

PARSHAS MATOS

by Rabbi Dr. Meir Tamari

Ibn Ezra writes that the question of annulment of oaths was given after the battle against Midian, since then Moshe took Yehoshua and the heads of the tribes and told them these laws. However, we know that all the dinim were given to Moshe at Sinai but like a great commander and of clear logic, he did not reveal all of them immediately to Israel, rather only as the occasion arose. As long as Moshe lived, he himself heard every case of vows and instructed how and if they were to be annulled. Knowing that he was to die after the war against Midian and that there would be no one individual to judge such matters he gathered the heads of the tribes and taught them about the annulment of vows. Rashi explains that this was done first to them and afterwards to all of Israel, but this is not so. Rather Moshe taught only the heads of the tribes who would come to replace him in this function, and they then would judge each individual case. [This is in accordance with the halakhah that annulment of vows requires an expert]. We see that there is a distinction between a minor boy and a girl with regard to the annulment of their vows, a distinction that flows from their general legal status regarding vows. A male who has vowed to refrain from any of those things that the Torah permits, since he has wisdom and the freedom of his own decisions, cannot simply annul these vows but at the same time, since he is not responsible to anyone, he also does not have anybody else with the power to annul them. If he is a minor, then his words simply have no power, nor is father responsible for them, therefore the Torah makes no mention of the annulment of his vows; they simply never had any validity. However, the case of a girl or a woman is different. Their vows obligate their fathers, or in the case of a married woman, their husbands, since both of these have power over them [have responsibility for them?]. Therefore, should they not agree to the terms of the vows, they have the right to annul them, even if the girl or wife does not repent of their vows.

In our Parsha, the war against Midian is sometimes referred to as a war of revenge for Israel and sometimes as a revenge for G-d. This is because, while peace had been made with the tribe of Shimeon by Hashem's covenant of peace with Pinchas who had killed their leader Zimri, the Midianites had not forgiven him for the death of Kozbi who was of their royal house. The Midianites had actually committed 2 evils: they had caused 24,000 Israelites to die in the plague and had also sinned against G-d in inciting Israel to worship the idol of Baal Peor. So while revenge for the deaths was in the war of Israel, for the incitement to idolatry there was the war of Hashem's revenge. Although the women of both Moav and Midian were involved, the war of revenge is described as being against Midian alone. This is because the Moabite women were led by sexual lust alone whereas those of Midian were zealous for the idolatry as well. It is strange that while Hashem

commanded Moshe to avenge Israel against Midian, Moshe instead of sending the whole army of Israel to do so, only called for a thousand soldiers from each tribe. This is because, seeing as how Midian was a relatively small nation, Moshe did not consider it as befitting a powerful nation like Israel to send the whole army against them but contented himself with sending only a small force. These were all volunteers rather than in the usual form of conscription, from the strongest and most capable soldiers of Israel. In order that there should be no tribal rivalry or jealousy, each tribe sent the same number so that nobody could say that they had done more in the war than the others. The tribe of Levi was not included since they were not to take part in the conquest of the Land of Israel nor would they receive a portion there. Furthermore, instead of leading themselves himself, Moshe send them under the leadership of Pinchas. As he had done in the war against Amalek, when Moshe delegated the military leadership to Yehoshua, here he appointed Pinchas as a priest to lead Israel, not as a combatant or as one who would contaminate himself with the impurity of the dead. Rather, he would go with the Urim and Tumim and the trumpets that belonged to the duties of the Kohen.

We can see the moral stature of the soldiers of Israel in that they did not take any of the spoils of war but rather brought the flocks, slaves and valuables of Midian straight to Moshe and Elazar. [There is a similar stature in Megillat Esther where the text tells us the Jews did not loot when they defeated their enemies (Esther, 9:10, 15)] This war was a war of revenge for the honor of G-d rather than for the sake of Israel, so they felt that they had no right to any of the booty; it was also not a war against the 7 nations in which the Torah promised them that the spoils would be theirs. Still, Moshe was angry with their leaders because of the women and small boys that they had captured instead of killing. Their reasoning was that women did not participate in the battle and therefore, did not deserve to die, while they did not see any danger in keeping the young males as slaves. Moshe, however, reprimanded them since the males would grow up and threaten Israel while the women had been the whole cause both of the immorality and the idolatry of Israel. Therefore, they were to kill all the males as well as the women who had had sex relations. Chazal tell us that this was determined by passing the women before the Tzitz, but this a midrash. Plain reading of the text shows that the women to be saved were simply determined by referring to their age and physical development.

At first glance, it would seem that the case of the inheritance of the 2 and a half tribes is a clear example of the lack of time sequence in the Torah, since it should have occurred in parshat Chukat after the war against Sichon and Og and the settlement in their territory. However, throughout, the Torah is written logically and rationally as befits the Divine Wisdom, so there is usually no necessity to resort to this explanation. Here too, the sequence is a logical one. Chukat was followed by the parsha of Balaam this led to the sinning at Shittim, the action of Pinchas, his reward of the priesthood and the order of the sacrifices, and finally the revenge against Midian. Now the time had come for Moshe to die and the preparations for entering the Promised Land under Yehoshua. Since the conquest and division of the Land were immanent, the time was appropriate for the request of Reuven and Gad to be made of Moshe whose authority was greater than Yehoshua's. The statement

at the beginning of the case that they had great flocks and herds would prompt us to assume that although other tribes also had similar wealth, especially after the wars against the Emori and Midian, they alone especially wanted to be shepherds because of the greater spirituality that flows from that occupation. Chazal taught that it was the lust for their wealth that prompted these tribes to prefer settlement outside the Holy Land and therefore they were destined to be exiled first. Perhaps we can see another reason for their desire to settle outside Eretz Yisrael. Reuven knew that the first born rights to kingship and to the double portion of inheritance had been taken from him and given to Yehudah and Yosef respectively. Therefore, in order not to bear the shame and the dishonor of being in the midst of the other tribes in an inferior position, he preferred to settle apart from them in Trans-Jordan. Gad being the son of Leah's hand- maiden and in the camp of Reuven, chose to join his half- brother.

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