

Parshat Pinchas: The Guardian of a Fig Tree Will Eat Its Fruit

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Towards the end of this week's eventful parsha, Hashem tells Moshe to ascend the heights of Avarim to view the land of Israel. Hashem explains that once Moshe has viewed the land, he will be gathered to his kin just like his brother Aharon. Moshe responds:

Let Hashem, Source of the breath of all flesh, appoint someone over the community who shall go out before them and come in before them, and who shall take them out and bring them in, so that Hashem's community may not be like sheep that have no shepherd (Numbers 27:16-17).

It is remarkable that in this moment, when Moshe seems to deeply accept his own mortality, his primary concern is ensuring that Bnei Yisrael will not be left leaderless. A midrash in Bamidbar Rabbah, however, proposes a more personal impetus for this request. It suggests that the genuine motivation for Moshe's request was ensuring the inheritance of his own sons rather than the destiny of Bnei Yisrael. The midrash teaches that Moshe made this request in the expectation that Hashem would actually appoint his sons as his successors. The midrash states:

What did he [Moshe] see that led him to request this matter after the order of inheritance? It was, rather, since Tzelofhad's daughters inherited from their father, Moshe said: This is the moment for me to demand my needs. If the daughters inherit, it is only right that my sons inherit my prominence (Bamidbar Rabbah 21:14).

Earlier in the parsha, the daughters of Tzelofhad stood before Moshe and advocated to inherit their late father's land (contrary to inheritance laws that would have overlooked them as women). They argued that they should inherit so that the land would stay among their kinsmen rather than being lost by their family. Moshe brings their claim to Hashem and Hashem declares that their claim is just. In addition to giving the daughters of Tzelofhad their father's land, Hashem asks Moshe to share additional laws of inheritance with Bnei Yisrael to deal with similar cases as well as others.

It is understandable that participating in this episode would inspire Moshe to raise the issue of his own succession. The story of the daughters of Tzelofhad represents an encouraging example of:

- a) members of a community identifying a potential systemic injustice and advocating for their needs;
- b) those individuals being given a platform by their leaders and being heard by their leaders;
- c) their leaders bringing this matter to the attention of Hashem, and Hashem taking action to address the potential injustice of their own circumstances and to create a precedent for future cases.

It is no wonder that Moshe hoped for an opportunity to experience the same process and outcome. Yet in the parsha, Hashem responds:

Single out Joshua son of Nun, an inspired man, and lay your hand upon him. Have him stand before Eleazar the priest and before the whole community, and commission him in their sight. Invest him with some of your authority, so that the whole Israelite community may obey (Numbers 27:18-20).

Hashem makes no mention of Moshe's own sons and, instead, asks him to appoint Joshua Bin Nun as his successor and to delegate to Joshua some of his authority before his death. The midrash (ibid.) continues:

The Holy One Blessed One said to him [Moshe]: “The guardian of a fig tree will eat its fruit’ (Proverbs 27:18)—your sons sat idly and did not engage in Torah study. Joshua served you very much and accorded you great honor, and he would come early and stay late at your house of assembly. He would arrange the benches and spread the mats. Because he served you with all his might, he is worthy of serving Israel, as he will not be deprived of his reward.”

When we read this midrash, Moshe's pain is almost palpable. He has just been reminded of his imminent mortality. He has also just witnessed firsthand the potential consequences of someone dying without a clear successor—where their children could be left without their rightful inheritance and a family's legacy could be lost. He watched the daughters of Tzelofhad successfully advocate for themselves. It is understandable that he would anticipate the same outcome. And yet, the midrash explains the problem with Moshe's succession plan. His sons do not have the characteristics to inherit his leadership position. Bnei Yisrael requires a leader ready to afford their own leaders appropriate honor, willing to put in the long hours and to do seemingly menial tasks.

The midrash highlights an important difference between the Tzelofhad case and Moshe's succession. The case of Tzelofhad's daughters illustrates the power of listening to those on the margins. In circumstances where they could have been discouraged or dismissed, these women had the courage to advocate for themselves and, because Moshe was willing to listen, their lived experience shaped the law itself. Their closeness to the issue became a catalyst for justice in their case and in others. In contrast, Moshe's situation reveals the danger of proximity clouding judgment: his initial inclination to appoint his sons, likely out of a sense of love or loyalty, could have led to the wrong choice for leadership. In one case, proximity enabled justice. In the other, it threatened to obstruct it.

The midrash leaves us with the continual challenge of learning to discern which of these cases we are closer to in any given moment of judgment. To Moshe's credit, regardless of how he may have felt about his more painful outcome, he was able to hear what was needed and he acted:

Moshe did as Hashem commanded him. He took Joshua and had him stand before Eleazar the priest and before the whole community. He laid his hands upon him and commissioned him—as Hashem had spoken through Moshe” (Numbers 27:22-23).

May we all have greater courage to advocate when our proximity provides clarity. May we all have greater humility to hear others when our closeness clouds our judgment.

Sarah-Beth Neville grew up in Edinburgh, Scotland and read Law at the University of Cambridge. After graduating from university, Sarah-Beth moved to London and spent a year working as a youth movement worker and informal educator for Noam Masorti Youth UK. Sarah-Beth then trained as a lawyer at an international corporate law firm and began practicing as an employment law specialist. In November 2021, Sarah-Beth moved to Jerusalem, studying at the Conservative Yeshiva in Jerusalem. Sarah-Beth has also studied part-time remotely with Yeshivat Maharat's Beit



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