

## *The Nassi of Sheveth Shimon , comes up with a Heter- UNFORTUNATELY*

In *Parshath Balak*, *Bilaam* was hired by *Balak* to curse the Jews in order to weaken them spiritually, so that his nation might have a chance of defeating them physically in battle. After failing to do so, *Bilaam* advises *Balak* that “The G-d of these people hates illicit relationships. “ As such, if they were to send their woman to entice the Jewish soldiers, they would be able to weaken them so much, that possibly, HaShem Himself would wipe them out.

And so it happened. The woman of Moav and Midyan successfully enticed the Jewish soldiers and a plague broke out that ultimately lead to the death of 24,000 Jewish men.

However, while the Jews were sinning, and the plague was raging, men from the tribe of Shimon approached their *Nasi* and complained to him that they were being wiped out, and he wasn't doing anything to stop the deaths.

Then the Torah informs us, that the *Nasi* himself goes and takes a princess of Midyan and brazenly performs a grave sin, almost in public. ( Bamidbar, 25, 6)

Our Rabbis comment that the *Nasi* was until then a *tzadik*, as noted by the use of *Ish/Man of Stature*, to describe him. Also they teach us that he was 248 at the time of the sin.

So it's troubling and makes us wonder, as to what could have made this ancient, important, holy man make such grave error, at his stage, given his stature, and his lineage.

It says in *Pirkei Avoth* , ( Perek 3, mishah 10) : “ *Rebbi Dostai Bar Yanai* said ‘Anyone who forgets one thing from his learning, the written Torah counts it for him as if he is liable for his soul, as it says etc. ‘ ’ Is it possible that this is so even if his learning was ‘*grabbed away from him /Takfah Alayv mishanato* ’? *Talmud Lomar/the pasuk* teaches us..., that he is not Liable until he is *Yeshev/sits*, and removes it from his heart.” And that is what happened here.

The tribesmen were ensnared by the *Goyoth* into sinning, plague broke out, and there were mass deaths. The perpetrators came to their Rabbi and asked for a way out- a *Heter* to do what they were doing, and not die.

Their Rabbi/Nasi, sat/*yashav*, put on his *Gemara Kup* and thought-

What is actually going on here? What are women, dressed in their finest, all dolled up with their makeup and jewelry doing on a battlefield? Where else do we have such a scenario? And then it occurred to him!

We were taught by the Master Teacher – *Moshe Rabeinu*, that if one goes out to battle, and sees on the battlefield, a beautiful lady (*Esheth Yefath Toar*) all “dolled up”m, and is enticed by her in the heat of the moment, that he is allowed to take her for himself. (Parshath Ki *Theitsei* in *Devarim* 21, 10-14). According to one opinion, you are allowed to be with her once, before she goes through the special conversion process.

One is forced to wonder, why would such a dolled up lady be doing on a battlefield?

The *Chachamim* explain that when the *goyim* went out to battle, they would make a two pronged attack. There would be the prong of men with their swords, etc, to hurt the enemy physically, and there would be another prong of young ladies, looking their best, in order to entice the other side’s soldiers to be with them,( and as such weaken them) (see *Rashi Devarim* 21, 13) . Such was the common practice back then.

However, in this case, Moav and Midyan had already come to the conclusion, that there was no point in sending out the armed male soldiers here, being that *Bnei Yisrael* were so spiritually powerful, and as such untouchable on a battlefield. Balak had hired Bilaam to weaken them by cursing them but it didn’t work.

Therefore , they simple sent out their second wing of attack- their bedecked woman, to entice and weaken the Jewish men. As the Chachamim say, *Bilaam* , after failing to curse *Bnei Yisrael* properly, advises *Balak* –‘ The G-d of these Jews, hates Zima ‘ ( *Rashi , Devarim* 24, 14, from *gemara Sanhedrin* 106.)

Given that this was the case, a Gemara master would be able to offer Jews who were looking to him for a *heter*, a legal way to continue in their sins.

So our Gemara master – the Nasi of Shimon, decided to sit/*yeshev* and think, and in the process *remove from his heart*, another law that he was taught by Mosheh

Rabenu, which states that “one who has relations with an *Arami/Goyah*, the zealous ones have free license to attack and kill him/ *Haboel arami , kana'im poge'im bo*”. And so it happened !

[Now, where does the *pasuk*/Written Torah count it for him that he is liable for his soul?

To answer this, we simply have to look at the name of the Nasi. In the *parshah* of *Pinchas* he is name *Zimri ben Saloo*, but previously he was known as *Shelomiel ben Tsuryshadai*.

When the Torah mentions the names of the *Nasiim* in *Parshath Bamidbar* , we see that many of them had names that were composed of different combinations of HaShem's names such as *Kel, Shakai, Shalom, Tsur* etc. We note, that the one that had all four parts of his name comprised of the names of HaShem was the *Nasi* of *Shimon- Sheloomiel ben Tsuryshadai*, which can be translated as: My Peace is with HaShem the son of My Rock is the One who Created the Universe ( *Shakai = the One who said to creation- enough! )* .

One, who is at peace with HaShem, is privileged to live an extended life. And so HaShem states in *Parshath Pinchas*- “Behold, I will give him my covenant of peace “to *Pinchas*, which the *Chachamim* teach us means long life. “

After this sin, this unfortunate *Nassi* loses his long life, and is killed by the zealot- *Pinchas*.]

A question that one might ask is, if indeed *Esheth Yefat Toar* is allowed, how could the man could be killed and the zealot not be punished?

So if one is *medayek* in the specific choice of words that the Torah uses, you can see a hint form another *halacha*, which is actually brought down in the double *parshah* that follows *Parshath Pinchas*

In the case of one who kills another person without intent, and only by accident, the killer is not brought to trial, but rather he has to run to one of the 6 *Arei Miklat*, and live his life entrapped there , until the *Kohen Gadol* passes.

If the *Goel Hadam* catches up with the killer before he makes it to the safety of the *Arei Miklat*, he can kill the killer, and be free and clear. (Bamidbar 35,9-34).

When you look closely at the words used in pasuk 19, it says :” the *Goel Hadam* will kill the murderer, ***Bephig'o bo, hu yamitenu*** /When he catches up to him, he will kill him.”

The same *lashon* of *Phig'o Bo*, is used to explain the rule that says, one who has relations with an *Aramy*, “*Kanaim Poegim Bo*”.

NOW, we can see a connection!

In the case of the accidental killer, he cannot be tried and judged to be put to death, but *is* liable to the death penalty if he takes his time to run to the *Arei Miklat*. (And therefore the Halacha is that roads have to be set up and the routes clearly labeled, to the *Arei Miklat*, to speed up his escape )

So too is the case of the *Eisheth Yefat Toar*. He is only liable to be put to death by the *Kanai* if he is still together with her. Once they separate, you can't touch him.

Therefore, the Torah clearly states that they were still together, (in fact the *Chachamim* teach us that they were together repeatedly, and that Pinchas had to fool *benei Shimon* , to let him get close to their *nassi*, which would have given them enough time to separate, if they had been together only once).

It is said that Pinchas *Zocheh*/ fit to be a kohen, but HaShem arranged it, for him to, as if to say, earn it. *Megalgilim Zechut al Yedei Zachai*.

In the case of the man who was killed accidentally, the *Chachamim* teach us that he was *chayav mitah* due to some other sin, but couldn't be put to death due to 'technicalities' . So too it could be that the accidental murdered was *chayav* in some way himself, but could only be punished in this way. Thereby he is, in essence, being *mekayem*- *Megalgilim Chiyuv al yedei Chayav*.

Intelligent friends and family members ( *Eyzehu hachacham / Haroeh eth hanolad -Pirkei Avoth* ) teach newlyweds : **A firm house cannot be built on *Kuloth/lenineceies/heterim* !**

Only under very extenuating circumstances can *heterim* be used, and only for a very brief and limited amount of time!

Please let's all be *Chachamim*!