

דבר אחר | A Different Perspective

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Reminded that he will not be permitted to lead the people into the Land of Israel, Moses asks God to appoint a successor for him. God instructs Moses:

Single out Joshua son of Nun, an inspired man, and lay your hand upon him. Have him stand before Eleazar the priest and before the whole community, and commission him in their sight. Invest him with some of your authority, so that the whole Israelite community may obey. (Num. 27:18–20)



Rabbinic Ordination Granted to Judah ben Eliezer Briel. (Venice, 1677) B (NS) PP489

motifs can be found in the Jewish marriage contracts and Esther scrolls produced at this time—but on a *semikkah* certificate this ornamentation is exceptional.

Rabbi Briel went on to become the chief rabbi of Mantua, and he is also a witness on a *ketubbah* in the JTS Library’s collection, which features unusual imagery.

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Pinehas 5780

פינחס תש"ף



The Courage to Not Know
Rabbi Matthew Berkowitz, Director of Israel Programs, JTS

If there is a moment of heroism in Parashat Pinehas, it is when the daughters of Zelophahad stand before Moses. Living in the patriarchal world of biblical Israel, they arrive at a defining juncture. Their father, Zelophahad, dies, leaving no sons to inherit or perpetuate his name. While the daughters could have simply accepted the reality of patriarchal inheritance, they bravely choose another path. Mahlah, Noah, Hoglah, Milcah, and Tirzah approach Moshe explaining, “Let not our father’s name be lost to his clan just because he had no sons! Give us a holding among our father’s kinsmen!” (Num. 27:4). The reader of Torah cannot help but embrace this gesture with a sense of awe. What trepidation—and gumption—must have been involved in the decision to bring their case before the leader of the fledgling nation of Israel! It is even more significant that they do so in the aftermath of Korah’s rebellion. Given Moshe’s recent experience with malcontents, this could have easily turned against them. And yet this episode proves to be a powerful leadership moment for the daughters, Moses, and God.

First, one must note the way in which the daughters approach Moshe and the chieftains. Far from coming with justified rage and aggression (as Korah and his cohort do—*vayakumu lifnei Moshe*, “They rose up before Moses”)—the Torah’s language is nuanced: *vatikravnah* and *vata’amodna*—they “come close” and “stand confidently” before leaders of Israel. Once before these elders, they rationally explain their case—first by defusing any residual tension related to the uprising of Korah (they state clearly that their father was not involved) and second, by stating their cause in a compelling and just way. Rashi, the great medieval commentator, sings the praises of these

daughters in remarking that “their eyes saw what Moses’s eyes did not see.” The choice of posture and words is not inconsequential in seeking the desired outcome. They know well that courage and *kavod* (respect) are critical elements that will lead them a step closer toward perpetuating the memory of their father.

Second, from Moses’s response, we know well that he is at a loss for how to answer them. Interestingly, this is one of four cases in the Torah (the others being Lev. 24:10–22 [the blasphemer]; Num. 9:6–14 [*Pesah sheni*]; Num. 15:32–36 [Shabbat violator]) when the Torah’s instructions prove insufficient—even for the greatest prophet of Israel—to render a decision. Though Moshe does not explicitly acknowledge that he doesn’t know the answer, his actions clearly confirm this. Moshe brings the case before God and hopes the matter will be resolved through counsel with the Divine. Far from worrying about how others would perceive this gap in his knowledge, Moshe embraces the occasion. It is an *et ratzon*, auspicious moment, for him that demonstrates admirable leadership. Indeed, the midrash *Numbers Rabbah* 21:12 lauds Moses for serving as a model to “the heads of the Sanhedrin of Israel that were destined to arise after him, that they should not be embarrassed to ask for assistance in cases too difficult for them. For even Moses, who was Master of Israel had to say, ‘I have not understood.’ Therefore Moses brought their case before the Lord.”

Finally, God provides us with a powerful example of leadership, using this as a teaching moment for Moses, the daughters, and the entire community. God states clearly that the plea of the daughters is just and requires an addendum to the law of inheritance promulgated in Torah. Yet, far from being limited only to Tzelophahad and his daughters, this expanded law will now apply to all of Israel. Granted, sons will still be considered the natural heirs, but if the deceased does not have sons, from this moment on, the daughters will become the heirs—empowered to perpetuate the name of the deceased for generations to come.

Taken collectively, we, the descendants of Moses and the daughters of Tzelophahad, are infinitely enriched by the encounter that unfolds in this week’s *parashah*. The easier path for the daughters would have been to shy away from confrontation; they could have seen themselves as

collateral damage—victims of Torah’s patriarchal claim and their parents’ inability to have sons. Rather, a sense of injustice welled up in their souls that enabled them to confront both human and Divine leadership. And similarly, Moses, as the leader of the Children of Israel, could have simply restated the laws of inheritance—reinforcing the absolute law of Torah rather than acknowledging a gap in his own knowledge. Moses could have reasoned *better that Torah and my leadership should remain intact than admit to shortcomings and fallibility*. To his credit, he recognizes his shortcomings and the power and potential of the case before him and places the matter in God’s hands.

And while God could have limited judgment to these plaintiffs, God recognizes that equality before the law and true justice are “on trial.” As British biblical scholar Philip Budd writes, “Theologically, the section presses the rights of women to a clear and recognized legal position within the sphere of property law. They are seen as a proper channel through which the threads of possession and inheritance may properly be traced” (*Word Biblical Commentary: Numbers*, 303). God’s decision inspires hope for a better future—not only for the daughters but for all women (and men!) who will come after them and find themselves in the same position.

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