YESHIVAT HAR ETZION

KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**PARASHAT HASHAVUA**

**Rav Yishai Jeselsohn**

**PARASHAT BAMIDBAR**

**The Tribe of Levi: God's Calculations and Ours**

**I. The Count of the Tribe of Levi**

This week we will deal with a halakhic-religious question that arises from the *Or Ha-Chaim*’s comments regarding the count of the Israelites in our *parasha*.

The commentators were greatly puzzled by this counting of the people. The first count in the *parasha* includesall of the tribes of Israel except for the tribe of Levi. Menashe, the smallest tribe, numbers thirty-two thousand and two hundred people, while the other tribes number more than forty thousand each; most have more or less around fifty thousand people, and the largest tribe, Ephraim, numbers more than one hundred thousand.

In this regard, there is a significant gap between the tribe of Levi and the other tribes. In the separate count of Levi in chapter 3, the tribe numbers only twenty-two thousand people – and that count includes everyone from one month old and upward (*Bamidbar* 3:15)!

How did this gap between the tribe of Levi and the other tribes become so significant? The Ramban raises this question:

This is indeed astonishing, that His servants and His pious ones should not be blessed of the Lord as were the rest of the people! (Ramban, *Bamidbar* 3:14)

The Ramban gives two answers. The first concerns the difference between the tribe of Levi and the rest of the Israelites under Egyptian slavery:

I am of the opinion that this is a confirmation of what our Rabbis have said (*Tanchuma Va’era* 6), that the tribe of Levi was not [subject to] the Egyptian enslavement and the rigorous work [that was imposed on the rest of the tribes]. Now, since the children of Israel's lives were made bitter by the Egyptians with hard work in order to diminish them, the Holy One, blessed be He, increased them [miraculously] to overcome the decree of the Egyptians, as it says: "And as they afflicted them, so they multiplied and so they grew" (1:12)… But the tribe of Levi [which was not subject to bondage] reproduced and increased in a normal way, and therefore they did not become as numerous as the other tribes. (Ramban, ibid.)

While the rest of the nation merited a blessing of increased reproduction due to the Egyptian enslavement and oppression, the tribe of Levi were spared the bondage and therefore also did not receive the blessing that came in its wake.

The Ramban's second answer is also related to past events:

Perhaps also [their small numbers were] on account of the anger of the patriarch [Yaakov] towards them, for the tribe of Shimon which now had a large population decreased, so that at the time of their entry into the Land [they numbered only] twenty-two thousand [and two hundred]; similarly, Levi, the tribe of His pious ones, was not decreased in the plague [caused because of Peor, and yet at the time of entry into the Land they numbered only one thousand more than their present twenty-two thousand]! (Ramban, ibid.)

Yaakov rebuked Shimon and Levi at the end of his life. According to the Ramban, it is possible that the *tzaddik'*s rebuke is what diminished the numbers of these tribes. It seems that what drew the Ramban in this direction is the appearance of the number twenty-two thousand both in our *parasha*, in the count of the Levites, and in *Parashat Pinchas* (26:10), in the count of the tribe of Shimon (in the aftermath of the plague caused by the actions of Zimri ben Salu, a prince of a father's house among the Shimonites).

The *Or Ha-Chaim*, however,rejects both answers of the Ramban. In response to the Ramban's first suggestion, which attributes the small number of Levites to the fact that they were not among the enslaved in Egypt, the *Or Ha-Chaim* proves that the growth of the tribes and the number of six hundred thousand predated the beginning of their slavery:

The first reason regarding the affliction is reasonable, but it is not correct according to what *Chazal* (*Bereishit Rabba* 79) said – that Yaakov did not die until Israel reached the number of 600,000. (*Or Ha-Chaim*, *Bamidbar* 3:39)

According to the *Or Ha-Chaim*, the purpose of the blessing at the time of Israel's enslavement was only to compensate for those who died as a result of their suffering:

In order to reconcile the various verses in accordance with the words of *Chazal,* it is necessary to understand the word "*ken*" (*Shemot* 1:12) as telling us that the Israelites who had first decreased in numbers after Yaakov's death increased again after Pharaoh's attempt to reduce their numbers. Even though the Egyptians killed many of them and afflicted them, the Israelites were fruitful and multiplied as at first to compensate for those who were lost. (*Or Ha-Chaim*, ibid.)

The Ramban's second answer also does not satisfy the *Or Ha-Chaim*:

In my opinion, the second explanation is far-fetched, for we do not find any source for assuming that the anger of their father caused lack of fertility in his sons. (*Or Ha-Chaim*, ibid.)

Indeed, we do not find it explicitly stated that Yaakov sought to diminish the seed of Shimon and Levi. He wished only to express his displeasure at their actions and to ask "Let my soul not come into their council" (*Bereishit* 49:6)

The *Or Ha-Chaim* refers to a third proposal in a single sentence:

*Chazal* said (*Bamidbar Rabba* 5) that the Levites suffered numerous deaths in connection with carrying the ark. However, this occurred only after they had already been appointed to their service. (*Or Ha-Chaim*, ibid.)

The descendants of Kehat, of the tribe of Levi, were responsible for carrying the ark, and the *midrash* describes how the ark would effect a purge among the descendants of Kehat, because they did not always treat the ark with sufficient respect:

It is because the ark would purge from the descendants of Kehat and diminish their number, as it would shorten their lives. (*Bamidbar Rabba* 3)

It seems from this *midrash* that there would be room to suggest that this is the reason for the diminished number of Levites. But the *Or Ha-Chaim* rejects this explanation as well, arguing that the phenomenon of the ark purging the descendants of Kehat took place only *after* they began to serve in the *Mishkan* and bear the ark when it was in transit – after *Parashat Naso.*

The *Or Ha-Chaim* offers a fourth answer, of his own, which also relates to events in Egypt:

What is correct in my opinion is that the members of the tribe of Levi were united in following the example of their leader Amram, who had divorced his wife when the decree to drown the male babies was announced. The reason is that the Levites, because they were not subjected to hard physical labor and all kinds of abuse, had not lost heart to the point that they could see their children cast into the river like their fellow Israelites – who, because of the enslavement suffering of labor, had become desensitized to seeing their children cast into the river. (*Or Ha-Chaim*, ibid.)

The *Or Ha-Chaim* is referring here to a *midrash* according to which Amram divorced his wife Yocheved in order not to see his sons cast into the river – but remarried her in the wake of the pleas of Miriam, Moshe's sister:

A *Tanna* taught: Amram was the leader of his generation. When he saw that the wicked Pharaoh had decreed "Every son that is born you shall cast into the river," he said: “Our efforts are for nothing.” He arose and divorced his wife. All [the Levites] thereupon arose and divorced their wives. His daughter said to him: Father, your decree is more severe than Pharaoh's! Pharaoh decreed only against the males, whereas you have decreed against the males and the females. Pharaoh only decreed concerning this world, whereas you have decreed concerning this world and the world to come. In the case of the wicked Pharaoh, there is a doubt whether his decree will be fulfilled or not, whereas in your case, you are righteous, and it is certain that your decree will be fulfilled, as it is stated: "You shall also decree a thing, and it shall be established to you" (*Iyov* 22:28)! He arose and took his wife back, and they all arose and took their wives back. (*Sota* 12a)

The *Or Ha-Chaim* sees this as the reason for the small number of the descendants of Levi – for a number of years, no descendants were born to the tribe at all.

**II. What have you to do with the secrets of the All-Merciful?**

This answer, however, raises a difficult moral-spiritual question. Why did Amram allow himself to divorce his wife and refrain from fulfilling the positive Torah commandment of procreation? Presumably, one is not permitted to cancel a Torah commandment even if he thinks he will not achieve its purpose. Indeed, the Gemara teaches us this principle explicitly in a different context. We are told in both II *Melakhim* 20 and *Yeshayahu* 38 about the illness of Chizkiyahu, king of Yehuda. The prophet Yeshayahu comes to visit Chizkiyahu and tells him:

Thus says the Lord: Set your house in order; for you shall die and not live. (*Yeshayahu* 38:1)

The Gemara in *Berakhot* asks about the apparent redundancy in saying both "you shall die" and "and not live." Why is it necessary to emphasize Chizkiyahu's imminent death in this way? It answers:

"You shall die" – in this world, "and not live" – in the world to come. He said to him: Why so bad? He replied: Because you did not try to have children. He said: The reason was that I saw through *ruach ha-kodesh* that the children issuing from me would not be virtuous. He said to him: What have you to do with the secrets of the All-Merciful? You should have done what you were commanded, and let the Holy One, blessed be He, do that which pleases Him. (*Berakhot* 10a)

According to the Gemara, Chizkiyahu was punished because he refrained from engaging in procreation. Even though Chizkiyahu knew those who would come from him would not be suitable (and indeed that was the case), his task was to do what he was commanded to do. This is an important spiritual and moral principle – a person must do what he is commanded to do without getting involved in God's calculations. He must rely on God that, based on His calculations, which we cannot comprehend at all, matters will work themselves out in the best possible manner. It is possible that a basis for this spiritual approach can be found in the words of Rabbi Tarfon:

He used to say: It is not [incumbent] upon you to finish the work, but neither are you a free man so as to [be entitled to] refrain from it. (*Avot* 2:16)

We are not responsible for the results of our mitzva performance, but only for performing the actions themselves. It is God who makes sure the results will ultimately be desirable.

This concept, taught by the prophet Yeshayahu, raises a very difficult question about Amram's actions in the midrashic account. Why did he divorce his wife out of concern for his children’s fate? "What have you to do with the secrets of the All-Merciful?"

**III. The Difference Between Torah Laws and the Words of the Sages**

Several *Acharonim* offer answers that appear plausible. For instance, the Re'em, Rabbi Eliyahu Mizrachi, addresses the issue in his commentary to *Parashat Bereishit* (4:23), asking about the wives of Lemekh: How could they consider leaving him because a death sentence had been issued against his descendants; after all, "what have you to do with the secrets of the All-Merciful"?[[1]](#footnote-1) He explains that a distinction can be made between a case in which the person already fulfilled a mitzvaby Torah law, and a case in which he has not yet done so. By Torah law, the mitzvaof procreation involves two children, a son and a daughter (Mishna *Yevamot* 6:6). By Rabbinic tradition, there is also another mitzva,that one should try to have as many children as he can – derived from the verses: "In the morning sow your seed, and in the evening withhold not your hand" (*Kohelet* 11:6) and "He created it not a waste; He formed it to be inhabited" (*Yeshayahu* 45:18).

With this distinction in mind, we can say that the entire discussion surrounding Chizkiyahu revolves around a person who has not yet fulfilled his Torah obligation, while one who has already fulfilled that obligation is exempt from the obligation stemming from Rabbinic tradition.

This distinction between the Torah obligation and the Rabbinic one can be explained in one of two ways:

1. Regarding Torah laws, we might speculate about the purpose of a particular mitzva, but we cannot appreciate their depth and mystery. Therefore, even if the overt reason of the mitzvaof procreation, to ensure the continued existence of man and the world, seems irrelevant in a particular situation, we do not know whether the mitzvahas additional functions and goals, and thus we are still obligated to fulfill it. This is not the case with Rabbinic laws, which were given together with their purposes; in this case, when the purpose is not applicable, a person can exempt himself from the mitzva*.*

2. There seems to be room to offer another explanation. Torah laws were given directly by God, and therefore it can be argued that regarding Torah obligations, God will see to it that the purpose of the obligation will be realized, and it is not right for man to make "God's calculations." Regarding Rabbinic laws, on the other hand, which originate not with God, but with the Sages, God's intervention may be less, and therefore it is necessary to assess the purpose of the mitzva.

Either way, if we accept the Re'em's distinction, there is no problem whatsoever with Amram and Yocheved. Amram separated from Yocheved after he had already fathered Miriam and Aharon, a daughter and a son, thus he had already fulfilled the Torah mitzvaof procreation.

**IV. "They Shall Not Toil in Vain"**

The *Or Ha-Chaim* apparently did not accept this distinction, and chose to go in a different direction:

As to the question of why a Torah-observant tribe such as the Levites would have minimized procreation – they may have applied to themselves the idea of *Yeshayahu* 65:23: "They shall not toil in vain, nor bring forth for terror." Similarly, we find in *Ta'anit* 11a that in years of famine, one may not have relations with one's wife, even though this means not fulfilling the commandment of procreation. The Levites applied this reasoning when considering the fate in store for their male children, and held back entirely. (*Or Ha-Chaim*, *Bamidbar* 3:33)

Without referring to the story about *Chizkiyahu* that is brought in the Gemara in *Berakhot,* the *Or* *Ha-Chaim* disagrees with it strongly. From the Gemara in *Ta'anit* which states that a man should not engage in marital relations in a year of famine, the *Or Ha-Chaim* learns that there is in fact an exemption from the mitzvaof procreation, and perhaps even a prohibition, when there is a danger to the potential children. He continues with proof that God "agreed" with the Levites and that their actions found favor in His eyes:

On the contrary, God performed a miracle on their behalf, that there remained of them this number, and later, when they too engaged in procreation, they increased and multiplied more so than did the other tribes. (*Or Ha-Chaim*, ibid.)

The source of the law prohibiting marital relations in years of famine, from which the *Or Ha-Chaim* proved his position, is indeed the Gemara in *Ta'anit*. However, from the context of that Gemara, it seems that it is irrelevant to our discussion:

Rav Yehuda said in the name of Rav: He who starves himself in years of famine escapes unnatural death, as it is stated: "In famine He will redeem you from death" (*Iyov* 5:20). [Scripture should have said]: "from famine." This is therefore what [Scripture] meant to convey: as a reward for starving himself in years of famine, one will escape unnatural death.

Reish Lakish said: A man may not have marital relations during years of famine, as it is stated: "And to Yosef were born two sons before the year of famine came" (*Bereishit* 41:50). A *Tanna* taught: Childless people may have marital relations in years of famine.

Our Rabbis have taught: When Israel is in trouble and one separates himself from them, then the two ministering angels who accompany every man come and place their hands upon his head and say: So-and-so, who separated himself from the community, shall not behold the consolation of the community… Rather, one should share in the distress of the community." (*Ta'anit* 11a)

First of all, the Gemara explicitly states that a childless couple may have marital relations in a year of famine. There is no real problem with this, for even the tribe of Levi increased a little during this period. However, a more significant question arises from the context in the Gemara, which implies that it is dealing with an entirely different issue. The statements before and after the prohibition of marital relations during a time of famine deal with the reward for those who identify with the distress of the community and with the punishment for those who withdraw themselves from it. From this it appears that the essence of the prohibition is not related to any concern regarding the child to be born, as the *Or Ha-Chaim* understood it, but to the mental and spiritual necessity to be sensitive to the plight of the community

Perhaps we can find a halakhic foundation for the words of the *Or Ha-Chaim* in a discussion among the *Acharonim* concerning a statement by the Rema. The *Shulchan Arukh* codifies the prohibition to engage in marital relations during a year of famine, and the Rema adds, based on the *Yerushalmi*:

The same applies with other troubles that are like famine. (Rema, *Orach Chaim* 240:12)

The *Tzitz Eliezer* (vol. 13, no. 21) cites the *Shayarei Keneset Ha-Gedola*,who said that the Rema specifically wrote "that are like famine" in order to emphasize that only when the trouble causes economic shortage is there reason to ban marital relations, but not in the case of a war that does not cause economic damage. If we accept this reading of the Rema, then we can say that the *Or Ha-Chaim´s* understanding of the prohibition is that marital relations are prohibited in a year of famine because there is uncertainty about the child's ability to survive, and therefore famine is different from other troubles.

It may also be possible to support the *Or Ha-Chaim's* understanding of the Gemara in *Ta'anit* from another place where he discusses it. Many *Acharonim* raise an objection against the Gemara in *Tan'anit* based on Yocheved herself, who was born to Levi when he went down to Egypt *during* *the years of famine*. Surely it is precisely from those years that the Gemara in *Ta'anit* learns the prohibition to engage in marital relations while there is a famine! How did Levi not observe this prohibition? The *Or Ha-Chaim* answers as follows.

Moreover, the prohibition of marital relations applies only when the Jewish people experience the pain of a famine. Famine among the gentiles has no bearing on Jewish family life. Therefore, Levi did not have to abstain from marital relations, because Yaakov had sufficient grain, as *Chazal* have stated (*Ta'anit* 10a), and he only sent his sons to Egypt for appearances' sake, as it is stated: "Why do you look one upon the other" (*Bereishit* 42:1). While it is true that it is stated in *Bereishit Rabba* 91, that Yaakov's family did not even have any barley left, that statement refers to the second year of the famine. During the first year, they certainly had enough grain left, and therefore Levi was permitted to have relations with his wife. (*Or Ha-Chaim*, *Bereishit* 41:50)

According to the *Or Ha-Chaim*, there is indeed a good answer here: If the whole essence of the prohibition is the fear that it will be impossible to properly raise the children, Yosef (before the years of famine) should have been concerned, because he did not know with certainty that God would provide enough grain through him to take care of all of Egypt. However, Levi, during the years of famine, knew that there was enough grain and was not bound by the prohibition, even though it was still a "time of trouble," because the trouble did not directly concern him.

This issue is important religiously and conceptually. Of course, it was not my intention here to establish clear-cut rules, but only to get a taste of the various aspects of the issue that arise in the Gemara in *Ta'anit* and in the commentary of the *Or Ha-Chaim* on this week's *parasha.* May God direct all of our actions to a good and worthy end.

(Translated by David Strauss)

1. Editor’s note: On the understanding that women are not technically obligated in the mitzva of procreation, the Meiri is presumably relating to the reponsibility more broadly. The reader may also be interested in a related discussion by Rav Dr. Judah Goldberg in *shiur* #64 of [this series](https://etzion.org.il/en/series/sinai-jewish-values-and-jewish-law-en). [↑](#footnote-ref-1)