

Moses is perhaps the most intriguing personality found in Tanach. Often great personalities are misunderstood because they are ahead of their time. Moses was indeed the greatest of all men. However he was also the most tragic of men. פרשת חקת describes the full extent of the paradoxical tragedy of his life.

From a topical perspective, the initial portion of פרשת חקת that deals with the Red Heifer, פרשה אדומה, should have been appended to either פרשת תרומה, פרשת כי תשא, פרשת תרומה, פרש שמיני or פרשת צו. According to tradition, פרשת חקת was given to Moses and the Jews at the same time Moses and Aaron initiated the service in the Tabernacle, when פרשת המלוואים was revealed. פרשת חקת deals with טומאת מת and would fit perfectly if inserted into פרשת תזריע or פרשת מצורע which deals with the laws of ritual impurity. פרשת חקת would have completed the institution of טומאה. The Torah instead inserted it between Korach and the death of Miriam and the arrival of the Jewish People in the Tzin Desert.

Why was פרשת חקת inserted in פרשת חקת? What is the common theme between the portions of חקת, חקת and חקת? Where is the continuity between the first part of חקת that deals with פרשת חקת and the arrival at the Tzin Desert, death of Miriam, the מי מריבה and the desire to pass through Edom on their way to the Promised Land?

According to Chazal, חוקה means a mysterious or enigmatic law. They detected in the word חוק an inherent incomprehensibility by man. The enemies of Israel always ask why we observe them. Our Rabbis have never tried to rationalize it. Chazal have said that we must accept a חוקה, without requesting an explanation or motivation. According to Chazal, חוקה requires us to suspend our judgement. Sometimes man must use his ability to reason, the greatest gift given to him by Gd. However, in certain situations, חוקים, man must suspend his logos and obey the letter of the law. Why did Rabbi Moshe HaDarshan, quoted by Rash, offer rationalization of פרשה אדומה?

However, even though we can't ask for an **explanation** of a חוקה, we may still inquire regarding the **interpretation** of the law. There is a difference between explanation and interpretation. Explanation answers the question of why or how.

Physics does not ask "why" which is a metaphysical question. It asks "how does it function"? By establishing dependence of phenomena in terms of mathematical equations we arrive at the answer of "how". There are other areas that we don't explain at all but we interpret the event. Not **how** or **why** rather **what** is it. The answer is descriptive. You then rely on other disciplines to explain **how**. With חוקים and משפטים we do not ask **why**. Often it is foolish to ask **why** even regarding commandments that we consider well-defined in meaning. The ultimate answer of **why** is because it is Gd's will and realization of Gd's will is **the** greatest goal. However we can ask "**what** is פרה אדומה to me", not why did Gd ordain the law. What spiritual message can I take from פרה אדומה and assimilate to my world view and outlook?

Nachmanides and Maimonides emphasized time and again that worship of the heart, עבודה שבלב, encompasses more than prayer, תפלה. It tells man how to live and worship Gd. עבודה שבלב must be present in every act: religious and moral. Maimonides gives as an example of עבודה שבלב in the statement in (ט:): מסכת חגיגה on the verse עובד אלקים ולא עבדו. עובד אלקים is a separate quality that even a righteous individual might not have. The example given is one who studies a topic 100 times compared to one who studies it 101 times. For instance, if I enter a Sukkah to escape the rain I am still fulfilling the mitzvah. Nachmanides asks would such a person be called עובד אלקים? Nachmanides says no, to be called עובד אלקים there must be an expression of love to Gd and enjoyment in fulfilling the Mitzvah. Misnagdim also can enjoy performing a Mitzvah. However, Chassidus added rejoicing and enjoyment of a Mitzvah to עבודת אלקים, not simply to discharge the Mitzvah. עבודת אלקים is unattainable if the חוק does not deliver a message to us. If there is no idea generated by the חוק, how can I rejoice in the Mitzvah? The logos, intellect, must be involved in the action so that we understand it in order to enjoy the Mitzvah and rejoice in it. We have a duty to interpret חוקים.

It is forbidden to ask **why** Gd ordered us to act in such an unintelligible way. However I can ask "**what** does the Mitzvah mean to me"? I must be able to make the mitzvah an integral part of my religious experience. Maimonides says regarding the Commandment to send away the mother bird, שלוח הקן, that I can't ascribe a reason to the commandment, for example, that the Torah is concerned with the feelings of the mother bird. I can't ask why the Mitzvah was commanded

but I can ask how I can assimilate the mitzvah in my total religious, moral outlook and **I awareness**. I am obligated to raise this question. Rabbi Moshe HaDarshan did not attempt to explain the **why** of פרה אדומה, rather he offered an interpretation, the **what**, of the Mitzvah. According to him, it was an atonement for the golden calf.

How am I to experience the פרה אדומה? When I say Shema, I experience the closeness to Gd. But what am I supposed to experience when we hear פרשת פרה? What is the central motif of פרה אדומה? What is so peculiar about the Parsha and what does the uniqueness of the mitzvah consist of? Why do we consider פרה אדומה special? There are other Commandments that appear non-rational as well, e.g. שעטנז and שער המשתלה. Yet, Chazal considered פרה אדומה the חוק par excellence.

There are several anomalies in פרשת פרה, including purifying the unclean and defiling the clean. In general, there is a prohibition of sacrificing an animal outside the confines of the Tabernacle and Temple, שחוטי חוץ, yet we were still ordered to bring certain sacrifices beyond those boundaries. פרה אדומה is one such example. The mixing of the ashes with the water is another peculiarity. These are intriguing questions, however the uniqueness of פרשת פרה אדומה lies elsewhere. For the first time the Torah introduces the concept of טומאת מת, the defilement associated with a dead body, פרשת תזריע. אדם כי ימות באהל, פרשת מצורע and פרשת תזריע do not mention טומאת מת at all. In פרשת נשא and פרשת אמור we have a hint of טומאת מת. Yet we could not derive that there is a concept of טומאת מת from these places, as perhaps there is a prohibition involved without defilement. The first time we hear that טומאת מת defiles is in section devoted to פרה אדומה. Something about a human corpse is different. The Torah never says אדם כי יטמא בשרץ. However, with the defilement associated with a human corpse, the Torah uses solemn terminology of זאת התורה זאת התורה אדם כי ימות באהל. What makes it unique?

טומאת מת is special as it differs in specific aspects from all other kinds of טומאה. For example, a Priest can touch one of the defiling crawling insects, שרץ, but not a human corpse. The same law applies to the Nazir. (The Rav spoke with a scholar in Chachmas Yisrael who said that a parchment was found that recorded a Priest is forbidden to defile himself with a שרץ. The Rav asked if he, the scholar, accepted it

as true, and the scholar replied yes, that it must be true. The Rav said that in the days that the parchment was written there was no shortage of ignorant people writing their novel interpretations either, similar to the ignorance of Torah that is evident these days as well. The Rav said that whoever wrote that parchment was ignorant as well and his notes happened to be found and were unreliable to refute any tradition we have from Chazal.) Already we see the uniqueness of טומאת מת. In all other cases of defilement, immersion in a מקוה removes the טומאה. טומאת מת is different. It requires immersion in a מקוה and sprinkling of מי חטאת that includes the ashes from a פרה אדומה twice, on the third and seventh days, otherwise the person is enjoined from entering the Temple.

Why did the Torah single out טומאת מת and why is immersion in a מקוה not sufficient to cleanse the person like all other incidents of defilement? What lies at the root of טומאת מת that makes it so unique? Also, the Torah emphasizes the need to undergo sprinkling on days 3 and 7. Why is the Torah so emphatic that we not take the sprinkling lightly and not equate טומאת מת with other kinds of טומאה? Why is the sprinkling central in the case of טומאת מת?

We must understand the message פרה אדומה is telling us, the **what**. In the peculiar method of sprinkling, we find the uniqueness of man as a great yet tragic being. Why should man, the greatest of creatures in the universe, exist in distress and tragedy? There is a physical and semantic difference between טבילה and sprinkling. מי חטאת, immersion in a מקוה, and הזיה, someone sprinkling water on a defiled individual, are distinct religious experiences. For example, conversion requires טבילה as there is an experience associated with it. Since in the case of טומאת מת, the Torah emphasizes the importance of הזיה, apparently there is also an experience associated with it. The difference is that טבילה is accomplished by the defiled individual himself while הזיה is performed by someone else. טבילה requires the defiled individual himself to bow his head and knees and immerse. No one else cleanses him, the individual acts alone. He emerges from מקוה pure, טהור, because of his own effort. Had he been lazy or refused to immerse, he would never attain purity. According to Halacha, man defiles himself, man alone must clean himself. No one else can pronounce him pure if he himself does not do it. טבילה represents human capability to change status, the human initiative and ability to raise himself to new heights. It is the symbol of free will. If one wants to remain defiled he

should never immerse in מקוה. If he wants to be pure, he must immerse. It is up to the individual.

With regards to הזיה the situation is reversed. The defiled individual can't sprinkle טבילה on himself simply because he is defiled. Only someone else who is ritually pure, טהור, can sprinkle it on him. This is the antithesis of טבילה. The human who defiled himself can't free himself from the state of uncleanness. Someone else, who has the ability to restore purity for others and help them (not all are capable), must sprinkle טבילה on the טמא. This is quite different from all other types of טומאה. Nowadays we can purify ourselves from all other defilements. But the טומאת מקדש, which prevents us from entering the Temple area, requires not only the ashes of a פר אדומה but a טהור that can sprinkle us. For this we have to wait till the Messiah arrives. Without פר אדומה being sprinkled on him, man can't escape the טומאה that holds him in its clutches and won't let him go.

Chazal have associated טומאה with repentance, תשובה, מקוה, and the aspect of טבילה, is associated with תשובה. The symbol of הזיה המים was mentioned by Ezekiel. Sin is equated with טומאת מת which requires both מקוה and הזיה המים for Repentance, תשובה. With תשובה, the initiative to repent starts with the sinner. If he is too vain to attempt to mend his ways and life style, Gd will not help him. The initiative belongs to man, the final forgiveness, כפרה, to Gd.

טומאת מת is such a distinct defilement and so difficult to remove because the human experience associated with encountering a corpse is so unique. Other defilements experienced by man such as שרץ and נבלה, typically precipitate a negative aesthetic experience. It's abominable or obnoxious. The נבלה experience derives from the association of defilement with disease and the phenomenon and ugliness of a dead organism exposed to the elements, decomposing and disintegrating. A שרץ connotes filth, squalor and evokes unpleasant emotions. All other ritual defilements can be subsumed experientially under the category of unpleasantness (e.g. Leprosy).

תּוֹמָאָה מָת constitutes a separate experiential category beyond the experience associated with the decomposing body. Death as far as the animal kingdom is concerned is not viewed by man as a catastrophe. It indicates the functional termination of the organism. However, a deceased human being indicates the end of a spiritual personality, no matter what he might have accomplished in life. While alive, man has a self-aware and self-conscious existential dimension, driven by vision and hope, one that grieves and despairs, lives in retrospection and anticipation. Man plans and builds and destroys worlds. Human death means destruction of a world. It is the most tragic human experience. Man who comes in contact with a corpse becomes aware of his own mortality. He knows that life means to be committed to the service of Gd. Chazal feared death because it would interfere with their great joy in engaging in Torah and Mitzvot.

In the animal world, the death of a single organism is not tragic because there is no individual existence to speak of. The existential experience is to be found in the species at large, not in the individual member of the species. We are interested in the survival of the species, not the individual. On the other hand, the human has his own right to exist, not only as a representative of the species but on his own behalf. He leads an autonomous existence. The existential experience is to be found in the individual not in the class. That is why death in the individual is absurd, existentially abominable and disconcerting.

The Rav related the story of the Rumanian dictator Ceausescu who visited Sadat before the Yom Kippur War and advised him not to start a war with Israel. Sadat showed him a copy of the Maariv newspaper that had a front page picture of a young boy in uniform who was killed and was mourned by the nation. Sadat said that a people that considers each individual important and precious can't survive an extended war of attrition. The Rav noted that if there was a plebiscite on the separation agreement (NOTE: this was the proposed separation discussed after the Yom Kippur war, not the Peres-PLO agreements) it would pass even though the Israeli people knew that the agreement was not worth the paper it was written on. Because the Jewish People will do anything to save a Jewish life, a world.

Man fears most the idea of spiritual death which is unique to man. *טומאת מת* is a result of trauma, not ugliness, that shows that death defeats everyone eventually. That's why *טומאת מת* is a *טומאה* per se. It represents the situation that renders man's life tragic and one from which he can't save himself. It is the absurd and tragic destiny of man. It is therefore ridiculous to cleanse oneself through the same process used for cleansing *טומאת שרץ*. It requires an additional form of cleansing besides *טבילה*, which was not abandoned. We require the sprinkling of the third and seventh day. The final cleanser will be Gd in the Eschatological age, when death will be eradicated from nature and man will be free of this defilement.

Even though we can't defeat death now, we must fight it to the fullest extent possible. We have to do anything possible to extend life. Judaism believes that in the course of time man will succeed in taming the death monstrosity and limit its power. That's why *טבילה* is in place. However Judaism was not naive to believe in human scientific capability to defeat death and make man immortal. Longevity can be achieved, but not immortality. Death will plague man until Gd saves man from the curse of death for all time.

How can man redeem himself from the fright and defilement of death? Through *טבילה*, organized scientific effort to extend life. But death requires another component, *הזיה*, that of placing our trust in Gd that the age will come when Gd will sprinkle the purifying water on man to complete the cleansing and erase death and the associated defilement forever. *זאת חוקת התורה* refers to death, the great confounding enigma no one can grasp. The greatest mystery is the fact of *אדם כי ימות באהל*. Those that are in the tent at the time of death or who enter the tent are shocked and frightened by the experience. It is Gd that ultimately cleanses the person from this tragic experience.

Between the end of *פרשת קרח* and the Jewish People entering the Tzin Desert and the death of Miriam lies a gap of 38 years. Korach's rebellion took place in the second year in the desert. Miriam died in the fortieth year, after the death of all the people sentenced to die in the desert because of the sin of the spies. It is strange that the Torah discusses at length what happened the first 2 years in the desert. However, we know little about what happened during those intervening 38 years.

What did Moses do during those long and dreary years? It was an enigmatic and frightening period.

We find a clue as to what happened in those 38 years from the bridge between the last words of *פרשת קרה* to the beginning of *פרשת פרה*. However first let us look in *פרשת דברים*, where Moses reviews the travels of the Jewish People after the spies, recalling the 38 years circling Mount Sayir. He adds that Gd confused them over those years. The 38 years were a period of *הסתר פנים*. The people returned to Gd, *ותשובו ותבכו לפני ד'*, however their prayers were rejected. This is an example of how in a time of *הסתר פנים*, the communal prayer is still rejected.

Maimonides (*הלכות יסודי התורה פרק ג*) explains circular movement as without gain or achievement. Maimonides applies the concept of circular movement to the heavenly bodies that attempt to come close to Gd yet they always fail and start over again. So too the people in the desert. The Jewish People attempted to approach the mountain of Sayir but failed each time. Moses added that the divine hand eliminated the previous generation as quickly as possible. It was a time of *הסתר פנים* when no prayer was accepted and no heavenly communication reached man. Not even Moses communicated with Gd. It was a long, dark and dreary night. Each year the whole congregation would dig graves for themselves on Tisha B'Av and lie down in them that night. In the morning the call went out for those that were alive to arise and separate themselves from the dead (*מדרש איכה* quoted by Tosafot ל: *תענית*). The whole congregation died each Tisha B'Av and some regained life the next day. They died 38 times in the desert. Life was no different from death. It was a life without hope and anticipation. Each one knew that they would end up eventually in one of those graves. They spent 38 years in a state dedicated to death and annihilation, separated from Gd, confused and unable to understand the will of Gd during this long period of *הסתר פנים*.

Still, prior to beginning the 38 year period of *הסתר פנים*, the Torah talks about *הסתר פנים* in *פרשיות שלח וקרה* in *תרומות ומעשרות*, to tell the people that eventually *הסתר פנים* will come to an end and Gd will sprinkle them with redemptive water. However, the dialogue with Moses and the people must now be suspended for 38 years until the generation of the spies dies out. Even the greatest of men, Moses, had to wait

for Gd, כביכול, Himself to sprinkle the purification waters on the Jewish People to indicate that the period of death and הסתר פנים ended. That is why the Torah says that when they came to the Tzin desert they were all alive, the period of gloom without hope had ended.

The episode at the Tzin Desert happened 38 years after פרשת פרה was given. Unfortunately, this episode also meant the pending demise of Moses and Aaron as well. The story of Moses punishment and eventual demise is most tragic. He was chosen to redeem the people, he loved them so much, received and transmitted the Torah that spoke about the Commandments, many of which were exclusive to the Land of Israel. He wanted so much to see the land on his own. Yet Gd forbade him to even pray about being permitted to enter the Land of Israel, something we don't find anywhere else. The death of Moses is the most irrational of all. Death in general is enigmatic and the death of the great Moses is most enigmatic of all.

No matter the reason for Moses' death, the fact is that Moses died because of the sin of the people. As it says in the Book of Deuteronomy, Gd was angry with Moses, ויתעבר ד' בי למענכם and גם בי התאנף ד' בגללכם, because of the people's behavior at the incidents of the מריבה and מרגלים. How were the people responsible for the death of Moses? If Gd was angry at Moses, why should the people be responsible for it? If Moses' sin was hitting the rock instead of talking to it, why wasn't it overlooked for the great Moses?

The tragedy of Moses being denied entry to the land is that of the teacher who is too great to be understood by the people of his generation and his contemporaries. There were individuals who received the Torah from Moses and perpetuated his teachings, like Joshua and Eliezer. However Moses was the great teacher of the entire generation he delivered from bondage and carried throughout the long, difficult years in the desert. Why didn't the entire congregation act as the disciples of Moses? Why only Joshua, Eliezer and Pinchas? If they had Moses as their teacher, why didn't they resist the temptations of the prostitutes of Moab and Midyan? At the incident of the golden calf, Moses argued that the people were acting under the slave mentality and they needed time to outgrow that mindset. Moses had a strong argument and it was accepted. The people of the exodus

generation were not his disciples, they were the people who left Egypt and had not been trained yet by Moses. He did not raise them as their teacher and parent.

The generation of *מי מריבה* and *שיטים* was the generation raised by Moses for 40 years in the desert. They were all disciples of Moses. Moses was stunned when the people, his disciples, complained to him at *מי מריבה*, protesting why he had taken them out of Egypt. Could it be that the generation he raised was employing the same arguments their slave-mentality driven fathers, who did not have the benefit of learning from Moses, used before? Moses realized that if he was unsuccessful in inculcating in them the proper faith and attitude, then he surely failed. After all his hard work, sacrifice and effort, his generation was no different than their parents, who 40 years before complained to Moses for water in Refidim. Moses cried at the episode of *שיטים* and the prostitutes of Moab, even though he was never moved to tears during other desperate situations like the Golden Calf or the spies. For now he realized that he failed. In the final analysis, his generation learned little and was no different than the previous generation. The entire enterprise, all his effort and sacrifice, appeared to be doomed to failure.

However Moses did not fail. Ultimately, he was on a much higher level than the people and was misunderstood and unappreciated by them. That is why Moses said that he was punished because of the people, *למענכם, בגללכם*. Had they understood and appreciated his teachings over 40 years he would have been permitted to enter the Promised Land. For a recently freed slave, a lack of water is a rebellious event that can be rationalized and defended. However in this case, it was the people who were his disciples who did not submit to their teacher and retained the same rebellious attitude as their parents. It is the teacher, not the students, who pays the price for his students even though he personally did not sin. Just like the teacher must accompany his student who kills without intent, *בשוגג*, into exile because his transgression is ultimately attributable to the effectiveness of the teacher who trained him, so to Moses was punished in place of the generation.

Of course the failure of Moses to enter the land changed Jewish History because had he entered the Land of Israel, the people never would have been exiled. Moses

would have been immediately anointed Messiah King. Jewish destiny would have found its fulfillment and realization immediately on entry to the land.

Moses will always be the greatest of men, greater than the Messiah King, with regards to prophecy. If no one else will ever be as qualified as Moses, why was he not ordained by Gd as the Messiah? Had he led the people into the land, the Messianic era would have commenced immediately. Moses would have endowed the land with irrevocable sanctity that could not be erased by the legions of Babylon, as opposed to the temporary sanctity endowed by Joshua. It was not Moses' fault. He was ready to be the Messiah. However the Messianic era depends on the people being ready as well. If Moses' message had an impact on the people and they treated him with respect due a Rebbe from his students, he would have been crowned Messiah and they would have been the Messiah generation, a great merit in its own right. Instead his students behaved like the freed slaves of the previous generation. The Messianic era was postponed for a long time. Moses had to die without entering the land and Joshua was charged with bringing the people to the Land of Israel.

Only when the entire Jewish Nation is ready to fully commit to Moses' teachings, accept him as teacher and be his disciples will the hour of redemption arrive. In the meantime, because of **מִי מְרִיבָה** the people were assigned a new task of conquering the land with Joshua. Jewish History became more complex and tragic. **אָדָם כִּי יָמוּת** **בְּאַהֲלֵי** refers to the greatest of all men, Moses. We suffer the consequences of the delay in the arrival of the Messianic era.

We now understand the sequence of events in **פְּרַשְׁתַּת הַקֶּת**. Miriam the prophetess, who had faith in her brother on the Nile River and saved so many years before, died. Next, we have the events at **מִי מְרִיבָה** with the denial of permission to Moses and Aaron to enter the Promised Land. We might have expected the death of Aaron would be the next event mentioned. Instead, it is the refusal of the King of Edom to allow the Jewish People to pass through his land and turning them away.

Why was this story of the entreaty to Edom and their response mentioned here? It would have fit in nicely in the context of the battles with עוג and סיחון. Also, when עוג and סיחון refused Moses' request and went to battle, Moses conquered them. However with Edom, the people simply circled Mount Sayir, left to contemplate their situation and failure. Moses reminds the people ונסב את הר שעיר ימים רבים, and we circled Mount Sayir for many years. Edom was a far weaker king in comparison to the mighty עוג and סיחון. Why were they enjoined from battling Edom at that time?

Because at that time, no Jew, not even Moses was allowed to set foot in the land of Edom. The only time that a Jew will be able to tread on the land of Edom will be when the Messiah will rise up to Mount Sayir and judge them as mentioned in the Midrash (עד אשר אבא אל אדוני שעיר). Edom, the ancestor of Amalek, is the symbol of hostility displayed by the nations of the world towards Jacob. Edom is the mysterious person who complicates the life of the Jew. Edom exists as long as the Messiah has not arrived. Once Moses lost the majestic crown of Messiah, Edom's land became inviolate and Edom was reassured. Moses sent messengers to Edom and he realized that Edom would refuse and the Jewish people would have to back away. Moses lost the battle to bring the people through Edom and as a result the age of Messiah and judgement of Edom was postponed for many years to come. Instead they had to circle the land for many years. They attempted to get closer to Edom with each revolution around the mountain, but ended up where they started from. It was a frustrating effort, without reward or gain.

That is why the Torah narrates the story of Edom right after the episode at מי מריבה. Moses lost the crown and his generation lost the opportunity to be the Messianic generation and conquer Edom. Both failures are noted by the connection of פרשת פרק to the episode at מי מריבה followed by our inability to conquer Edom.

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