

PARASHAT HASHAVUA

PARASHAT PINCHAS

Families Rav Ezra Bick

Sefer Bemidbar began with a series of censuses, both of the Jews as a whole, and a separate one for the tribe of Levi. Parashat Pinchas, which takes place thirty nine years after that initial census, includes another census, which once again includes the Jews as a whole and the tribe of Levi separately. The purpose of this census is explicit – it serves as the basis for the division of the land of Israel among the individuals, and according to the tribes. The census concludes with the words, "These are the numbered of the Israelites, six hundred and one thousand, seven hundred and thirty" (26,51). This is followed immediately with the command, "**To these** shall the land be divided as an inheritance, according to the names" (26,53). The exact purpose of this census is more evident than that at the beginning of the *sefer*. We can with confidence say that it is somehow connected to setting up the *machaneh*, but the exact relationship between knowing precisely how many Jews are in each tribe and setting up the different sections of the *machaneh* is not completely clear. Here, the number of Jews in each tribe, and the individual identity ("according to the names"), is the basis for the division and distribution of the portions in the land when it will be conquered.

In light of the apparent clarity of purpose of the census, there are certain anomalies which we must explain.

1. The census in parashat Bemidbar counted individuals according to tribes. Each tribe has a total number, and then the total for all the tribes is brought. The same takes place in our parasha; however, within each tribe is listed the *mishpachot*, the families, of each tribe. It is true that in parashat Bemidbar, the census was described as the counting of individuals *Imishpichotam l'veit avotam*, according to their families and father's house, but the names of those families was not listed in Bemidbar. There seems to be a deliberate goal in our parasha of listing the families, or clans, of each tribe, and the question is – why? To what purpose? What does this have to do with the division of the land, or, for that matter, for any other purpose?

2. After the census of the general Jewish population, and **after** the statement that "To these shall the land be divided," we have a census of the tribe of Levi (26,57-62). The Levites did not receive a portion in the land, so why was there a reason to count them at this point? The Ramban (26,57) states simply, "I do not know why

the Levites were counted" (though he proceeds to suggest a reason, which we shall see below).

3. The census is accompanied by a series of parenthetical remarks, which seem irrelevant to the general declared purpose. Thus, when listing the families of Reuven, the Torah states that Eliav had three sons, Nemuel, Datan, and Aviram – but Datan and Aviram were swallowed by the earth during the Korach incident, after they incited the people against Moshe and Aharon (26,9-10). This is followed by the seemingly totally irrelevant bit of information that the sons of Korach (who were Levites) did not die. In the listing of the families of Yehuda, the Torah states that Yehuda had **two sons**, Er and Onan, but they died in the land of Canaan. In this case, this may be understood as an explanation why there aren't *mishpachot* called after them – but in fact they are not the only grandchildren of Yaacov who are not listed as *mishpachot*, as a comparison of the list of the family of Yaacov who came to Egypt in parashat Vayigash with the list of families in our parasha makes clear. (See Rashi 26,13; 24, and Ramban 26,13, who discuss the differences in the list of those who went to Egypt with Yaacov and the names of the *mishpachot* here. At least some of the cases are explained because some of them died without living descendants). The same thing takes place in the Levite census, where the Torah states that Aharon had four sons – but two, Nadav and Avihu, died when they brought *eish zara* before God (26,61). Aside from these three "death" digressions, there are three short "women" digressions. In the tribe of Asher, the Torah states, without any explanation, that "the name of the daughter of Asher was Serach" (26,46), and, in the Levite census, the Torah adds that "the name of the wife of Amram was Yocheved, who was born to Levi in Egypt" (26,59). In the tribe of Menashe, the Torah states that Tzelophchad had no sons, but only daughters, and the Torah lists them by name. Why does a numerical census have these additional bits of information?

The key to understanding the unique nature of the census of parashat Pinchas is the role of the *mishpachot*, so prominently emphasized throughout the census. First, let us compare the command given to Moshe in the two censuses of Sefer Bemidbar.

Parashat Bemidbar:

Count the heads of the entire community of Israel according to their families according to their father's house, the number of names, each male, according to their heads (*I'gulgilotam*) (1,2).

Parashat Pinchas:

Count the heads of the entire community of Israel... according to their father's house.... (26,2)

Paradoxically, in Bemidbar, where Moshe is told explicitly to count by families, there is no explicit enumeration of families in the actual census (though each tribe's count is

introduced with the exact phrase used in the command – "according to their families according to their father's house, the number of names, each male, (according to their heads)". In parashat Pinchas, the Divine command does not explicate families (though it does say "their father's house"); however, the actual census details a list of families by name within each tribe.

What exactly is a "family?" Clearly, it is not the nuclear family, consisting of a father, mother and children. If that were the case, the 600,000 male adults would have contained several hundred thousand families, and not the fifty-seven enumerated in the parasha. Rather, *mishpacha* in this parasha means **clan**, or, in the Arabic term used in the Middle East today, *chamula*. The twelve tribes were divided into subtribes, each tribe having several clans, named after distant ancestors from the grandchildren and great-grandchildren of Yaacov. These clans have, as far as we know, no halakhic significance, and are rarely mentioned again in Tanakh.

The one place where *mishpacha* played an important role was in the story of Achan and the spoils of Yericho. After the fall of Yericho, the spoils were dedicated to God. One man, "Achan ben Carmi ben Zavdi ben Zerach of the tribe of Yehuda" (Josh 4,1) took something from the spoils, which led to a military disaster at the next battle, the battle of the Ai. Why did I quote his full name as given in the text describing the sin? Simply to notice that he is not identified as belonging to a particular *mishpacha*, but only to a tribe. However, when God instituted a miraculous method to identify the culprit, he told Yehoshua,

You shall come close in the morning by your tribes, and the tribe that shall be caught by God shall come close by *mishpachot*, and the *mishpacha* that shall be caught by God shall come close by houses, and the house that shall be caught by God shall come close by individuals. (Josh 4,14)

In practice, that is what takes place, and the tribe of Yehuda is caught, followed by the *mishpacha* of Zarchi (one of the *mishpachot* in our parasha, 26,20), followed by the house of Zavdi, followed by Achan ben Carmi.

What is common to this case and ours? Obviously, the use of a lottery type choice. All the tribes of Israel pass before the Ark, and the tribe of Yehuda is somehow chosen. That is the way the land is divided as well, using lots chosen for each of the twelve tribes. This might imply that the use of tribal subunits, the *mishpacha* and the *bayit*, is merely a practical convenience. But that would not explain why the Torah lists them by name in our parasha.

There is another common element in the two stories, and that is that both involve, to some extent, the division of the land of Israel. It is true that Achan did not take land, but the portable spoils of war. But the war, of course, was the war of conquest, and we are at the beginning of the process of the conquest and division of the land of Israel, and all it contains, among the Jewish people. The fact that the tribe of Yehuda is "**caught**", and then the *mishpacha*, and then the *bayit*, implies, I think, that in each stage the entire

unit is in danger of being excluded from the process of the division of the land. In other words, the lottery of Achan is the opposite of the Lottery of Moshe in parashat Pinchas, it defines who is to be excluded from the land.

I would like to suggest that clan membership is not a factor in personal identity. Achan's identity, as we saw in the quote above, is defined by his lineage, son after son, and by his membership in the tribe of Yehuda. Tribal membership is a part of personal identity throughout Tanakh. Clan membership does not define who you are. Its importance is in relationship to one factor only, the possession of a portion in the land of Israel. The reason for this, I think, is that the land is not merely a possession, like my car or even my computer. It is the portion of a Jew in the common possession of the land of Israel, a land given by God not to the individual Jew but to the forefathers, Avraham, Yitzchak, and Yaacov. The noun describing possession of the land throughout the Torah is *yerusha*, meaning inheritance, and *nachala*, which is commonly also translated as inheritance, but actually means portion, in the sense that suggests a permanent connection. Your *nachala* is the family estate, that which is yours not accidentally but inherently. (This of course is strengthened by the halakhic fact that a *nachala* cannot be alienated; it returns to its original owner at the *yovel*). In order to emphasize that the division of the land is not a personal gift by God to individuals with personal identity, but is rooted in the collective identity of the Jewish people, the Torah counts the individuals according to the clans and lists those clans by name. The Ramban claims that the actual lottery was done by clans, which would strengthen this claim, though that fact is nowhere mentioned in rabbinic literature.

If we remember that Jewish existence in the desert was extremely collective, living together, eating manna, operating as one unit, and the transfer to the land of Israel was to a completely individualistic one, captured in the biblical phrase "each under his vine and under his fig tree, the Torah wishes to stress that the basis for that individuality, the private ownership of land, is rooted in collective existence. Decisions that affect the division of the land are therefore done within the clan context, even though they affect individuals.

(There is one more case of a *mishpacha* named in Tanakh. When Shaul was chosen king, it was done through a kind of divine lottery [using the term "caught" like the case of Achan], and the lottery chose the tribe of Binyamin, followed by the family of Matri, followed by Shaul ben Kish (Sam I 10,21). Matri though is not one of the *mishpachot* in our parasha. This merely proves, I think, that it is not the individual *mishpachot* that is important, but the idea. The clans do not exactly fit any preconceived scheme, as Rashi and the Ramban point out in the comparison of the names in our parasha to the actual children of the tribes. I suspect that they are true social groupings, which arise naturally, more or less according to the original individuals in the early generations after the descent to Egypt. Unlike the tribes, who have permanent halakhic significance, the *mishpachot* do not. They are only referenced to make the point I raised above. Why then is Shaul chosen in a clan context, other than the fact that once again it is a lottery type choice? I would suggest that appointing a king over Israel is also part of defining the connection the Jewish people and the land, and is not merely a social institution. But I leave the details to you.)

This explains why Levi is also counted here. Actually, I think Levi is not counted. There is no command by God to Moshe to count Levi, as there is for the Jews as a whole, and as there was in the beginning of the *sefer*. The Torah, after summarizing the count of the Jews, and after commanding the lottery of the division, merely states without preamble that "these are the countings (*pekudei*) of the Leviim" (26,57). There is no **practical** ramification to this count, which is why God did not tell Moshe to count them, and I suspect that he did not. God tells us their counting. The reason is that they do not have a physical portion in the land, but they do have a portion, as the Torah states, "I am their portion" (Yechezkel 44,28). At the end of the counting of the Levites, the Torah states, "Their counting was twenty-three thousand, every male above one month, **for** they were not counted among the Israelites, for a portion was not given them among the Israelites" (26,62). What does the second part of the verse explain? (The Ramban claims that it explains why they were counted from the age of one month and not from the age of twenty like the Jews). I think it means – these are their numbers, which I – God – am giving you, since Moshe did not count them, as the counting now is only for the purpose of the division of the land. But they too have a count, and they too have *mishpachot* (nine more, to be exact), as even if there is no practical need to know the *mishpachot*, the connection of the Levites to a portion in Jewish destiny and to God is dependent on the idea of clan membership, of being part of a historical family and not only individuals.

Now, what about the digressions? The sons of Yehuda are mentioned to exclude them from the clans; they have been not merely personally punished, but, having died in the land of Canaan, they are not part of Jewish history, which was forged in the descent to Egypt. Datan and Aviram, who did not merely sin, but who attempted to undermine the inheritance of the land by turning the people to Egypt (the verse emphasizes that they **incited** the Jews against Moshe and Aharon), were also not merely punished but were excluded from the clan scheme. **However, the sons of Korach did not die.** This is irrelevant to the clans of Israel preparing for the division of the land, but is important in understanding what happened to Datan and Aviram. The sons of Korach were not excluded from the clan system; they are part of the eternal relationship of God and Israel, though for them, as Levites, this takes place in a different section of God's inheritance. Similarly, in the Levite census, Nadav and Avihu, who sinned against the service of the priests, which is their portion, were not merely punished by death, but were excluded from the priesthood.

The "women" issue is partly simpler and partly esoteric. The daughters of Tzelophchad, as we shall soon see, are not merely individuals who will inherit, as any daughter who has no brothers inherits any property of her father. They argue for their father's *nachala*, for his inclusion in the clan system, for a portion in the land of Israel. Hence, they were not asking for property, but for themselves to be included in the clan system.

Serach bat Asher is a mystery. The Ramban suggests that maybe she was the head of a clan. I have nothing more to add (see the midrashim).

Yocheved – the clan system of Levi is about participation in the spiritual *nachala* rather than the land *nachala*. Yocheved is the mother of Moshe, Aharon and Miriam, as the verse continues to explain (26,59), and the grandmother of the other priests, Aharon's children (60). The portion of Levi is divided into two, *kehuna* and *leviya*. This counting of Levi includes Moshe and the priests of Aharon's house (verse 59-61), unlike the census in Bemidbar, which counted only non-priest Levites. It would appear that the clan identity of the priests is connected to Yocheved, who was a granddaughter of Yaacov and entered Egypt, just as the Leviim belong to clans of other children of Levi. Amram, the father of the priests, was not of that generation. If we want to know the identity of Moshe, then clearly he is a son of Amram, but if we want to know the clan membership of the priests, it is Yocheved.

The connection to *Eretz Yisrael* and the connection of the tribe of Levi to the service of God is not personal, it is historical-tribal, and that is the idea conveyed in the membership of the individual Jews in clans.