea next to that one, for Miriam spoke against her brother and was stricken with tzara'at, so that everyone would know the punishment for lashon hara, that if the spies sought to say lashon hara they could see what had happened to Miriam. Nevertheless, the spies did not want to learn, and so it says: They "neither know nor understand, for their eyes are stuck shut so that they cannot see

This idea that Miriam was punished first so that there would be precedent to punish the people for consequent :infractions is found throughout the later midrashim

Pesikta Zutreta Devarim 1:1

ולבן וחצרות. אם למרים הצדקת לא נשאתי פנים בחצרות ונתלבנה בצרעת שנאמר (שם יב, י) והנה מרים מצורעת כשלג קל וחומר לשאר בני אדם:

And Lavan and Chatzerot' (Devarim 1:1). If for Miriam the righteous I did not show any favoritism in" Chatzerot and she became white with tzara'at, as it says: 'And behold Miriam had tzara't like snow' (Bemidbar 12:10) - how much more so for everybody else

Midrash Aggadah Devarim 1:1

וחצרות ודי זהב. שלא למדו ממרים לפי שדברה באחיה נענשה, והם לא מנעו מלדבר בא-לקים ובמשה, שנאמר וידבר העם בא-לקים ובמשה (במדבר כא ה):

And Chatzerot and Di Zahav' (Devarim 1:1). Because Bnai Yisrael did not learn from Miriam that she spoke" against her brother and was punished, and still they did not stop from speaking against G-d and Moshe, as it says: 'The nation spoke against G-d and Moshe' (Bamidbar 21:5)

Yalkut Shimoni on Torah Remez 791

והצרות - ומה מרים שלא דברה אלא באחיה הקטן כך נענשה במדבר, המדבר במי שגדול הימנו על אחת כמה וכמה:

And Chatzerot'. If Miriam, who only spoke ill about her younger brother, was punished so severely in the desert'"
"- someone who speaks against someone greater than him, how much more so

356 The next event recorded in the Torah after Korach's rebellion is Miriam's death and the sin of *Mei Merivah* (Bemidbar 20:1) which happened in the 40th year, so Korach's rebellion could theoretically have occurred anytime between year 2 and year 40.

357 Tanchuma Yelamdenu Korach 4.

357 Tanchuma Yelamdenu Korach 4.

358 Devarim 1:1-2.

358 Devarim 1:1-2.

359 Rashi to Devarim 1:1 d"h vechatzerot.

359 Rashi to Devarim 1:1 d"h vechatzerot.

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Rashi to Devarim 1:1 d"h eleh hadevarim

לפי שהן דברי תוכחות ומנה כאן כל המקומות שהקעיסו לפני המקום בהן, לפיכך סתם את הדברים והזכירם ברמז מפני כבודן של ישראל:

Because these are words of rebuke and Moshe listed here all the places where Bnai Yisrael angered HaMakom,"
"therefore the words were hidden and they are recounted with veiled hints out of regard for Yisrael's honor

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Rashi to Devarim 1:2 d"h achad asar yom mechorev

אמר להם משה ראו מה גרמתימם אין לכם דרך קצרה מחורב לקדש ברנע פדרך הר שעיר, ואף הוא מהלך י"א יום, ואתם הלכתם אותה בשלושה ימים -- שהרי בעשרים באר נסעו מחורב, שנאמר (במדבר י') "ויהי בשנה השנית בחדש השני בעשרים ויום", ובכ"ט בסיון שלחו את המרגלים מקדש ברנע (תענית כ"ט), צא מהם ל' יום שעשו בקברות התאנה שאכלו הפשר חדש ימים, ושבעה ימים שעשו בחצרות להסגר שם מרים, נמצא בשלושה ימים הלכו כל אותו הדרך וכל כך היתה השכינה מתלבטת בשבילכם למהר ביאתכם לארץ, ובשביל שקלקלתם הסב אתכם סביבות הר שעיר ארבעים שנה:

Moshe said to Bnai Yisrael: See what you have caused. There is no route from Chorev to Kadesh Barnea as" short as the way via Har Seir; and even that is a journey of eleven days. You, however, traversed it in only three days. How do we know this? For Bnai Yisrael journeyed from Chorev on the twentieth of Iyyar, as it says: 'In the second year, in the second month on the twentieth of the month, the cloud rose from atop the Mishkan of the testimony. Bnai Yisrael journeyed on their journeys, from Midbar Sinai, and the cloud rested in Midbar Paran' (Bemidbar 10:11-12), and on the twenty ninth of Sivan they sent out the spies from Kadesh Barnea which lasted an interval of 40 days (Ta'anit 29a). Deduct from these the thirty days they spent at Kivrot HaTa'avah where they ate the meat for 'a month of days', and deduct an additional seven days they spent at Chatzerot for Miriam to be quarantined there - it follows that in three days they traversed all that way. To such an extent did the Shechinah exert Herself to hasten your coming to the land of Canaan, but because you became degenerate, HaKadosh "Baruch Hu made you travel around Har Seir for forty years

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Yet we have no account of Bnai Yisrael as a whole angering HaKadosh Baruch Hu there; only Miriam and Aharon acted wrongfully and aroused G-d's wrath at Chatzerot, which disqualifies it as a candidate for this list

Peirush Re'em Al Rashi on Devarim 1:1 d"h vachazerot

ושמא אגדות חלוקות הן ורש"י ז"ל פעם תופס האגדה האחת ופעם תופש האגדה האחרת כמנהגו בכמה מקומות וכבר הארכתי על זה בפרשת בראשית עיין שם ...

גם יתכן לפרש שהדבור שדברו כנגד המקום הוא מחלוקתו של קרח ואין בין הלשון הראשון והאחרון אלא שהראשון פירש שהוכיחם על מה שהכעיסו שם המקום במחלוקתו של קרח והאחרון על שלא לקחו מוסר ממרים שלקתה בשביל שדברה באחיה.

ולכא לאקשוויי למה לא פרשו בחצרות על מרים שהכעיסה את המקום ודברה כנגד אחיה ולא בעבור מחלוקתו של קרח שהוא מסופק אם היה בחצרות או במקום אחר די"ל מפני שחטאה של מרים הוא חטא של יחיד ואין ראוי שימנה עם התוכחות שהן חטאות של רבים:

It is possible there are contradictory aggadot here i.e. whether Chatzerot is mentioned because of Korach or" because of Miriam, and Rashi grabs both one aggadah and the other aggadah as is his custom in many places. I ... have already elaborated about this technique of Rashi's in Parshat Breishit, see there

It is also possible to explain that when the pasuk includes Chatzerot among the list of places where Bnai Yisrael spoke against HaKadosh Baruch Hu the speech which the nation said against HaMakom there was Korach's rebellion, and that really there is no difference between Rashi's first opinion and last opinion other than that the first opinion holds that Moshe rebuked Bnai Yisrael because they angered HaMakom during Korach's rebellion, and the last opinion holds that it was because they did not take heed from Miriam when she was struck with tzara'at because she spoke against her brother when then led to them angering HaMakom during Korach's rebellion.

And it should not be asked, why would it not be easier to explain Chatzerot as a reference to Miriam, namely that she angered HaMakom and spoke against her brothers as the Torah states explicitly, and not as a reference to Korach's rebellion where there is doubt whether it even happened in Chatzerot or somewhere else, for we can say that because Miriam's sin is the sin of an individual it might not be appropriate to count it with the national rebukes which are for sins of the many

363 See for example Bemidbar Rabbah 16:6 in the earlier note quoted above.

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Chizkuni attempts to brush off the dramatic implications of Rashi's comment by claiming he meant to say that Korach's rebellion happened while Bnai Yisrael were traveling near Chatzerot, not while they were encamped in it:

Chizkuni on Devarim 1:1 d"vachazerot

והצרת פירש"י במחלוקתו של קרח ואם תאמר לפי סדר המקרא מחלוקתו של קרח היה במדבר פארן אחרי שלוח המרגלים, ועוד היאך תרגם אונקלוס ובחצירות דארגיזו על בשרא הלא בקברות התאוה הרגיזו וכתוב מקברות התאוה נסעו העם חצרות (במדבר יא, לה), אלא אילו נקט ליה ברש"י דמחלוקתו של קרח היה במדבר פארן אמטו להכי לא ידעינן ביה היכן שהרי מדבר גדול הוא מהלך כמה ימים כמו שאמרנו למעלה ונקט ליה חצרות דסמיך ליה מקום ניכר וידוע להם:

Rashi explains Chatzerot as the place of the rebellion of Korach. And if you will say, based on the order of the Torah Korach's rebellion happened in Midbar Paran after the sin of the spies, and furthermore how then could Onkelos have translated as 'in Chatzerot where they were angry about meat' - Kivrot HaTa'avah was where they got angry, and doesn't it say: 'From Kivrot HaTa'avah the nation traveled to Chatzerot (Bemidbar 11:35) implying they are different locations? Rather, you can say that had Rashi just said the place of the rebellion of Korach was in Midbar Paran, based on this I would not have known where specifically, for Midbar Paran is big and a distance of several days' walk as we said above. Therefore it says Chatzerot which was a place next to ".them when Korach's rebellion took place in Midbar Paran that was recognized and known

We will not follow this approach but take Rashi at face value, and assume that he meant that Korach's rebellion did in fact happen while Bnai Yisrael were in Chatzerot itself.

Delayed Journey

Bnai Yisrael encamped and traveled during their wanderings through the desert based on a directive communicated by HaKadosh Baruch Hu via a cloud that accompanied them in the desert. When the cloud rested, Bnai Yisrael encamped, and when the cloud rose, they journeyed. It did not matter how long the cloud rested for; the people's movements were dictated by the rising and resting of this Divine cloud. The Torah even found it necessary to emphasize this point, repeating the phrase *"by the word of Hashem Bnai Yisrael journeyed, and by the word of Hashem they encamped"* three times in the span of several pesukim. ³⁶⁵

It is rather striking, then, that a mere two chapters later we are told of an explicit violation of this rule. After Hashem's anger is kindled at Miriam and Aharon at Chatzerot, this cloud rises up and reveals Miriam afflicted with *tzara'at* like snow. Hashem then commands that Miriam should be shut up outside of the camp for seven days, and only after Miriam was gathered back into the camp did Bnai Yisrael travel from Chatzerot (Bemidbar 12:9-10, 14-15). Does

Seferno notes this problem and suggests that Bnai Yisrael understood this was a unique circumstance, and inferred that in this situation HaKadosh Baruch Hu actually did not want the nation to travel. His cloud had risen, not as an indication to begin the next journey, but in order to distance Himself from the impurity of Miriam's *tzara'at*.³⁶⁶

מְרִים הַמִּתִּינָה לַמָּשָׁה נִשְׁעָה אֶחָת שְׁנָאֹמֶר וּתְתַצֵּב אַחֲתוֹ מִרְחוֹק (שמות ב:ד) לְפִיכָה נִתְעַפְּבוּ לָהּ יִשְׂרָאֵל שְׂבָעָה יָמִים
בַּמִּדְבָּר שְׁנָאֹמֶר וְהָעַם לֹא נָסַע עַד הָאֶסֶף מְרִים (במדבר יב:טו):^{368^}

There is a later version of this same midrashic tradition that embellishes Sotah's teaching:

""The nation did not journey. This teaches you that the way a man measures, that is how others measure him. Miriam waited for Moshe for a short period, as it says: 'His sister waited for him from afar' (Shmot 2:4). Therefore, HaKadosh Baruch Hu held up the Aron and Shechinah, Kohanim Leviim and Yisraelim, and the seven clouds of glory on her behalf, as it says: 'The nation did not journey until Miriam was brought in (Bemidbar 12:15).'"^369

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Sotah, Bnai Yisrael on their own decided to wait for Miriam; while it was based on their understanding of Hashem's will, it was still a human-initiated decision. Perhaps the later iteration of this midrash found in Yalkut Shimoni is bothered by this, and is not satisfied with claiming that the nation somehow realized this time that Hashem wanted them to delay. After all, even for journeys of just one or two days the people would immediately depart when the cloud rose. It must be that the seven day delay was not merely sanctioned by Hashem after the fact; rather, it was actively caused by Him. The language found in Yalkut Shimoni is much stronger and more explicit, effectively removing the decision to delay from Bnai Yisrael and having HaKadosh Baruch Hu instead as the primary deciding force in the story.

Is there a *nafka mina* between these two approaches? Let us consider the following: if Bnai Yisrael had in fact journeyed onward in the desert when the cloud rose from atop the tent, presumably Miriam would have journeyed in lockstep with the rest of the camp for seven days while keeping the necessary distance. According to Sotah, the decision to postpone the departure was made by Bnai Yisrael, and while Hashem clearly acquiesced perhaps He would not have insisted on that delay beforehand. Had Bnai Yisrael instead actually started to journey once His cloud rose, perhaps He would have been amenable to that. In contrast, this outcome was never a viable option for Yalkut Shimoni: it was Hashem Himself who ordered the people to wait seven days, thereby breaking from the general "charge" of traveling when the cloud rises or rests. While this was an exception to the usual rules of the cloud's departure, it was not a violation of that charge because Hashem had commanded them to stay put, so there is no contradiction.

A profound *hashkafic* debate may also be underpinning the nuanced differences between these two midrashim. When we say that Hashem rewards those who act righteously, *middah keneged middah*, does this mean to say that He directly intervenes to ensure that justice is meted out, even at the cost of human free will? Or does it mean that the way events unfold in the world on a macro level somehow will end up squaring with this principle and working out the way they should? For Sotah, it was Bnai Yisrael who decided to wait for Miriam, thereby rewarding her for her attentiveness to baby Moshe eighty years earlier. The fulfillment of *middah keneged middah* in this instance happens through the Jewish people as a collective agent of the Divine will. For Yalkut Shimoni, it is Hakadosh Baruch Hu who directly insists on postponing any departure for seven days in order to ensure that Miriam is rewarded for her

sisterly concern. Seen in this light *middah keneged middah* is upheld as a result of explicit Divine intervention.

There is a third ramification as well to whether it was Hashem or Bnai Yisrael who caused a break from the usual routine of leaving camp when His cloud rises: who is to blame - *keveyachol* - for any negative consequences of that delay. If Korach's rebellion transpired during that waiting period, as Rashi argues, then perhaps the circumstances which needed to align to allow the seeds of revolt to blossom would not have occurred, and disaster could have been averted. However, this last suggestion is troubling because both according to Sotah and Yalkut Shimoni the motivation for delaying leaving Chatzerot was for the right reason: to acknowledge Miriam's protectiveness over Moshe. But if the reason for waiting was in order to recognize the righteousness in that aspect of Miriam's personality, then how could that decision possibly set the stage for Korach's rebellion?

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Bemidbar 9:17-23

וְלִפִּי הַעֲלוֹת הָעֶנָן מֵעַל הָאֹהֶל וְאַחֲרֵי כֵן יִסְעוּ בְנֵי יִשְׂרָאֵל וּבִמְקוֹם אֲשֶׁר יִשְׁכֹּן שָׁם הָעֶנָן יָשֻׁם יַחַד בְּנֵי יִשְׂרָאֵל: עַל פִּי יְהוָה יִסְעוּ בְנֵי יִשְׂרָאֵל וְעַל פִּי יְהוָה יַחֲנוּ כָּל יְמֵי אֲשֶׁר יִשְׁכֹּן הָעֶנָן עַל הַמִּשְׁכָּן יַחֲנוּ: וּבִהְאֲרִית הָעֶנָן עַל הַמִּשְׁכָּן יָמִים רַבִּים וְשָׁמְרוּ בְנֵי יִשְׂרָאֵל אֶת מִשְׁמֶרֶת יְהוָה וְלֹא יִסְעוּ: וְאִשׁ אֲשֶׁר יִהְיֶה הָעֶנָן יָמִים מְסֻפָּר עַל הַמִּשְׁכָּן עַל פִּי יְהוָה יַחֲנוּ וְעַל פִּי יְהוָה יִסְעוּ: וְאִשׁ אֲשֶׁר יִהְיֶה הָעֶנָן מִצָּרֵב עַד בֹּקֶר וְנִעְלָה הָעֶנָן בִּבְקָר וְנִסְעוּ אוֹ יוֹמָם וְלַיְלָה וְנִעְלָה הָעֶנָן וְנִסְעוּ: אוֹ יָמִים אוֹ חֲדָשׁ אוֹ יָמִים בִּהְאֲרִית הָעֶנָן עַל הַמִּשְׁכָּן לִשְׁכֹּן עָלֵיו יַחֲנוּ בְנֵי יִשְׂרָאֵל וְלֹא יִסְעוּ וּבִהְעֲלֹתוֹ יִסְעוּ: עַל פִּי יְהוָה יַחֲנוּ וְעַל פִּי יְהוָה יִסְעוּ אֶת מִשְׁמֶרֶת יְהוָה שְׁמֹרוּ עַל פִּי יְהוָה בְּיַד מֹשֶׁה:

Whenever the cloud rose up from on top of the tent, only then would Bnai Yisrael journey; and in a place where" the cloud would rest, that was where Bnai Yisrael encamped. By the word of Hashem Bnai Yisrael journeyed, and by the word of Hashem they encamped, for all the days that the cloud rested they encamped. If the cloud spent many days on the Mishkan, Bnai Yisrael kept the charge of Hashem, and did not journey. There were times when the cloud was on the Mishkan for just a few days; by the word of Hashem they journeyed, and by the word of Hashem they encamped. There were even times when the cloud was from evening to morning, and in the morning the cloud rose and Bnai Yisrael journeyed, or if it was day and night, and then the cloud rose, and they journeyed. Or two days, or a month, or a year - however long the cloud was resting on the Mishkan, Bnai Yisrael encamped and did not journey, and when it rose they journeyed. By the word of Hashem they encamped, and by the word of Hashem they journeyed, they kept the charge of Hashem, by the word of Hashem at the hands of

".Moshe

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Seforno to Bemidbar 12:15 d"v v'ha'am lo nasa

אף על פי שהענן סר מעל האהל וכתוב ובהעלות הענן מעל המשכן יסעו בני ישראל בכל מסעיהם מכל מקום לא נסעו שהכירו שלא נעלה אז אלא להרחיק המצורעת:

Even though the cloud removed itself from the tent, and even though it says: 'And when the cloud raised up from" atop the Mishkan Bnai Yisrael would journey on all of their journeys' (Shmot 40:36) - still in this case Bnai Yisrael did not journey because they recognized that the cloud did not rise except to distance the one afflicted

'.with tzara'at

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For Chazal, this principle of Divine justice is an important theological cornerstone and can be found in many places throughout the aggadah.

Not only does HaKadosh Baruch Hu pay man back based on his actions - not allowing good to go unrewarded or evil to go unpunished - but the system is disproportionate: He gives extra reward for good, but does not excessively punish for evil.

Torah Temimah to Bemidbar 12:15 d'h v'ha'am lo nasa

ר"ל כלל התשלומין מדה כנגד מדה נוהג בין במדה טובה בין במדת פורעניות, ויתרון למדה טובה שמשלמין שכר בתוספת ויתרון על המדה שמדד האדם וכדמפרש:

This means to say, the general principle of payments is middah keneged middah, and it applies whether for good or for bad. But, there is an additional benefit for good that extra reward is paid on top of the middah measured for a man, as explained here, in that Miriam only watched Moshe for a short time but the people waited for seven days until she returned.

368 Mishnah Sotah 1:9.

368 Mishnah Sotah 1:9.

369 Yalkut Shimoni on Torah Remez 742.

369 Yalkut Shimoni on Torah Remez 742.

Prophetic Tragedy

Miriam's *lashon hara* against Moshe stemmed from her indignation that he had separated from his spouse, something she and Aharon had not been required to do:

וְלִמָּה אָמַר תְּחִלָּה מְרִים וְאַחֲרַי כִּי אֶהְרֹן. אֲלֵא שֶׁהָיָא פְּתִיחָה בְּדִבְרֵי תַחֲלָה, וּלְפִיכָךְ הִקְדִּימָה הַכְּתוּב. וּמָה אָמְרוּ, הֲרֵק אֶדְוָה בְּמִשְׁחָה דְּבִרָה' (במדבר יב, ב), כְּלוּמַר, בְּמִשְׁחָה דְּבִרָה ה' לְבָדוּ, שֶׁפָּרַשׁ מֵאִשְׁתּוֹ. הֲלֵא גַם בָּנוּ דְּבִרָה (שם), כְּמוֹ כֵּן דְּבִרָה עָמְנוּ וְלֹא פָּרַשְׁנוּ מִדֶּרֶךְ אֶרֶץ. וּמִנֵּי הִתְהַיְתָה יוֹדַעַת מְרִים שֶׁפָּרַשׁ מִשָּׁה מִן הָאִשָּׁה. רַבִּי נָתַן אוֹמֵר, מְרִים הִתְהַיְתָה בְּצַד צְפוּרָה כְּשֶׁאָמְרוּ לְמִשָּׁה אֶלְדָּד וּמִידָד מִתְנַבְּאִים בְּמַחְנֶה (שם יא, כז). וְכִינֵן שֶׁשְּׁמִיעָה צְפוּרָה, אָמְרָה, אוֹי לָהֶם לְנִשְׁוֹתֵיהֶם שֶׁל אֱלֹהִים. וּמֵאִיזָה זְמַן פָּרַשׁ מִשָּׁה מִדֶּרֶךְ אֶרֶץ, אֲלֵא בְּשָׁעָה שֶׁאָמַר הַקְדוֹשׁ בְּרוּךְ הוּא לְמִשָּׁה בְּסִינֵי קֹדֶם מִתֵּן תּוֹרָה שֶׁיִּקְדָּשׁ אֶת הָעָם וְאָמַר לָהֶם: לְשִׁלְשֵׁת יָמִים אֶל תִּגְשׁוּ אֶל אִשְׁתְּךָ (שמות יט, טו), פָּרַשׁוּ הֵם מִנִּשְׁוֹתֵיהֶם וּפָרַשׁ מִשָּׁה מֵאִשְׁתּוֹ. וְאַחֲרַי מִתֵּן תּוֹרָה אָמַר לִיָּה הַקְדוֹשׁ בְּרוּךְ הוּא, לֹא אָמַר לָהֶם, שׁוּבוּ לָכֶם לְאֶהְלֵיכֶם, וְאַתֶּם פֹּה עֹמְדִי (דברים ה, ל-לא), וְאֵל תֵּשׁוּב לְדֶרֶךְ אֶרֶץ. וְכִשְׁאָמְרָה צְפוּרָה אוֹי לְנִשְׁוֹתֵיהֶן שֶׁל אֱלֹהִים, הֵן נִזְקְקִין לְנִבְוָאָה שֶׁיְהִי פּוֹרְשִׁין מִנִּשְׁוֹתֵיהֶם כְּמוֹ שֶׁפָּרַשׁ בְּעֲלֵי הַיָּמִין. וּמִשָּׁם יָדָעָה מְרִים וְהִגִּידָה לְאֶהְרֹן. וּמָה מְרִים שֶׁלֹּא נִתְפַּנְּנָה לְגִנוּתוֹ שֶׁל מִשָּׁה, נִעְנְשָׁה. קֵל וְחָמֶר לְמַסְפֵּר בְּגִנוּתוֹ שֶׁל חֲבֵרוֹ וּבְלִשׁוֹן הָרַע, יִלְקָה הָאָדָם בְּצִרְעָתוֹ ... וַיֹּאמֶר ה' פְּתָאֵם (במדבר יב, ד).

אָמַרְתִּי לוֹ לְפָרֵשׁ מִן הָאִשָּׁה: [^]370[^]

his wife."^370^

^371^ Miriam did not realize that Moshe's level

from either her or Aharon. While the Rabbis acknowledge Miriam's *lashon hara* was not proper, as is incontrovertibly evidenced by her punishment, they argue that her intention was actually good, thus teaching an important message about how careful we need to be with our words.^{^372^} Yet while we can understand why she would feel indignant on Tzipporah's behalf upon discovering Moshe's decision, is that really enough of a reason to explain her maligning his actions?

Miriam's assertion that she is a prophetess is indeed confirmed by the Torah, which labels her a *nevi'ah* in the aftermath *kriat yam suf*:

וַתִּקַּח מִרְיָם הַנְּבִיאָה אֲחֹת אַהֲרֹן אֶת הַתָּף בְּיָדָהּ וַתָּצֵאנָה כָּל הַנָּשִׁים אַחֲרֶיהָ בַּתְּפִלִּים וּבַמְּחֹלִת: וַתַּעַן לָהֶם מִרְיָם שִׁירוּ לַיהוָה כִּי גָאֹה גָאֹה סוּס וָרֶכֶב רָמָה בַּיָּם: ^{^373^}

"Miriam the nevi'ah, the sister of Aharon, took the tambourine in her hand, and all the women went out after her with drums and dance. Miriam answered them: Sing to Hashem, for He has triumphed gloriously; He has hurled horse and chariot into the sea."^{^373^}

Three questions can be posed based on this description:

- Why is Miriam described as Aharon's sister but not Moshe's sister?
- If Miriam is already referred to as a *nevi'ah* at this point, does that imply she had received prophecy before the splitting of *Yam Suf*?
- What was the content of Miriam's prophecy?

The Talmud describes how Miriam had prophesied that her mother Yocheved would give birth to a son who would redeem all of Bnai Yisrael from Egyptian bondage.^{^374^} The reason she is referred to as Aharon's sister in that context is because the prophecy was made before Moshe was born, as it was made regarding his birth. Amram had separated from Yocheved as a result of the royal decree to murder any Jewish baby boys, but Miriam scolded him for acting this way as it condemned not just potential boys but also potential girls as well. Amram was convinced and remarried Yocheved, and due to that second marriage Moshe was born, thus ensuring the fulfillment of Miriam's prophecy and the deliverance of Bnai Yisrael.^{^375^}

Aside from the textual issue of Miriam being referred to as Aharon's sister, this also explains another textual difficulty regarding the lack of proper names in Shmot 2. Amram and

Yocheved are referred to simply as members of the tribe of Levi, even though we are given their actual names later on in the text. To explain this, the Talmudic account finds in this a hint to their separation and remarriage. Yet beyond the textual resolutions what this story reveals is a consistent account of Miriam's personality and someone who is both deeply caring and empathetic towards children in general and her family in particular³⁷⁶, but also someone who is brazen and has the strength of character to challenge others when she believes them to be mistaken or misguided, particularly when it comes to hesitations around bringing new life into the world.

This portrayal of Miriam provides a much needed backdrop for the story of her *lashon hara* against Moshe. Miriam - also known as Pu'ah - was in her youth both a midwife who brought babies to life, and a prophetess whose stubbornness and insistence brought Moshe to life through the marital reunion of their parents. More than anything else, Miriam has lived and breathed the importance of bringing life into the world, and not letting any excuse distract from that holiest of missions. And now it is Moshe himself who is separated from his wife - the same Moshe whose very birth was the result of a divorced couple that remarried due to Miriam's prophecy.³⁷⁷ In effect, then, Miriam is asking incredulously: how can my little brother Moshe separate from his wife because of prophecy - doesn't he know that it was only because of my prophecy that our parents got back together in the first place? If it had not been for me, they would not have remarried, and if it hadn't been for their remarriage, Moshe would never have been born. So how can Moshe claim that separation and abstinence are now necessary for his prophecy?

This explains why Miriam went to Aharon and discussed the matter with him. Aharon was known for his successful efforts in reconciling divorced couples who had already brought children into the world.³⁷⁸ As a fellow prophet, and as someone with a shared belief in the importance of staying married, Miriam felt comfortable taking Aharon into her confidence.³⁷⁹

Though well intentioned, Miriam was ultimately mistaken. The rules for Moshe were just different, his prophecy was unparalleled and his status was unique, even when compared to his siblings or parents. G-d spoke with him mouth-to-mouth, clearly and not in riddles; Miriam's reasoning was too clouded from a life informed and shaped by bringing couples together and generating and sustaining life to see that Moshe was an exception to the rule.

With this background we can revisit the question raised earlier: what led to the success of Korach's rebellion? There are various midrashim which address this, and they all have in common a trigger event, a precursor or prior story that set up a situation which was ripe for exploitation by Korach. As discussed earlier, the decree of death in the wilderness due to the spies' sin would certainly explain how Korach was able to tap into the peoples' desperation and resentment. But perhaps there is another possibility. Korach's main point of protest, boiled down to its essentials, was a challenge to the authority of Moshe. In particular, he attacked Moshe by decrying that he was: "*Lording himself over the congregation of Hashem*" (*Bemidbar 16:3*). Until Korach expressed this sentiment, Moshe was the unquestioned leader of Bnai Yisrael. Although Bnai Yisrael had complained and rebelled multiple times in the past, it had never been a revolt against Moshe's claim to leadership directly; it was always about a desire for food or water, or the need to worship a visible god. No one had dared to openly defy Moshe before the way Korach had, so why did Korach think he would be able to not only do so but also garner public support against Moshe's supreme status?

The answer, of course, is that Korach was not the first person to challenge Moshe's authority as being unique and supreme. Miriam and Aharon - Moshe's own siblings - questioned his superiority in Chatzerot. They argued that Moshe was no better than they were, that his place in the pecking order did not excuse him from behavior which was, in their view, unacceptable.

It was this tragic act of *lashon hara* - well intentioned - that started the snowball effect. Miriam is shut out of the camp for seven days, and something unusual happens: the Divine cloud rises suddenly, which would normally be an indication that the time to travel had arrived. Yet as Rashi argued, Miriam was afflicted with *tzara'at* the same day that Bnai Yisrael arrived in Chatzerot. The people see that Miriam is removed from the camp, and the cloud inexplicably rises the same day it rests, right upon arrival. Naturally everybody in Bnai Yisrael would want to know what happened. Why would the cloud rise right after settling? Could it have to do with Miriam's condition? Gossip and rumors began to infiltrate the people's tents, things spiraled out of control, and ultimately the reason for Miriam's punishment was arrived at: she had questioned a fundamental truth, previously unassailable, that Moshe was beyond rebuke. Suddenly - almost instantaneously - the *lashon hara* spoken by Moshe's own siblings normalized a topic of conversation which was previously unthinkable: assailing Moshe's authority.

A poignant midrash provides an apt metaphor when describing a similar deconstruction process when Amalek attacked Bnai Yisrael after *Yetziat Mitzrayim*:

וּרְבֵּנּוּ אֶמְרִי, קָרָה, הַקָּרָה לִפְנֵי אֲחֵרִים. אָמַר רַבִּי חוּנְיָא, מִשָּׁל לָמָּה הַדְּבָר דּוּמָה. לְאַמְבֹּטֵי רוֹתַחַת, שְׁלֹא הָיְתָה בָּרָה יְכוּלָה לִירֹד בְּתוֹכָהּ, כִּי בִּן בְּלִיעֵל אֶחָד וְקַפֵּץ לְתוֹכָהּ, אִם עַל פִּי שְׂנֵיכָהּ, הַקָּרָה לִפְנֵי אֲחֵרִים. אִם כָּאֵן כִּיּוֹן שְׂיִצְאוּ יִשְׂרָאֵל מִמִּצְרַיִם, הַקָּדוֹשׁ בְּרוּךְ הוּא קָרַע הַיָּם לִפְנֵיהֶם וְנִשְׁתַּקְעוּ הַמִּצְרַיִם לְתוֹכּוֹ. נִפְל פְּחָדוֹ עַל כָּל הָאֻמוֹת, שְׂנֵאמַר: אִי נִבְהָלוּ אֱלֹפֵי אֲדוֹם וְגו' (שם טו, טז). כִּיּוֹן שְׂבָא עֲמֶלֶק וְנִדְוָג לָהֶם, אִם עַל פִּי שְׂנֵטֵל אֶת שְׁלוֹ מִתַּחַת יָדוֹ, הַקָּרָה לִפְנֵי אֻמוֹת הָעוֹלָם: ^{^380^}

"The Rabbis said: 'Met you' - this means they cooled you in the eyes of others. Rabbi Chunya said: A parable, what is this similar to? To a boiling hot bath, that no living thing could descend into. One wicked man came and jumped into it. Even though he got scalded, he cooled it in the eyes of others as something which was now thinkable to do. So too here - when Yisrael left Egypt, HaKadosh Baruch Hu split the sea before them and the Egyptians were drowned inside it. Fear of Bnai Yisrael fell upon the nations, as it says: 'The chiefs of Edom trembled' (Shmot 15:15). Once Amalek came and engaged them in battle, even though Amalek was handed his portion by them i.e. defeated, it cooled Bnai Yisrael as a potential target of attack in the eyes of the world."^{^380^}

Amalek attacking Bnai Yisrael after the miracles of Egypt is compared to a boiling bath which no one is willing to enter into. One wicked man jumped in and got burnt, but even though he was "punished" he made the bath seem cooler to everyone else. So too with Amalek: they attacked Bnai Yisrael who had an aura of invincibility and were seen as unbeatable. Even though Amalek was defeated by Yehoshua, by confronting Bnai Yisrael in battle they had transformed the idea and concept of attacking Bnai Yisrael into a very real possibility.

The same principle taught by the wicked man and Amalek can also be applied to the *lashon hara* of Miriam. Why was she punished so harshly? Not because of her specific *lashon hara* in and of itself, but because of what it led to: she had now set the precedent, forever irreversible, which made it acceptable to murmur against Moshe's leadership. And just like the wicked man was scalded and Amalek was weakened in battle, Miriam was punished with *tzara'at*, but the damage was done: Moshe's unassailability seems less unassailable for the first time. This opened a Pandora's box and provided the fuel Korach needed to instigate the flames of his revolt. This is why Rashi argues that Korach's rebellion happened in Chatzerot:

that seven day period wasted waiting impatiently for Miriam was the perfect breeding ground for bitterness and destruction.

The national week-long wait may have been a reward for Miriam, but why did it happen? Hashem had demanded it as punishment: *"If her father had spit in her face, would she not hide in shame for seven days" (Bemidbar 12:14).*³⁸¹ The people could and should have used this opportunity to reflect on what happened to Miriam, and to learn the dangers and consequences of *lashon hara*. Instead the opposite happens: the people are idle, for while they are not traveling, neither are they at Har Sinai anymore; they have been stopped at Chatzerot, a random spot in the desert of Paran. The people are paralyzed by the *lashon hara* that is spreading like a virus throughout the camp,³⁸² and the situation is ripe for abuse and manipulation.

370 Tanchuma Yelamdenu Tzav 13.**370 Tanchuma Yelamdenu Tzav 13.**

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While one opinion states that Moshe only separated from Tzipporah because HaKadosh Baruch Hu had commanded him to, another opinion argues that Moshe actually came to this decision on his own, and afterwards
:received Divine approval

Avot DeRabbi Natan 2:3

פי' מן האשה והסכימה דעתו לדעת המקום כיצד אמר מה אם ישראל שלא נתקדשו אלא לפי שעה ולא נזדמנו אלא כדי לקבל עליהם עשרת הדברות מהר סיני אמר לי הקדוש ברוך הוא לך אל העם וקדשתם היום ומחר (שמות י"י) ואני שאני מזומן לכך בכל יום ויום ובכל שעה ואיני יודע אימתי מדבר עמי או ביום או בלילה על אחת כמה וכמה שאפרוש מן האשה והסכימה דעתו לדעת המקום. רבי יהודה בן בתירא אומר לא פירש משה מן האשה אלא שנאמרה לו מפי הגבורה שנאמר (במדבר י"ב:ח') פה אל פה אדבר בו פה אל פה אמרתי לו פרוש מן האשה ופירש. י"א לא פירש משה מן האשה עד שנאמר לו מפי הגבורה שנאמר (דברים ה':כ"ח) לך אמור להם שובו לכם לאהליכם וכתוב בתריה ואתה פה עמוד עמדי חזר לאחוריו ופירש והסכימה דעתו לדעת המקום:

*Moshe separated himself from his wife and his thought agreed with the thought of HaMakom He agreed. How?" Moshe said: if Yisrael, who were only commanded to sanctify themselves one time and it was only in order to receive the Aseret HaDibrot from Har Sinai - about them HaKadosh Baruch Hu said to me: 'Go to the nation and sanctify them today and tomorrow' (Shmot 19:10). I, who should be ready to receive it every day at every moment, and I don't know when He will speak with me, whether during the day or at night - how much more so should I sanctify myself by separating from my wife? And his thought agreed with the thought of HaMakom. Rabbi Yehudah Ben Beteirah says: Moshe did not separate from his wife except because he was told to by G-d, as it says: 'I speak to him mouth to mouth' (Bemidbar 12:8). Mouth to mouth I told him to separate himself from his wife, and he separated. There are those who say similarly, that Moshe did not separate from his wife except because he was told to by G-d, as it says: 'Go say to them, go back to your tents' (Devarim 5:28), and it says after that: 'You Moshe stand here with Me'. Moshe turned back and separated from Tzipporah, and his thought
".agreed with the thought of HaMakom*

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Sifre Bemidbar 99 מנין היתה מרים יודעת שפירש משה מפריה ורביה? אלא שראתה צפורה שאינה מתקשטת בתכשיטי נשים. אמרה לה: מה לך שאין את מתקשטת בתכשיטי נשים? אמרה לה: אין אחיך מקפיד בדבר. לכך ידעה מרים, ואמרה לאחיה, ושניהם דברו בו. והרי דברים ק"ו: ומה מרים, שלא נתכוונה לדבר באחיה לגנאי אלא לשבח, ולא למעט מפריה ורביה אלא לרבות, בינה לבין עצמה - כך נענשה; המתכוון לדבר בחברו לגנאי ולא לשבח, ולמעט מפריה ורביה ולא לרבות, בינו לבין אחרים ולא בינו לבין עצמו - על אחת כמה וכמה:

How did Miriam know that Moshe had separated from procreation? She saw that Tzipporah was not adorned" herself with the ornaments of women. She said to her: What's happened to you that you aren't adorning yourself with the ornaments of women? She said to her: Your brother does not care about it. That is how Miriam knew, and she told her brother Aharon, and the two of them spoke against Moshe about it. And these things are a kal vachomer: If Miriam, who did not intend to speak ill about her brother but rather for good intent, and not to reduce procreation but rather to increase it, and she only spoke with herself and Aharon, and even so she was punished with tzara'at - someone who intends to speak ill against his fellow and not for good intent, and to ".reduce procreation and not to increase it, and gossips amongst others and not with himself, how much more so

373 Shmot 15:20-21.

373 Shmot 15:20-21.

:The full aggadah can be pieced together by combining the following two separate Talmudic accounts

Megillah 14a

"וַתִּתֵּן מִרְיָם הַנְּבִיאָה אֶחָת אֶהְרֹן", וְלֹא אֶחָת מֹשֶׁה, אָמַר רַב נַחֲמָן אָמַר רַב: שֶׁהִיְתָה מִתְנַבְּאָה בְּשֵׁהִיא אֶחָת אֶהְרֹן, וְאוֹמֶרֶת: עֲתִידָה אֲמִי שֶׁתֵּלֵד בֶּן יִשְׂרָאֵל. וּבִשְׁעָה שֶׁנּוֹלַד נִתְמַלֵּא כָּל הַבֵּית כּוֹלּוֹ אוֹרָה, עָמַד אָבִיהָ וּנְשָׁקָה עַל רֹאשָׁהּ, אָמַר לָהּ: בְּתִי נִתְמַלֵּא מִבּוֹאֲתֶיךָ וְכִינּוֹן שֶׁהִשְׁלִיכֻהוּ לַיָּאֹר, עָמַד אָבִיהָ וּשְׁפָחָה עַל רֹאשָׁהּ, וְאָמַר לָהּ: בְּתִי הֵיכֵן נְבּוֹאֲתֶיךָ? הֵינִי דֹכְתִּיב: "וַתַּתְּצֵב אֶחָתוֹ מֵרְחוֹק לְדַעַה" (שמות ב:ד). לְדַעַת מָה יִהְיֶה בְּסוֹף נְבּוֹאָתָה:

Miriam the nevi'ah, the sister of Aharon, took' (Shmot 15:20). Was she not also the sister of Moshe? Rav" Nachman said in the name of Rav: She prophesied when she was only the sister of Aharon, and said: My mother is destined to have a boy who will save Yisrael. When Yocheved gave birth to Moshe the whole house lit up with light. Her father Amram stood up and kissed her on the head, and said to her: Daughter, your prophecy has come to pass. When they threw him into the river, her father stood up and hit her on the head, and said to her: Daughter, where is your prophecy? This is why it says: 'His sister stood from a distance to see what would happen' (Shmot 2:4), meaning, to know what would be the end of her prophecy

Sotah 12a

תָּנָא עֲמָרָם גָּדוֹל הַדּוֹר הֵנָּה פִּיּוֹן שָׂרָאָה שְׁאָמַר פֶּרְעָה הִרְשָׁע כָּל הַבֵּן הַיּוֹלֵד הִיאֲרָה תִּשְׁלִיכֻהוּ אָמַר לִשְׂוֹא אֲנִי עֲמִלִין עָמַד וְגִירֵשׁ אֶת אִשְׁתּוֹ עָמְדוּ כּוֹלֵן וְגִירֵשׁוּ אֶת נְשׁוֹתֵיהֶן אָמְרָה לּוֹ בְּתוֹ אָבִא קָשָׁה גְזִירְתְּךָ יוֹתֵר מִשֵּׁל פֶּרְעָה שֶׁפֶּרְעָה לֹא גָזַר אֲלָא עַל הַזָּכָרִים וְאַתָּה גְזַרְתָּ עַל הַזָּכָרִים וְעַל הַנְּקִיבוֹת פֶּרְעָה לֹא גָזַר אֲלָא בְּעוֹלָם הָהָא וְאַתָּה בְּעוֹלָם הָהָא וְלַעוֹלָם הַבָּא פֶּרְעָה הִרְשָׁע סָפַק מִתְקַיֵּימָת גְזִירְתּוֹ סָפַק אֵינָה מִתְקַיֵּימָת אִתָּה צָדִיק בּוֹדֵאֵי שֶׁגְזִירְתְּךָ מִתְקַיֵּימָת שְׁנֵאֲמַר וְתִגְזֹר אוֹמַר וְיָקָם לָךְ (אִיּוֹב כב:כח) עָמַד וְהִתְזִיר אֶת אִשְׁתּוֹ עָמְדוּ כּוֹלֵן וְהִתְזִירוּ אֶת נְשׁוֹתֵיהֶן וְיָקָח וַיִּתְּזוּר מִיבְעֵי לִיָּה אָמַר רַב יְהוֹדָה בַּר זְבִינָא שֶׁעָשָׂה לּוֹ מַעֲשֵׂה לִיקוּחִין הוֹשִׁיבָה בְּאַפְרִיּוֹן וְאַהֲרֹן וּמִרְיָם מִרְקָדִין לְפָנֶיהָ וּמִלֵּאכֵי הַשָּׂרֵת אָמְרוּ אִם הַבָּנִים שְׂמִיחָה (תהלים קיג:ט):

It was taught: Amram was a great man in his generation. When he saw that the wicked Pharaoh had said: 'Any' boy that is born shall be thrown into the river', he said: we are toiling for nothing. He stood up and divorced his wife, and everyone stood up and divorced their wives. His daughter Miriam said to him; Abba, your decree is harsher than Pharaoh's. Pharaoh only decreed against the boys, and you decreed against the boys and the girls. Also, Pharaoh only decreed in this world, but you decreed in this world and the next. Pharaoh is wicked, so there is doubt if his decree will be fulfilled or not, but you are righteous so it is certain that your decree will be fulfilled, as it says: 'You shall also decree a thing, and it shall be established unto you' (Iyov 22:28). Amram stood up and remarried his wife, and everyone stood up and remarried their wives. 'And Amram' took a wife' - it should have said 'returned' since he was remarrying her? Rav Yehudah Bar Zevina said: Amram performed an act of marriage for her as if it was the first time. He sat her on a throne, and Aharon and Miriam danced before her, and angels said: 'A joyful mother of children' (Tehillim 113:9)

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This midrashic account, aside from resolving several other textual and thematic discrepancies, could perhaps be used to provide an unconventional explanation as to why Aharon was chosen to be Kohen while Moshe was not. Miriam and Aharon were born before Amram and Yocheved divorced, while Moshe was born after they remarried. There is a Torah prohibition for a man to remarry a woman he had previously divorced if she had married somebody else in the interim:

כִּי יִקַּח אִישׁ אִשָּׁה וּבָעִלָּהּ וְהָיָה אִם לֹא תִמְצָא תָן בְּעֵינָיו כִּי מָצָא בָהּ עֲרֻנָּת דָּבָר וְכָתַב לָהּ סֵפֶר פְּרִיטָה וְנָתַן בְּיָדָהּ וְשָׁלַחָהּ מִבֵּיתוֹ: וְנִצָּאָה מִבֵּיתוֹ וְהִלָּכָה וְהִיטָה לְאִישׁ אֲחֵר: וְשִׁנְאָהּ הָאִישׁ הָאֲחֵר וְנָתַן בְּיָדָהּ וְשָׁלַחָהּ מִבֵּיתוֹ אוֹ כִּי יָמוּת הָאִישׁ הָאֲחֵר וְאִשְׁרָהּ לָקַחָהּ לֹא לְאִשָּׁה: לֹא יִכָּל בַּעֲלָהּ הָרִאשׁוֹן אֲשֶׁר שָׁלַחָהּ לָשׁוּב לְקַחְתָּהּ לְהִיטֹת לֹא לְאִשָּׁה אֲחֵרִי אֲשֶׁר הִשְׁמָאָה כִּי תוֹעֵבָה הִוא לִפְנֵי יְהוָה וְלֹא תִחַטֵּא אֶת הָאָרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ נַחֲלָה: (דברים כד:א-ד)

"When a man takes a woman as a wife and lies with her, and then she does not find favor in his eyes because he finds something unacceptable in her, he shall write her a bill of divorce and give it to her, and send her from his house. She shall leave his house, and go and be with another man. If the second man hates her as well and writes her a bill of divorce and gives it to her, and sends her from his house, or if the second man who took her as a wife dies: her first husband who sent her away cannot return and take her back to be a wife again, for she is defiled; this is an abomination before Hashem, and you shall not defile the land which Hashem your G-d is giving you as an inheritance." (Devarim 24:1-4)

Normally, this prohibition to remarry one's wife after divorcing her only takes effect if she married someone else in the interim; a man is allowed to divorce his wife and remarry her if she does not take another husband. However, Kohanim have an additional restriction which prohibits them from marrying a divorcee, including their own ex-wife:

אִשָּׁה זִנָּה וְחִלָּלָהּ לֹא יִקְחוּ וְאִשָּׁה גְרוּשָׁה מֵאִשָּׁה לֹא יִקְחוּ כִּי קֹדֶשׁ הִוא לַאלֹהִיו: (ויקרא כא:ז)

"Kohanim may not marry prostitutes, halat or divorcees, for he is holy to his G-d." (Vayikra 21:7)"

The offspring of a Kohen and a divorcee is not a Kohen but rather a *halal*, unable to participate in the rites and rituals that Kohanim born from permitted marriages are required to officiate. Since the Kehunah was ultimately given to Amram's child, and Kehunah is passed down from father to son, Amram could be seen as having been a Kohen retroactively, all along. Therefore Moshe, as the male child of Amram's second marriage to Yocheved and thus the child of a divorcee, could not have been a Kohen, while his brother Aharon, born before his parents' divorce, would not have been so condemned and could therefore have been granted Kohen status.

Upon scrutiny the above argument does not hold water in any real halachic sense, for Yocheved was Amram's father's sister, and such a relationship is also explicitly forbidden by the Torah:

עֲרֻנָּת אָחוֹת אָבִיךָ לֹא תִגְלֶה שְׂעָר אָבִיךָ הִוא: (ויקרא יח:יב)

"Do not uncover the nakedness of your father's sister, for she is your father's flesh." (Vayikra 18:12)"

How could Amram have married Yocheved if such a relationship was considered incestuous? The answer commonly given is that such relationships were forbidden only after the Torah was given at Har Sinai; Amram married Yocheved before the mitzvot came into effect. Similarly, Yaakov married sisters Rachel and Leah, an act

which is also prohibited (Vayikra 18:18) yet not relevant due to Yaakov living several generations before Matan Torah. It follows that any attempt to differentiate halachically between Aharon and Moshe as pure and impure products of a Kohanic union respectively collapses. Amram's entire relationship with Yocheved was forbidden from a Torah perspective, not only to Kohanim but to all of Yisrael. By that criterion, both Aharon and Moshe would not merely be disqualified from the Kehunah; as the children of *arayot* they would actually be considered *mamzerim*, *chas ve'shalom*. If we dismiss this concern - as we must - by noting that an incestuous relationship was allowed at the time, then certainly a relationship which is only prohibited to Kohanim would also have been permissible.

Differentiating Moshe from Aharon based on Yocheved's status is therefore not a serious halachic argument as to why Aharon could be Kohen and Moshe could not, but rather an interesting aggadic insight into why Aharon - while admittedly the child of *arayot* - was the result of a "pure" marriage, a bride and groom untainted by the bitterness, pain and scars of divorce. Moshe, while born in joy and happiness as described by **Note 128**, still remained the product of a union torn apart and reconstructed, and such a relationship can never recapture the whole of what it once was. This idea is alluded to in the Talmud as well

Sanhedrin 22a

א"ר אליעזר כל המגרש את אשתו ראשונה אפילו מזבח מוריד עליו דמעות ... מתני לה רב יהודה לרב יצחק בריה אין אדם מוצא קורת רוח אלא מאשתו ראשונה שנא' (משלי ה, יח) יהי מקורך ברוך ושמח מאשת נעוריו:

Rabbi Eliezer said, whoever divorces his first wife, even the altar sheds tears about him ... Rav Yehudah taught" his son Rav Yitzchak, a man does not find peace of mind except with his first wife, as it says: 'May your source be "blessed and be joyful with the wife of your youth' (Mishlei 5:18)

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This is consistent with the midrashic description of Miriam as a competent midwife who saved and cared for babies from the ripe young age of five years old

Shmot Rabbah 1:13

מי היו המיילדות, רב אמר פלה ונחמותה, יוכבד ואלישבע בת עמינדב. רבי שמואל בר נחמן אמר, אשה ובתה, יוכבד ומרים. ולא היו למרים אלא חמש שנים ... פועה שהיתה נופעת בן בתינוק אחר אמה ... פועה, שהיתה מפיעה את התינוק כשהיו אומרים מת:

Who were the midwives Shifra and Pu'ah? Rav said: A daughter-in-law and her mother-and-law, Yocheved and" Elisheva the daughter of Aminadav. Rabbi Shmuel Bar Nachman said: A woman and her daughter, Yocheved and Miriam. And Miriam was only five years old ... Pu'ah: She squirted wine into a baby's mouth after it came out of "its mother ... Alternatively, Pu'ah: She would cause the newborn to cry after it was declared a stillborn

377 The idea to separate as a result of Pharaoh's decree to kill baby boys was Amram's idea in the midrash. Presumably his wife Yocheved was not in favor, a conclusion which makes sense given that she was Shifra - the other midwife - and therefore dedicated to saving babies and subverting Pharaoh's decree. Miriam/Pu'ah had followed in her honorable mother's footsteps, and perhaps she was afraid that Moshe had followed in their father Amram's footsteps, which was motivating his belief that - like his father before him - divorcing his wife was both an admirable and necessary course of action.

Kallah Rabbati 3:4

שמע על בעל ואשתו שעשו מריבה הולך אצל הבעל ואומר לו בשביל ששמעתי שנתרצית עם אשתך אם אתה מגרשה ספק תמצא כמותה ספק לא תמצא ועוד אם אתה מוצא ממתנת עמה תחלת דבר היא אומרת לך כך עשית לאותה ראשונה. ועל זאת היו כל ישראל אנשים וגושים אוהבים אותו. תדע לך שכן הוא כיון שנפטר משה רבינו מה כתיב ביה ויבכו בני ישראל את משה ובאהרן כתיב כל בית ישראל ואפילו נשים ולא נשים בלבד אלא שהיו מפלישין טיט ועפר לטף לקיים מה שנאמר כל. תנא שמונים אלף בחורים קוראים בשם אהרן יצאו אחרי מטתו אמאי מרחמיתיה ומאן דאיהדר ואיתעברה:

When Aharon heard of a husband and wife who had fought, he would go to the husband and say to him: I have" come because I heard that you have quarreled with your wife. Should you divorce her it is doubtful whether you will find another like her or not, and furthermore, should you find another wife and quarrel with her; the first thing she will say to you will be: You must have behaved like this towards your first wife. Because of this all Yisrael, men and women, loved him. Know that it was so, for what does it say when Moshe Rabbeinu died? 'And Bnai Yisrael cried for Moshe' (Devarim 34:8), but for Aharon it says: 'They cried for Aharon thirty days, all the house of Yisrael (Bemidbar 20:29), meaning, even the women unlike Moshe. Not only did the women mourn, but they also covered their young children with mud and dust, thereby confirming the word 'all'. It was taught: 80,000 young men named Aharon went out after his bier in mourning when he died. They were the issue of those who had wanted to divorce but retracted and their wives became pregnant and in gratitude to Aharon they gave "their sons his name

This could be another reason why Miriam is referred to as: '*A prophet, Aharon's sister*' (Shmot 15:20) and not as Moshe's sister. Her prophecy had to do with unification, birth and deliverance, ideas that Aharon also understood .and related to but that Moshe was ironically disconnected from

379 This can also explain why Miriam felt a deep sense of kinship with her sister-in-law Tziporah. Tziporah, the paradigmatic mother bird, not only protected her children but Moshe as well: she circumcised their son and saved Moshe from destruction. Miriam, too, had watched Moshe as a three month old baby from afar, hovering and making sure that he was safe. Both Miriam and Tziporah were women who cared about Moshe and wanted to protect him from danger.

380 Tanchuma Yelamdenu Ki Teitzei 9.

380 Tanchuma Yelamdenu Ki Teitzei 9.

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There is a striking echo between this pasuk (Bemidbar 16:14) and the language in Megillah 14a quoted in the note above where Miriam's father Amram "*hit her in the head*" because of Miriam's foolish conviction in her beliefs; perhaps this Gemara is picking up on this pasuk and hinting at the parallelism we are drawing here

It is interesting to note that a nearly identical midrashic tradition is found in Midrash Rabbah but instead of Miriam's father Amram striking her head it is Miriam's mother Yocheved who strikes her head. According to this variant any potential connection to Bemidbar 16:14 disappears

Shmot Rabbah 1:22

... וְכִינּוּן שֶׁהִטְלִיחוּהוּ לַיָּאֹר, עָמְדָה אִמָּה וְטָפְתָהּ לָהּ עַל רֹאשָׁהּ, אָמְרָה לָהּ בְּתִי וְהִיכְנוּ נְבוֹאָתִי, וְהִינּוּ דְכָתִיב: וַתַּחֲצֹב אַחֲתוֹ מֵרֶחֶק וּגו'. לְדַעַת מָה יְהִי בְּסוּף נְבִיאֻתָהּ:

When they threw him into the river, her mother stood up and hit her on the head, and said to her: Daughter, where is your prophecy? This is why it says: 'His sister stood from a distance to see what would happen' (Shmot 2:4), meaning, to know what would be the end of her prophecy

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Korach uses the emotions triggered by Miriam's distress to foment rebellion in the desert, the end result of which was a plague leaving tens of thousands dead

Bemidbar 17:14, 27-28

וַיְהִיו הַמֵּתִים בַּמִּגַּפָּה אַרְבָּעָה עָשָׂר אֶלֶף וּשְׁבַע מֵאוֹת מִלִּבְדּוֹ הַמֵּתִים עַל דְּבַר קֹרַח:

The count of those who died from the plague that was a direct result of Korach's rebellion was 14,700, not "include those dead from the matter of Korach which was an additional 250 people

וַיֹּאמְרוּ בְנֵי יִשְׂרָאֵל אֶל מֹשֶׁה לֵאמֹר הֵן גָּנַעְנוּ אֲבֹדְנוּ פָלְנוּ אֲבֹדְנוּ: כָּל הַקָּרֵב הַקָּרֵב אֶל מִשְׁכַּן יְהוָה יָמוּת הָאֵם תָּמְנוּ לְגֹנֹעַ:

Bnai Yisrael said to Moshe: We are perishing, we are lost, we are all lost. Anyone who comes near the Mishkan "of Hashem dies - will we ever stop perishing

Chain Reaction

Miriam's story is not just an isolated incident, meant only to impart a message about the dangers of *lashon hara*. It also describes the unraveling of Moshe's unquestioned authority, unwittingly instigated by his own elder sister. It presented an opportunity for Korach to appear on the scene and rile up Bnai Yisrael, to fan the flames of *lashon hara* that had burst forth from Miriam's mouth and spread throughout the camp. As we have seen, this connection is

beautifully drawn by Rashi's connecting Korach's rebellion to Chatzerot along with Miriam's *lashon hara*. Indeed, the midrash teaches that Korach and his followers, who like Miriam promulgated *lashon hara* against Moshe Rabbeinu, were deserving of *tzara'at*:

וַיִּשְׁמַע מֹשֶׁה, מִה שֶׁשָּׁמַע אֶמֶר רַבִּי שְׁמוּאֵל בֶּר נַחֲמָנִי אֶמֶר רַבִּי יוֹנָתָן מִלְּמַד שֶׁחֲשָׁדוּהוּ בְּאַשְׁתֵּי אִישׁ, שֶׁנֶּאֱמַר (תהלים קו, טז): וַיִּקְנְאוּ לְמֹשֶׁה בַּמִּדְבָּר, אֶמֶר רַבִּי שְׁמוּאֵל בֶּר יִצְחָק אֶמֶר רַב מִלְּמַד שֶׁכָּל אֶחָד קָנָא לְאַשְׁתּוֹ מִמֶּשֶׁה. וַיִּלָּךְ אֶל דָּתוֹ וְאַבְיָרָם (במדבר טז, כה), אֶמֶר רִישׁ לְקִישׁ מִכָּאן שֶׁאֵין מַחֲזִיקִין בְּמַחֲלָקָתוֹ, אֶמֶר רַב כָּל הַמַּחֲזִיק בְּמַחֲלָקָת עוֹבֵר מִשּׁוּם (במדבר יז, ה): וְלֹא יִהְיֶה כְּקֶרַח וְכַעֲדָתוֹ, אֶמֶר רַב אָסִי רָאִיוּ לְהַצְטָרֵעַ, כְּתִיב הִכָּא (במדבר יז, ה): כֹּאֲשֶׁר דִּבֶּר ה' בְּיַד מֹשֶׁה לוֹ. וְכִתִּיב הֵתֵם (שמות ד, ו): וַיֹּאמֶר ה' לוֹ עוֹד הִכָּא נָא יִדָּהּ וּגו': ^383^

"Moshe heard' (Bemidbar 16:4). What did he hear? Rabbi Shmuel Bar Nachmani said in the name of Rabbi Yonatan: This teaches that they suspected Moshe of adultery, as it says: 'They were jealous of Moshe in the camp' (Tehillim 106:16). Rabbi Shmuel Bar Yitzchak said in the name of Rav: This teaches that every person was jealous of his wife on account of Moshe. 'Moshe went to Datan and Aviram' (Bemidbar 16:25). Reish Lakish said: From here we learn that one should not continue a quarrel. Rav said: Whoever continues in a quarrel violates the prohibition of: 'Do not be like Korach and his assembly' (Bemidbar 17:5). Rav Asi said: Whoever continues in a quarrel deserves *tzara'at* - it says here: 'As Hashem said to him by the hand of Moshe' (Bemidbar 17:5), and it says there: 'Hashem said to him further, bring your hand' (Shmot 4:6)."³⁸³

The connection between *tzara'at*, personified here by Miriam, and *machloket*, exemplified by Korach,³⁸⁴ speaks to the consequences of *lashon hara*: direct Divine punishment that demands atonement, but also the remedy is too late: it is like a fire that has spread beyond the owner's reach, and spirals into exponentially more divisiveness and anger.

This explains why Rashi argues that Chazerot is where Korach's rebellion happened. This can either be meant in the literal sense, that the rebellion of Korach happened during those seven days that Miriam was in quarantine, or it can be meant in the thematic, meta-literal sense that Korach's rebellion was rooted in Chazerot, namely in the *lashon hara* that began there but then spread to the minds and hearts of *keriyei mo'ed anshei shem* who were seduced into joining Korach in his crusade against Moshe and Aharon.

This interpretation is further supported by the astonishing claim that Moshe was so devastated by Korach's rebellion because he was suspected of stealing everyone's wives and committing

adultery.^{^385^} Miriam's initial complaint against Moshe was that he separated from his wife, but as *lashon hara* spreads its tentacles the truth gets distorted and bent: accusations of cheating are an almost natural progression of Miriam's *lashon hara* about Moshe's marital relationship with his wife. The story sells itself, and makes sense aside from its patent falsehood: the leader of Bnai Yisrael had separated from his wife, claiming it was because of his need for prophecy, when in fact he was abusing his power and taking women from among the people. The appropriateness of the Earth opening its mouth and swallowing those who opened their own mouths and slandered Moshe speaks for itself.

The Talmud goes out of its way to insert wives into the story of Korach's rebellion as major influences in their husbands' behavior. In particular, On's wife was righteous and saved him from perishing, while Korach's power-hungry wife egged his destructive behavior on.^{^386^} While at first glance it is puzzling that the aggadah insert these men's wives so prominently and aggressively into the story of Korach's rebellion, if we understand the kernels of protest which Korach was sowing as being planted during Miriam's slander against Moshe in relation to *his* wife, then we can readily see why tensions - which brewed as a result of false rumors Korach and his followers had helped circulate about Moshe taking other wives - would involve those very same men's wives.^{^387^}

The danger of even speaking against someone you love, and with the right intentions, highlights just how dangerous *lashon hara* is, and how careful we have to be in exercising caution with the words we say. Our mouths are unique among the human organs, hidden behind two rows of defenses - teeth and lips - as a constant reminder of how carefully guarded they need to remain. To avoid the fate of a *metzora* placed in quarantine and watched by everyone else, we must be proactively vigilant and watch the words that we say. We must learn from the martyrdom of Miriam, and recognize that some grievances spoken in private can, in short order, lead to great and uncontrollable tragedy.

תושלב"ע - הם ונשלם שבח לא-ל בורא עולם

383 Bemidbar Rabbah 18:20.

383 Bemidbar Rabbah 18:20.

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King Uzziyahu of Yehudah was also stricken with *tzara'at*, albeit for arrogance instead of *lashon hara*. The midrash notes that like Korach, Uzziyahu was challenging the authority of the *Kehunah* and was punished for it.
:This further underlines the connection drawn between Korach's rebellion and *tzara'at*

Pesikta Zutreta to Tehillim 118

יאמרו נא בית אהרן מה עשיתי להם לכל מי שעמד כנגדן. עמד קרח וסיעתו בלעה אותם הארץ. עמד עוזיהו וביקש להקטיר את הקטורת וזרחה במצחו הצרעת:

Let the house of Aharon say' (Tehillim 118:3). What did I do for them against anyone that stood against them?"
Korach and his supporters stood, and the earth swallowed them up. Uzziyahu stood and sought to burn incense,
"and his forehead broke out with tzara'at

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:This tradition can also be found in the Talmud

Sanhedrin 110a

(במדבר טז, ד) וישמע משה ויפול על פניו מה שמועה שמע אמר רבי שמואל בר נחמני א"ר יונתן שחשדוהו מאשת איש שנאמר (תהלים קו, טז) ויקנאו למשה במחנה א"ר שמואל בר יצחק מלמד שכל אחד ואחד קנא את אשתו ממש שחשדוהו (שמות לג, ז) ומשה יקח את האהל ונטה לו מחוץ למחנה:

Moshe heard and he fell on his face' (Bemidbar 16:4). What rumor did he hear? Rabbi Shmuel Bar Nachmani" said in the name of Rabbi Yonatan: They suspected him of adultery, as it says: 'They were jealous of Moshe in the camp' (Tehillim 106:16). Rabbi Shmuel Bar Yitzchak said: This teaches that every single person suspected his wife regarding Moshe, as it says: 'Moshe took the tent and planted it outside the camp' (Shmot 33:7)

The language of this midrash pays tribute to that of the passage dealing with the wayward wife. Since all the men of Bnai Yisrael suspected Moshe of sleeping with their wives, that made each woman suspected this way into a *Sotah*:

Bemidbar 5:11-15

וידבר יהוה אל משה לאמר: דבר אל בני ישראל ואמרת אליהם איש איש כי תשטת אשתו ומעלה בו מעל: ושכב איש אתה שכבת זרע ונעלם מעיני אישה ונסתרה והיא נטמאה ועד אין לה והוא לא נתפשט: ועבר עליו רוח קנאה וקנא את אשתו והוא נטמאה או עבר עליו רוח קנאה וקנא את אשתו והיא לא נטמאה: והביא האיש את אשתו אל הכהן וגו':

Hashem spoke to Moshe, saying: Speak to Bnai Yisrael and said to them: A man whose wife has gone astray" and acted unfaithfully against him. And a man slept with her carnally, but her husband did not know, and she kept a secret that she had been defiled, and there was no witness and she had not been forced. And a spirit of jealousy overtakes him and he is jealous over his wife, and she has been defiled; or a spirit of jealousy overtakes him and he is jealous of his wife, and she has not been defiled. And the man shall bring his wife before the Kohen ".etc

Sanhedrin 109b-110a

אמר רב און בן פלת אשתו הצילתו אמרה ליה מאי נפקא לך מינה אי מר רבה אנת תלמידא ואי מר רבה אנת תלמידא אמר לה מאי אעביד הואי בעצה ואשתבעי לי בהדיה אמרה ליה ידענא דכולה כנישתא קדישתא נינהו דכתיב (במדבר טז, ג) כי כל העדה כולם קדושים אמרה ליה תוב דאנא מצילנא לך אשקיתיה חמרא וארויתיה ואגניתיה גואי אותבה על בבא וסתרתי למזיה כל דאתא חזיה הדר אדהכי והכי אבלעו להו.

איתתיה דקרח אמרה ליה חזי מאי קעביד משה איהו הוה מלכא לאחזיה שוויה כהנא רבא לבני אחזיה שוינהו סגני דכהנא אי אתיא תרומה אמר תיהוי לכהן אי אתו מעשר דשקילתו אתון אמר הבו חד מי' לכהן ועוד דגייז ליה למזייכו ומיטלל לכו כי כופתא עינא יהב במזייכו אמר לה הא איהו נמי קא עביד אמרה ליה כיון דכולהו רבותא ידידיה אמר איהו נמי (שופטים טז, ל) תמות נפשי עם פלשתים ועוד דקאמר לכו עבדיתו תכלתא אי ס"ד תכלתא חשיבא מצוה אפיק גלימי דתכלתא וכסינהו לכולהו מתיבתך.

היינו דכתיב (משלי יד, א) חכמות נשים בנתה ביתה זו אשתו של און בן פלת ואולת בידה תהרסנה זו אשתו של קרח:

Rav said: On Ben Pelet was saved by his wife, for she said to him: What does this dispute have to do with you?" If Moshe is the master, you are a disciple, and if Korach is the master, you are a disciple. He said to her: What should I do - I took counsel and swore to join them. She said to him: I know that the whole community is holy, as it says: 'The whole congregation is holy' (Bemidbar 16:3). She said to him: Sit, for I will save you. What did she do? She gave him wine to drink, got him drunk, and had him lie down in her bed. Then she sat down at the entrance of the house and let down her hair. Everyone who came saw her and returned because it was immodest to look at her with her hair uncovered. In the meantime they were all swallowed up

Korach's wife said to him: See what Moshe is doing. He is the king, he appointed his brother as Kohen Gadol, and he appointed his brother's sons as deputy priests. If terumah comes, he says: Let it be for the kohen; if the first tithe comes, which you as Levites take, he says: Give one tenth to the kohen. And furthermore, he shears your hair and waves you like excrement, as though he sets his sights on your hair and wants you to be ugly. He said to her: didn't Moshe do the same thing as he is also a Levite? She said to him: Since it was all for his prominence he said: 'May my soul die with the Plishtim' (Shoftim 16:30). Furthermore, regarding which he said to you to prepare sky-blue dye for your tzitzit, one could say to him: If it enters your mind Moshe, that using sky-blue dye is considered a mitzvah, take out robes entirely made of sky-blue dye, and dress all of your academy in sky-blue robes without tzitzit

It is regarding this that it is written: 'The wisdom of women builds her house' (Mishlei 14:1) - this refers to the wife of On: 'but folly tears it down with her own hands' - this refers to the wife of Korach

This accusation against Moshe secluding himself with other people's wives was able to grow legs and promulgate throughout the nation, at least in part, because Moshe had long ago removed his tent and planted it "outside of the camp" (Shmot 33:7). His tent being secluded and removed from everyone else surely made it easier to speculate on what went on in his private quarters. This phenomenon parallels what happens to Miriam as punishment for her lashon hara since she is also shut off "outside of the camp" (Bemidbar 12:15). We are told that part of the explanation for why Moshe moved the Ohel Moed outside the camp was because Hashem spoke to him there face-to-face.

ומשל¹ יקח את האהל וגטה לו מחוץ למחנה הרחוק מן המחנה וקרא לו אהל מועד והיה כל מבקש יהיה יצא אל אהל מועד אשר מחוץ למחנה: והיה כצאת משה אל האהל יקומו כל העם וינצבו איש פתח אהלו והביטו אחרי משה עד באו האהלה: והיה כבא משה האהלה ירד עמוד הענן ועמד פתח האהל וידבר עם משה: וראה כל העם את עמוד הענן עמד פתח האהל גם כל העם והשתחויו איש פתח אהלו: ודבר יהוה אל משה פנים אל פנים כאשר ידבר איש אל רעהו ושכל אל המחנה ומשרתיו יהושע בן נון² זרע לא ימיש מתוך האהל:

There is a striking Chiastic, A-B-B-A structure to these pesukim as compared to the story of Miriam getting stricken with tzara'at. Here in Shmot 33

:In contrast, we find in Bemidbar 12

There is a perversion and reversal of the way things are supposed to work, as idyllically described in Shmot 33. In particular, the story with Miriam subverts the reverence found in Shmot 33:10 where the people bowed to Moshe after seeing the cloud descend. Now, because of her toxic *lashon hara* the people no longer look at Moshe with reverence or fear, but rather with anger and resentment.