

On the first day of the Second Month, in the second year from leaving the Land of Mitzrayim, Hashem commanded Moshe to take a census.

שָׂאוּ אֶת־רֹאשׁ כָּל־עֵדֶת בְּנֵי־יִשְׂרָאֵל לְמִשְׁפְּחֹתָם לְבַיִת אֲבוֹתָם בְּמִסְפָּר שְׁמוֹת כָּל־זָכָר  
לְגִלְגָּלְתָּם:

“Raise up the head of all the congregation of Bnei Yisroel, for the clans of the houses of their fathers; in it count the names of every male by headcount.” (Bamidbar 1:2).

What was the purpose of this headcount? Why here, were the people counted by headcount and not half-shekels like earlier, Shemos 30:12? What is the meaning of the phrase “raise the head of the entire congregation of Bnei Yisroel?” To take a census the Torah should simply say “Count the name of every male by headcount, each clan per his father’s household.” What extra is implied by *raising the head of the entire congregation*? Also, what does it mean to “count the names” or relate over the names?

Gemara Bava Basra 109b learns *the rule that one’s tribe and ancestral inheritance follows the father’s household is derived from here. It is also derived from the later pasuk, Bamidbar 27:11, that emphasizes one’s father’s household.*

Gemara Bechoros 47a says, *if an Israeli man impregnated a Levi woman, then that child is not a Levi and does not have like privileges. This is because the pasuk says “by the father’s household.” Clan lineage goes after the father.*

Gemara Nazir 49a says, *one would learn out that a Nazir (a spiritual ascetic) may not become impure through burying his mother but he can become ritually impure and bury is father because the pasuk says his seed follows his father’s house. (Bamidbar 1:2). However, we learn out he cannot become impure and bury his father, either.*

Rashi says, *this count was to find out how many were in each tribe. A person shall be counted among his father’s tribe, not his mother’s, if different. Headcount is done through a shekel like it was done previously.*

Ibin Ezra says, *“raise the head of the entire congregation” is akin to “take a headcount of the Bnei Yisroel.” (Shemos 30:12). Pedigree is determined by the father.*

Sforno says, *the purpose of this count was to organize Bnei Yisroel so they can enter the Land and know which ancestral territory to go settle. The initial plan was for Hashem to remove the inhabitants of the Land without war. "Count the names" because each individual had such importance. Everyone was counted and recorded. Conversely, the later counting (Bamidbar 26:2) was not by name, but only those of military age (twenty years). After the sin of the spies an army had to be formed.*

Chizkuni says, *in twenty days (see Bamidbar 10:11,29) the Bnei Yisroel would break camp and march toward the Land. They needed to be counted and a show-army to be formed.*

Rashbam says, *the Bnei Yisroel were about to move out and march toward the Land. They were counted to organize them by tribe and household for inheritance purposes, to raise the army.*

Daas Zekenim says, *here everyone was counted. Then there was another list of those twenty years and over for the military. Here, they were listed by families and tribes, each individual was of consequence. The later count, at the end of the forty years (Bamidbar 26:2) was only those of military age. Not a single name that was counted here was counted there.*

Bartenura says, *this count was done with half-shekels. One would think that this is the Second Month (Iyur) and the Mishkan was built already, and there was no need for shekels to form the brackets or to fund the tamid offering (the use of the initial half shekels). Yet, still, this count was done through half-shekel.*

Kli Yakar says, *"raise up the head" and the similar language of the earlier "cause to count" when the counting was done prior to setting up the Mishkan, means the importance of each head. This is not just a counting like counting animals. Instead, there is a specific divine providence that helps each individual Yisroel. The nations of the world can be counted in number. Yisroel cannot be counted simply by number. They are counted as individuals that matter, that Hashem gives providence to, and then they make up a group. That is why Bnei Yisroel are compared to stars. Each star has a purpose and name but they are a group that lights up the sky.*

Ohr Chaim says, *the purpose of this count was to show the increase in the population. It is not about Hashem dwelling among the Bnei Yisroel, as Rashi says, because that would have been done on the first of the First Month when the Mishkan was inaugurated. Instead, it shows that 3,550 people who were added to the nation between the sin of the Golden Calf and the first*

*counting, months later. Then the number increased by the tribe of Levi – who are not included in the numbers here – in just a couple of months. This shows the great growth of the population during the building of and performing in the Mishkan.*

*Rabbeinu Bachya says, the word “raise” and not “count” is used because there is a spiritual assent to being counted by Hashem.*

*Tur HaAroch says, this phrase to “raise the head” as used to count the Bnei Yisroel is used a compliment. They were being exalted, raised up from their previous position.*

This pasuk and this Book opens up after the Torah gave the laws and rules of the Mishkan. The last commandments given were in regards to safeguarding the Land, keeping shmittah, and the Torah. It linked the success and failures in the Land to following and studying the Torah. The security of the Land is dependent on following the Torah. Exactly when that instruction was given by Moshe to the people is not given. The Bnei Yisroel camped at Har Sinai for just about twelve months. Much of the instruction was given to Moshe on Har Sinai. Other parts of the Torah were given to Moshe at the Ohel Moed, at first his tent and then the entrance to the Mishkan after the Mishkan was inaugurated.

The Torah tell us the instruction to count the Bnei Yisroel was given at the Ohel Moed. It was not given on Har Sinai. This was new instruction in the Sinai Desert. The Mishkan was a month old and the people were told how important keeping the Torah was to their lives, security, and livelihood in the Land. The Bnei Yisroel were about to march toward the Land, now. (Because of the sin of the spies they were delayed by 38 years, but at this juncture, they were about to head toward the Land).

As is natural, an army had to be formed. However, the purpose of this count was not to create the military. That was a secondary task, done after the numbers of each tribe and household were recorded. Note, while the military was being formed, the *eruv rav*, mixed multitude, were not counted or included. They could have left the Bnei Yisroel or they could have died out. More likely, they are now being separated out and not included or relied upon to settle the Land. The census was to be “for the clans by each father’s household, to count the names.” This was specifically to count those that descended from

and were part of the clans of Bnei Yisroel; those included in the Promises and covenants, and those that were made Hashem's people through bondage.

Bnei Yisroel were singled out here because now their promises of being like the stars and to settle the Land, were to be fulfilled. They were not simply to be counted. They were to be raised up. "Raise up the head of the entire Congregation of Bnei Yisroel." This refers to two raisings. First, appoint tribal leaders. These leaders of each tribe were named in Bamidbar 1:6-15. These leaders now were to take on the responsibility of leading and governing their tribes. They were raised up and their names were recorded. Second, each person was now to be raised up.

Prior to this, the Bnei Yisroel were indentured servants. First to Pharaoh and then to Hashem. Now, they were to be raised up also as sovereigns. Slaves and indentured people do not make good government. A slave is not cultivated to rule. A slave may be made king but he must have the knowhow, wisdom, instruction, and understanding to make a good leader and governor. Good governors are usually cultivated.

The Torah says about Yoseph, when he was removed from prison to be made viceroy, that Yoseph tells the wine steward, "Pharaoh will raise your head and restore you." (Bereishis 40:13). He is also talking about himself, for he says, *I am not a slave but "I was stolen from the Land of the Hebrews."* (Ibid 40:15). Yoseph was telling the wine steward that he will be lifted from prisoner to steward again. Yoseph should also, likewise, be lifted up from prisoner to freeman because he is not a slave, he is a stolen Hebrew.

Governing the Land would take those who have background in governance. However, Bnei Yisroel were slaves for centuries and nomads for centuries prior. There is no background of government. Hashem was now *lifting them up* from their station to a people that can govern themselves. They would raise their tribal leader and each tribe would rule itself. They would also be part of *congregation of Bnei Yisroel* where they would have to rule cohesively in the Land.

Each person was important and each tribe was important, but they are to be *a congregation of Bnei Yisroel*. The structure of government would be: each individual over

his household, then by father's household, then by clan, then by tribe, then by nation. "Count the names; each male by headcount." They were not counted by half-shekel. They were counted by head, every male, and his name was recorded. Every male was made part of the history. Every male would now rule his household and his importance would be the first cog of government.

The lesson is that government is not about the governing. It is about the 600,000 individuals that the governor is governing. The governor is not just being raised up above everyone else. He is to raise up everyone else, too. Each one is important and each one matters. The government must take into account the needs and desires of the people. Then what must be done is the best for the entire congregation, while not neglecting the diverse backgrounds and culture of each of the tribes, clans, and households. In this way, everyone counts, and everyone is accounted for. Only in this way can the government *raise up* its people.

## SHAVUOS

Shavuos is a mysterious Holiday. These days it is celebrated as the anniversary of Hashem giving the Bnei Yisroel the Torah on Har Sinai. However, the *chag* is not called “The Day of the Giving of the Torah.” The *teffilos* call it “This Day of Weeks, the time of giving the Torah.” However, nowhere in the Torah does it say on the Sixth day of the Third Month (Sivan) Hashem gave the Torah. The Torah refers to the *chag*, but by different names.

It is called the Day of Bekurim. וּבְיוֹם הַבְּכוּרִים בְּהַקְרִיבְכֶם מִנְחָה חֲדָשָׁה לַה' בְּשִׁבְעַת יָמֵיךְ מִקְרֵא־קֹדֶשׁ. יְהִי לָכֶם כְּלִי־מִלֶּאכֶת עֲבֹדָה לֹא תַעֲשׂוּ: “On the Day of Bikkurim (first fruits) offer a new *mincha* to Hashem, in the Holiday of Weeks, a holy occurrence it shall be for you, all work of labor you shall not do.” (Bamidbar 28:26). It was first called the Harvest Festival. וַתֵּג הקציר בַּכּוֹרֵי. “And the Harvest Festival of the first fruits that you glean from the field.” (Shemos 23:16). Nowhere in the Torah does it say “Day of Giving the Torah.”

Rabbanan also do not call it the “Day of Giving the Torah.” They call it “Atzeres.” (Pesachim 68b). It is a Holiday of Weeks and observed on the 50<sup>th</sup> day from the Omer Offering—the second day of Pesach. וּסְפַרְתֶּם לָכֶם מִמַּחֲרַת הַשַּׁבָּת מִיּוֹם הַבִּיאָתְכֶם אֶת־עֹמֶר הַתְּנוּפָה אֲשֶׁר עָבַד. “And count for yourselves from the next day after the rest day, the day of bringing the Omer offering, seven weeks complete they should be. Until the day after the Rest of the Weeks. You should count fifty days and bring close a new *mincha* offering to Hashem.” (Vayikra 23:15-16). Shavuos is tied to the Omer counting, counting seven complete weeks. Then the fiftieth day is Shavuos. The use of the term “bring a new *mincha*” ties in with “bring the new *mincha* offering” of Bamidbar 28:26.

Where does Chazal derive that the Torah was given on this day? And if it was, why does the Torah not say it specifically? The Torah tells us about the Revelation at Har Sinai. “In the Third Month of the Bnei Yisroel’s departure from the Land of Mitzrayim, on this day, they arrived in the Sinai Desert.” (Shemos 19:1). The Torah does not say “on

the first of the month.” It says, “In the month.” It could have been any time during the month.

The Torah uses the extra phrase “on this day.” Chazal interpret that to mean the first of the month. “Just as the first of the month is a new moon, so too, the Torah is being given that each day would be something new. Since the Torah used the term “this day” instead of “on that day” (bayom hahu) it means it was also the day of the new moon—first of the month. Also, it says in the Third Month on this day, the day the month becomes new.” (Gemara Shabbos 86b; Gemara Berochos 63b; Midrash Yalkut Shemoni 273).

This interpretation is a stretch of logic and it can be taken homiletically. Literally, the Torah is saying the importance of the day they arrived in the Sinai Desert. “On this day” is also used during the Yom Kippur service. “Everything that shall be done *on this day* Hashem is commanding to do in order to atone for you.” (Vayikra 8:34). Further, during the Yom Kippur service itself, “Because *on this day* it shall be an atonement for you, to purify you, from all your sins before Hashem, that you shall be cleansed.” (Ibid 16:30). It is clear that when the Torah uses “on this day” it means a purification and atonement process.

Now read the passuk as follows: *In the Third Month that the Bnei Yisroel went out of the Land of Mitzrayim, on this day, they came to the Sinai Desert to be cleansed, purified, and elevated.* This reading makes most sense because this passage is about Hashem giving the Bnei Yisroel the Torah. The purpose of the redemption from the Land of Mitzrayim was to come to Har Sinai and receive the Torah and become Hashem’s nation. That is the extra words in the pasuk. Therefore, it is unknown what date in the month it is.

Even assuming it is the first of the month, the actual date of Hashem giving the Torah is still not clear. Moshe ascended the mountain toward Hashem. (Shemos 19:3). Moshe then left the mountain and summoned the elders. (Ibid 19:7). The people declared they will follow the Torah and Moshe returned to Hashem. (Ibid 19:8). Hashem told Moshe about the forthcoming Revelation and Moshe relayed this to the nation. (Ibid 19:9). Then Hashem spoke further to Moshe and Hashem wanted them to prepare for two days. (Ibid 19:10). On the third day there would be the Revelation. (Ibid 19:11). Moshe,

however, gave the people three days. (Ibid 19:15). Then, on the third day there was thunder and lightning and the shofar blasts. (Ibid 19:16). However, that was not the Revelation yet. Hashem, again, warned Moshe not to allow anyone to approach the mountain. (Ibid 19:20). Moshe went down and again warned the people not to encroach on Har Sinai. Then the Revelation and Hashem spoke the Aseres Hadibros. (Ibid 20:1).

How many days was this? There were at least three days. The day of arrival, the two days of preparation, and the third day that Hashem descended on Har Sinai. However, we can add a fourth day because Moshe gave the people three days to prepare, so the descent on Har Sinai must have been the third day and the Revelation was the fourth day. If every time Moshe talked to Hashem and then returned to the Bnei Yisroel was one day – although there is no way to know that – then there were three days of instruction followed by three days of preparation, then the Revelation on day seven. If the Revelation happened that same day as the final warnings, then it was six days. If Moshe went up to Hashem the day after arriving in the Sinai Desert and the Revelation was on day four of preparation, then that is eight days – day of arrival, three days of instruction, three days of preparation, the eighth day being Revelation. Even if the arrival was on the first of the month, the Revelation could have been anywhere from day 3 to day 8.

Chazal have a dispute regarding the date of the Revelation and there are two prevailing opinions. Rabbi Yosi (who most poskim follow) says it was the sixth of Sivan (the Third Month). Rabbanan say it was the seventh day of Sivan and Shabbos. They say that that year it was not the fiftieth day but the fifty-first day, of what would have been the Omer counting. (Gemara Shabbos 87b). Rabbanan say that the Torah was given on Shabbos – the seventh day of Sivan – but its commemoration is the sixth day of Sivan. This conflict is resolved by stating there were thirty days in the Second Month that year, so the first of the Third Month was Monday, not Sunday, making the Revelation on the sixth of Sivan. (Ibid).

The Omer counting may not be of significance, here, because that first year there was no Omer offering (the second day of leaving the Land of Mitzrayim) and there was



no mitzvah to count. The mitzvah to count the Omer count of seven weeks was given for the first time after the Revelation. Additionally, it was not to commence until after entering the Land and establishing the Omer offering. (Vayikra 23:10). In sum, the day Hashem gave the Torah is shrouded in mystery. Even the Torah does not say what day of the month it was. If it was given on the seventh, then why didn't the Torah give the count of 50 days (seven weeks and a day)? If it is the anniversary of the giving of the Torah, why didn't the Torah give the date and call the *chag* "Day of Giving the Torah"?

Further, the Torah never even says that Shavuos is the sixth day of the Third Month. It does say that Pesach is on the fifteenth, Yom Kippur is on the tenth, and Succos is on the fifteenth. By Shavuos, instead of giving a date, it says count seven weeks and the next day is Shavuos.

There is an even further complication when understanding how lunar months are set. Lunar months are set by the Sanhedrin (or high court) based on witnesses to the new moon. (Chodesh literally means "new" referring to the new moon). This means that both Nisan and Iyur (First Month and Second Month) can fluctuate in length. There might actually be 51 days between the 15<sup>th</sup> day of the First Month (Pesach) and the sixth day of the Third Month (Shavuos). If so, how can Shavuos be considered an anniversary day? Since it falls out based on the Omer count and *not* the day of the month specifically, it can end up being the fifth, sixth, or seventh day of the Third Month. (The calendar established by Hillel the younger in the late Fourth Century CE sets Shavuos always on the sixth of the Third Month).

There is also a dispute in how to read the Omer counting. It says "And count for yourselves from the next day after the rest." (Vayikra 23:15). Does this mean *the day after the rest day of Pesach*? That would be the second day of Pesach. Or is it *the next day after Shabbos*. Therefore, it would mean the first day of the week. E.g. Pesach falls out on Thursday, so the count commences on Sunday. Shavuos would always be Sunday – but not necessarily on the same date of the Third Month every year. It also says, "Count for you seven weeks, commence when the sickle is first put to the grain." (Devarim 16:9). It does not say "start the count on the second day of Pesach." However, it says when the

harvesting of grain commences. That can mean it depends on the year. An 'early' Pesach means the counting is delayed (because the time to cut has not yet arrived). Further, the fact that it is "weeks" that are counted makes it sound like the counting should be from Sunday to Shabbos and Shavuos to be on Sunday, always.

Clearly, Chazal established that Shavuos is always the fiftieth day from the Omer – which they established as the second day of Pesach, fifty-one days from the first day of Pesach. (The Torah does not give the second day of Pesach as the day of the Omer. It merely says it immediately after teaching about the *chag* of Pesach). Still, Shavuos is tied more to Bikkurim and the Omer offering (celebrating the commencement of the harvest) than any anniversary.

There is further mystery to the giving of the Torah. The Revelation at Har Sinai is taken to be one of the great proofs the Torah is authentic. Philosophers posit "what other nation can say that the *entire people* heard the voice of the Lord and received the Torah?" In other words, they say most other religions have single prophets who give over the instruction. Judaism is built on the solid ground that the *entire people* heard Hashem's commandments.

In fact, Moshe reiterates this when he says, "And which great nation is it that has just statutes and ordinances, as this entire Torah, which I set before you today? But beware and watch yourself very well, lest you forget the things that your eyes saw, and lest these things depart from your heart, all the days of your life, and you shall make them known to your children and to your children's children, the day you stood before Hashem your Lord at Chorev, when Hashem said to me, 'Assemble the people for Me, and I will let them hear My words, that they may learn to fear Me all the days that they live on the earth, and that they may teach their children.'" (Devarim 4:8-10). These are powerful words that the nation must never forget that it witnessed Hashem give them His Torah.

This faith ground, however, is not as stable as it seems. There are six key "remembrances" that are primary tenants of the Jewish faith. They are "Remember leaving Mitzrayim" (Devarim 16:3), "Do not forget the Revelation" (ibid 4:9), "Remember

to destroy Amalek" (ibid 25:17), "Do not forget the Golden Calf" (ibid 9:7), "Remember the incident with Miriam" (ibid 24:9), and "Remember the Shabbos" (Shemos 20:8). Yet, these are not six 'remembrances.' They are five "remembers" and one "do not forget." The episode of the Revelation is a "not do forget." Why isn't it a "remember?"

What is interesting about Moshe's instruction to not forget the Revelation is that no one he was talking to actually remembered the Revelation. No one present at that time, on the cusp of going to the Land, was actually alive (or old enough to remember) the Revelation forty years earlier. That generation that stood at the foot of Har Sinai all died out over the forty years. Aharon himself was no longer alive at the time. He was, in effect, telling them not to forget a memory he created for them.

The episode of the Revelation itself is also not as explicit as it seems. Twice Hashem warns the people not to come too close to Har Sinai. Moshe acknowledges that "The people cannot ascend to Har Sinai, for You already warned us saying, 'Set boundaries for the mountain and sanctify it.'" (Shemos 19:23). Boundaries were set to prevent anyone approaching too close to Har Sinai.

"And all the people saw the sounds and the lightning bolts, the sound of the shofar, and the smoking mountain, and the people saw and trembled." (Ibid 20:15). They witnessed a great commotion. However, "they stood from afar." (Ibid). "They said to Moshe, 'You speak with us, and we will hear, but let the Lord not speak with us lest we die.'" (Ibid 20:16). "The people remained far away, while Moshe drew near to the opaque darkness, there was the Lord." (Ibid 20:18). The people were not close enough to witness anything specific. They saw the commotion and witnessed the great booming sounds. However, they told Moshe to give over what Hashem said. The pasuk does not say they heard Hashem's voice themselves. They heard the "sounds" and the shofar. Moshe then disappeared up Har Sinai into "opaque darkness."

Hashem instructs Moshe, "Come up to Hashem, you and Aharon, Nadav and Avihu, and seventy of the elders of Israel, and prostrate yourselves from afar." (Ibid 24:1). They should come but still remain far. "And Moshe alone shall approach Hashem but they (Aharon, his sons, and the elders) shall not approach, and the people shall not ascend

with him (Moshe).” (Ibid 24:2). “And Moshe went up to the mountain, and the cloud covered the mountain.” (Ibid 24:14). Again, the pesukim made it clear that the Bnei Yisroel were not there to witness anything personally, and Moshe disappeared into darkness and behind cloud cover.

Finally, we notice that our tefillos do not say “Yom Matan Torahseinu” the day of the giving of our Torah. Instead, it says, “zman” time. It is sometime, around this time, that the Torah was given. It is the *general time* of giving the Torah.

The mystery surrounding the Torah is important to its faith and belief. Something so obvious as a Revelation in every generation would remove free will because one would be forced to believe. It is not so important whether the generation that left Mitzrayim actually saw or heard Hashem. Just as this generation did not, so too, if that generation did not, the belief in the event is unchanged. The Torah *says* it took place. That generation is not around to ask, so it is almost irrelevant if they actually did witness it. The belief in the Torah is believing in the Torah. Moshe said it happened, he recorded it, so then Torah believers believe it did happen.

One cannot commemorate a day the Torah was given. Firstly, the Torah was not given on just one day. Over a course of years Hashem instructed Moshe in its commandments, laws, and statutes. Over a course of years, he taught it to the people. Aseres Hadibros were spoken on Har Sinai but the remainder was given over the next forty years. In fact, much of the Torah – and many mitzvos – were given in the centuries prior to the Revelation at Har Sinai. Several were given in Mitzrayim prior to leaving. Several were given to Adam all the way through to Yaakov. Three more were given after the *churban* Bayis Rishon, in Shushan, Medea. Additionally, the Torah is given every day.

Shavuos is not an anniversary date. It is a *chag*. Chazal added to the *chag* that celebrates the first harvests and the new fruit, the important lesson of knowing where every blessing comes from. אִם-בְּחֻקֹתַי תֵּלְכוּ וְאֶת-מִצְוֹתַי תִּשְׁמְרוּ וְעָשִׂיתֶם אֹתָם “If you walk in My statutes and guard My commandments, and do them” then blessing will fill your life. (Vayikra 26:3). Celebrating the first fruits and the beginning of the summer harvest is the exact “time” to remember and celebrate the giving the Torah. It is a time of giving the

Torah not because of the *calendar date*. It is a time of giving the Torah because of the blessings its followers are about to receive. All blessings come through the Torah. The belief in the Torah is faith in Hashem. Do not follow the Torah to get reward. Follow the Torah because it is truth, and then recompence and blessings and goodness will result.

The actual day and date the Torah was given is not important, almost irrelevant. "Do not forget that it was given." That day is less important than the fact it *was* given. It is renewed and given daily. Every day is a new day to learn, study, follow, and guard the Torah. Shavuos is a reminder of the Torah's goodness, its importance, and to cherish it.