

Maamarei Mordechai

הסבר לפי ממש פשוט

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There are several times that Moshe had to clarify the Law with Hashem.

וַיֹּאמֶר אֲלֵהֶם מֹשֶׁה עֲמְדוּ וְאֶשְׁמָעָה מִה־יִּצְוֶה ה' לָכֶם: {פ}

“And Moshe said to them, stand by and I will listen to what Hashem shall instruct for you.” (Bamidbar 9:8).

Hashem instructed about the korban Pesach in the wilderness. (Ibid 9:2). This is exactly a year after giving the instructions for the first korban Pesach, that was offered in Egypt. (Ibid 9:1). When those instructions were given, they were given for all time. (Shmos 12:24). Why did Hashem have to give the instruction again? Further, some came to Moshe and Aharon with a question. (Bamidbar 9:6). They are impure by way of coming close to a deceased, so how can they offer such a korban? (Ibid 9:7). If they were unable to offer due to being tameh, why did they think they should be given another chance? Also, while the Torah does instruct that one who offers a korban must be ritually pure (Vayikra 15:31, 16:16) it never states that the one who *eats* a korban Pesach must be tahor. Why could they not eat if they were impure? Finally, why did Hashem not anticipate this and teach this Law to Moshe?

This is just one of several such cases. The first time is when a man with an Egyptian father and Yisroel mother blasphemed the name of Hashem. (Vayikra 24:10). A fight broke out between this man, whose mother was from Dan, and a Yisroel man whose tribal affiliation is unknown. (Ibid). Midrash points out that the fight was over encampment. This man wanted to encamp with Dan but this other man – assumingly from Dan – did not want him to, because he had no *paternal* affiliation to the tribe. (Sifra Emor 14:1). In response, this man – feeling unaccepted and provoked – blasphemed the name of Hashem. (Vayikra 24:11). He was brought to Moshe (ibid) and put in custody until Hashem could make the decision (ibid 24:12).

Another case is the case of the man gathering branches on Shabbos. He was found gathering these sticks. (Bamidbar 15:32). They brought him to Moshe, Aharon, and the leaders. (Ibid 15:33). He was placed in custody until it would be determined what to do with him. (Ibid 15:34). Even though the Torah gives the death penalty for one who desecrates the Shabbos (Shmos 31:14), this man was not warned and the mode of penalty was undefined.

A fourth incident was when the daughters of this man Tzelphchad approached Moshe regarding their inheritance rights. Tzelophchad died and left no sons. (Bamidbar 27:3). Seemingly, he could not ask the question himself. Also, the inheritance rights was not a theoretical question – when he would die – but a ripe one because he had died. The question was, with no sons – no paternal tribal affiliation to be passed along – would the daughters inherit? (Ibid 27:4). They asked the question before Moshe, Eleazer (the then

Kohen Gadol) and the presidents of the congregation. (Ibid 27:2). Perhaps they would only take from their husbands and their father's line will be absorbed in the tribe. That would make their father's name disappear. (Ibid). In this case, the daughters were not told to wait, but it says Moshe brought the case before Hashem directly. (Ibid 27:5).

There are some common themes in all these cases. The first three had to stand and wait until the matter could be clarified. It was only the Tzelophcod inheritance question where Moshe brought the matter to Hashem. The other three cases they were just told to wait until the matter was determined. There is a segment break {פ} and then the answer is given in all four cases. This means that in all four cases the answer may have been provided at a later time. In the case of Korban Pesach for Pesach Sheini the response would have been forthcoming because there is only a month from Pesach to Pesach Sheini. Moshe said, "Stand by and I will hear what Hashem shall command for you." (Ibid 9:8). With the two sinners – the gatherer of wood and the blasphemer – they were placed in custody until such time as they knew what the answer was. It could have been years. The Torah does not say that Moshe asked Hashem. Perhaps they waited until Hashem deemed it fit to instruct Moshe.

In three of the instances, Hashem was the one that determined the matter. However, by the gatherer of wood, the pasuk merely says, "And they placed him in custody because it had not been expounded what to do with him." (Ibid 15:34). This pasuk makes it clear that there was no rush. They held him until Hashem would give the instructions of what to do with him.

In two of the cases the question came before Moshe and the kohen gadol and the communal leaders. However, the question of the korban pesach only came before Moshe and Aharon and the blasphemer was only brought before Moshe.

Regarding korban Pesach, the original pesukim do not teach that the eater must be ritually clean. It says the entire congregation shall eat of it. (Shmos 12:47). It requires bris mila (ibid 12:48) but it never says anything about tahara. That korban Pesach, though, in Egypt was different. It was tied from the tenth of the month (ibid 12:3) and was watched until the fourteenth (ibid 12:6) and the blood was put on the doorposts (ibid 12:7). There was no Mishkan. None of these laws were for all time. Moshe said, the laws of korban Pesach were to be observed again once they entered the Land. (Ibid 12:25). That is why Hashem had to give new instructions in the midbar. Also, since this was a new korban Pesach, it followed the laws of korbanos. The Torah taught that a tameh person cannot bring or eat an offering. (Vayikra 7:20). Therefore, the question was about offering and eating. They could not get away with just being part of a group that eats it.

All of these laws needed clarification because they dealt with circumstances that can bend the law. One was a mechalal Shabbos, but was doing it quietly. He had to be found. They did not want to put him to death. The blasphemer was provoked and was being shunned. Perhaps he should be shown mercy. Torah, though, cannot bend when it comes to Hashem's honor and the honor of Shabbos. People wanted to participate in korban Pesach and Yishuv Eretz Yisroel even though, technically, they were exempt. In those situations, the Torah expanded to be inclusive. The Torah must be guarded. However, one who wants to participate will be shown a way.