

Pinchas 5770

Rabbi Aharon Ziegler

27:1-7, The daughters of Tzelafchad stand before Moshe and all Bnei Yisrael and raise a question with a request. Since Moshe had previously discussed division of Eretz Yisrael (26:53-65) for those who left Mitzrayim and whose sons will now receive their portion of the Land, their request was, what about us, our father had no sons, “*Lama yigara shem Avinu mitoch mish’pachto*”? [Why should the name of our father be **omitted (or removed)** from among his family?] (Note: they did not come as feminists; they did not say why can’t we, the daughters, have the same rights of inheritance as sons? They did say, since there are no sons, in that case, why can’t we inherit, but of course if there had been sons, they understood and accepted the law that only the sons inherit and not the daughters- that’s not feminism). Moshe took their claim to HaShem, and the response was that they were correct, and that the law indeed is, in the event that there are no sons, then the daughters do inherit.

We find one other place in the Torah where the word “**yigara**” is used. In Parshat Be’ha’alotecha (Bamidbar 9:7), Moshe taught about the laws of eating the Korban Pesach, on the 14th day of Nissan, that one who is in a state of Tumah, being spiritually contaminated by touching the body of a deceased person, cannot partake in any Korban until he goes through a purification process (as outlined in Parshat Chukat (Bamidbar 19:1-22). At this point, the men who were Temei’im (contaminated) complained to Moshe. The reason they were Temei’im was either because they were the bearers of Yosef’s coffin, whose remains were being brought to Eretz Yisrael for burial, or perhaps they had come upon an unattended, unidentified corps (Met Mitzvah), and had fulfilled the Mitzvah of burying it, (Gemara Sukkah 25a).

Their argument was, since we were Temei’im not out of negligence but because we were involved in performing a Mitzvah, (9:7), “*Lama nigara le’vilti hak’riv et Korban HaShem be’mo’ado be’toch Bnei Yisrael?*” [Why should we be diminished (or removed) by not offering HaShem’s Korban in its appointed time among the Children of Israel?] Since the Torah uses the same root word in both situations there must be a connection.

Rav Soloveitchik suggested, that both cases share a common theme. The Korban Pesach is not just an ordinary Korban; it is a Korban with which one shows identification with the Jewish People and Jewish Nation. It had to be eaten Be’chaburah, together with a large group of men, and all had to eat it within a strict time-period; from the evening of the 15th of Nissan until midnight. This display of solidarity showed a connection with, and to, the People of Israel. As a matter of fact, this is one of the only two Mitzvot in the Torah that is punishable with karet (premature death) for non-compliance.

Likewise, with the B’not Tzelafchad. What they desired was not a mundane, monetary inheritance. They wanted the Zechut of having a share in the Holy Land of Israel. It was their love of the Land and of the People of Israel that prompted their initiation. The Torah therefore connected both groups with the phrase of *Yigara* and *Nigara*.