



# Likkutei Sichos

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Moshe and Zimri's "Debate"

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## 1.

### WHAT IS THE QUESTION?

Our *parshah* records the following narrative:<sup>1</sup> “And behold! A man of the Children of Israel came and brought the Midianite woman near to his brothers before the eyes of Moshe...” Our Sages teach<sup>2</sup> that Zimri ben Salu brought the Midianite woman (Kozbi bas Tzur) in front of Moshe and argued:

“Is this woman forbidden or permitted? If you say that she is forbidden, who permitted the daughter of Yisro to you?” The relevant law in this scenario was hidden (from Moshe).

Our Sages continue the narrative:

Pinchas saw the incident and remembered the law... zealots may kill someone who is having relations with a gentile woman.

Why, in fact, was the daughter of Yisro permitted to Moshe? Rashi<sup>3</sup> explains: “Moshe had married her before *Matan Torah*. Before the Torah was given, all the Jews had the status of *Bnei Noach*.<sup>4</sup> At *Matan Torah*, they all entered into the category of those obligated to fulfill mitzvos. She was among them....” Meaning, Moshe had been permitted to marry Tziporah because then (before *Matan Torah*), all people (including the Children of Israel) were considered *Bnei Noach*. Subsequently (at *Matan Torah*), with all the Jewish people, Tziporah also converted. Therefore, she continued to be permitted to Moshe.

But we need to clarify: Zimri was {surely, educated} “a prince of a father’s house of the tribe of Shimon.”<sup>5</sup> Thus, what was the basis of his argument initially, when he said, “If you say that she is forbidden, who permitted the

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<sup>1</sup> *Bamidbar* 25:6.

<sup>2</sup> *Sanhedrin* 82a; *Midrash Tanchuma, Parshas Balak*, sec. 20-21; *Bamidbar Rabbah*, ch. 20, sec. 24-25; *Targum Yonasan ben Uziel* and Rashi on the verse.

<sup>3</sup> Commenting on *Sanhedrin* 82a, s.v., “*bas Yisro*.”

<sup>4</sup> {In Hebrew, referred to as “*Bnei Noah*,” lit., “descendants of Noah.” As such, the Jews before *Matan Torah* didn’t have the status of Jews; and were obligated only to fulfill the seven Noahide laws.}

<sup>5</sup> *Bamidbar* 25:14.

daughter of Yisro to you?” Was he unaware of this simple difference between marriage before and after *Matan Torah*?

On the other hand:

Let’s assume we can find a reason (at least a logical proposition) why this difference, mentioned above, was not reason enough to permit the daughter of Yisro to Moshe. But a question remains: Why do we not find mention in any source in the Gemara that Moshe (or someone else) refuted **this argument** that Zimri presented to Moshe? (Pinchas had referred only to the law concerning someone who has relations with a gentile woman, which applied to Zimri’s **behavior**.)

Some commentators<sup>6</sup> suggest that this principle (about the difference between before and after *Matan Torah*) was {also} “hidden” from Moshe. But firstly, Rashi writes explicitly,<sup>7</sup> “The law that had been said at Sinai, ‘**someone who has relations with a gentile woman...**,’ was hidden from him.” Meaning, only **this halachah** (i.e., the particular punishment that the transgressor receives) was hidden from him. Second, it is quite a stretch to suggest that such a simple differentiation would be hidden from Moshe. Furthermore, it is unclear: How could Zimri have **asked** such a question? Surely, he had not been relying upon Moshe forgetting the difference between before and after *Matan Torah*.

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<sup>6</sup> See *Iyun Yaakov* commenting on *Ein Yaakov, Sanhedrin*, *ibid*.

<sup>7</sup> *Sanhedrin*, *ibid*.; see also *Yad Ramah*, *ibid*.

## 2.

WAS MOSHE A *KOHEN*?

Additionally, we need to clarify:

The law states that a *kohen* is forbidden to marry a convert. This prohibition is actually proscribed by the **Torah**. Although the Gemara<sup>8</sup> derives this law from a verse in *Yechezkel*,<sup>9</sup> it was only that “*Yechezkel* came and used the verse as support.”<sup>10</sup> But the prohibition is biblical, inferred from the verse,<sup>11</sup> “They shall not take a **harlot**,”<sup>12</sup> “for she descends from the idolatrous nations whose lives are entrenched in promiscuity.”

The Gemara<sup>13</sup> records a dispute over Moshe’s status: According to one opinion, “Moshe was the *Kohen Gadol*.”<sup>14</sup> (“The priesthood expired only for the **descendants** of Moshe.”) According to another, “Moshe became a *kohen* for the seven days of inauguration alone.” Accordingly, this raises the question: How was the daughter of Yisro permitted to Moshe? She was a convert!

According to those authorities who maintain that “Moshe became a *kohen* for the seven days of inauguration alone,” we could answer (albeit with difficulty) that even during those seven days, Moshe was not a complete *kohen*. He could offer sacrifices during that week only because — as *Tosafos* explains<sup>15</sup> — during the seven days of inauguration, the *Mishkan* had the *halachic* status of an altar outside the Temple.<sup>16</sup> [For this reason, “Moshe served during the seven days of inauguration in a white cloak” — not wearing the regular priestly garments — for one does not wear the priestly garments when offering a sacrifice on an altar outside the Temple.] Therefore, the daughter of Yisro (a convert) was not forbidden to him.

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<sup>8</sup> *Kiddushin* 78a.

<sup>9</sup> *Yechezkel* 44:22.

<sup>10</sup> *Tosafos*, *Yevamos* 61a, s.v., “*ein*.”

<sup>11</sup> *Vayikra* 21:7.

<sup>12</sup> *Mishneh Torah*, “*Hilchos Issurei Biah*,” ch. 18, par. 3.

<sup>13</sup> *Zevachim* 102a.

<sup>14</sup> *Zevachim* 101b, Rav’s opinion.

<sup>15</sup> *Avodah Zarah* 34a, s.v., “*bamah*.”

<sup>16</sup> {This is called a “*bamah*.”}

However, firstly, the Gemara's wording, "Moshe **became a *kohen*** for the seven days of inauguration alone," implies that during the seven days of inauguration, he was a *kohen* in a complete sense. Also, according to the authorities who maintain that "Moshe was a *kohen* all his days,"<sup>17</sup> the question stands.

### 3.

TRY TO REVERSE IT

Perhaps we could suggest that these two questions (in Section 1 and 2) actually answer each other:

By claiming, "Who permitted the daughter of Yisro **to you?**," Zimri meant (not that she was forbidden to him because she was a gentile, but) that she was forbidden to him because of the prohibition of a *kohen* marrying a convert. The connection between **this** prohibition and the prohibition forbidding a Midianite to all Jewish people ("If you say that (**she**) is forbidden, who permitted **the daughter of Yisro** to you?") is as follows: The reason a convert is forbidden to a *kohen* is (as mentioned), "for she descends from the idolatrous nations whose lives are entrenched in promiscuity." Meaning, if a Midianite is forbidden because she is a **gentile**, why was the daughter of Yisro who descended from an idolatrous nation (**gentiles**)... permitted to Moshe (a *kohen*)?

But based on this proposed explanation, the difficulties remain (as noted in Section 1): (a) What is actually the answer to this claim? (b) Why was Zimri not given this answer?

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<sup>17</sup> *Zevachim* 102a, Rashi, s.v., "ve'yesh omrim."

## 4.

### BECAUSE OF PROPHECY OR *KOHEN*

Perhaps we can answer as follows: Our Sages say,<sup>18</sup> “Moshe did three things on his own initiative, and Hashem agreed.” One of them was that “he separated from his wife.” Thus, the claim, “who permitted the daughter of Yisro to you?” (in light of the prohibition of a convert to a *kohen*) falls aside, because Moshe had **separated** from his wife.

Separating alone, however, is seemingly an insufficient course of action to remove the prohibition of a convert to a *kohen*. But Rashi writes, in his Torah commentary on the verse<sup>19</sup> (at the end of *parshas Behaaloscha*), “Miriam spoke... regarding the {Cushite woman}... for he had married a Cushite woman”: “*Regarding the {Cushite} woman* — regarding his **divorcing** her”; “*For he had married a Cushite woman* — and now he **divorced** her.” Meaning, Rashi understands that not only did Moshe **separate** from his wife (as Rashi mentions there),<sup>20</sup> but he **divorced** her.

Nevertheless, this answer was not given to Zimri when he challenged, “Who permitted the daughter of Yisro to you?” This is because, as our Sages explain,<sup>21</sup> no one knew about this “separation.” In fact, Miriam only learnt about it after “Eldad and Meidad were prophesying in the camp.”<sup>22</sup> Because when Tziporah heard this news, she lamented, “Woe to the wives of these men!”

Meaning, Moshe had divorced Tziporah “on his own initiative,” and being tremendously modest,<sup>23</sup> he wanted no one to know. For this reason, he also did not want to tell Zimri that he had separated from his wife.

But this explanation does not hold its own because:

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<sup>18</sup> *Shabbos* 87a; *Yevamos* 62a.

<sup>19</sup> *Bamidbar* 12:1.

<sup>20</sup> S.v., “*vatedaber Miriam ve’Aharon.*”

<sup>21</sup> *Sifri*, “*parshas Behaaloscha*,” *ibid* (cited in *Yevamos*, *Tosafos*, *ibid*; *Shabbos*, *ibid*, s.v., “*ve’atah*” (in the name of the Midrash)); see Rashi, *ibid*; *Midrash Tanchuma*, “*parshas Tzav*,” sec. 13.

<sup>22</sup> *Bamidbar* 11:27.

<sup>23</sup> *Bamidbar* 12:3. {Moshe did not want to publicize his lofty prophetic level that necessitated his celibacy.}

[Firstly, Rashi<sup>24</sup> understands (based on *Sifri*) that Moshe separated from his wife (not “on his own initiative,” but) because “**I told** him to separate from his wife...; but as for you, stand here with me.” It is not at odds with Moshe’s humility to convey to others that he had fulfilled a **command of Hashem**. Additionally,]

Moshe had separated from his wife, it was said, because he was a prophet. As Rashi<sup>25</sup> quotes (from *Sifri*), Tziporah said, “Woe **to the wives** of these men if they will be charged with **prophecy**, for they will separate from their wives.” But based on the above explanation, Moshe was required to divorce her because of the prohibition of a *kohen* marrying a convert.

## 5.

EVERYONE GOT REMARRIED AFTER *MATAN TORAH*

The explanation:

The mishnah says:<sup>26</sup> “If a (regular *kohen*) betrothed a widow and was subsequently appointed to be *kohen gadol*, he may marry her.” The Gemara deduced this law from the phrase,<sup>27</sup> “...he shall *acquire* as a wife.” Since he “acquired” her (betrothed her) as a wife in a permissible manner, he may go ahead, *ab initio*, and complete the acquisition and marry the widow.

How much more so in our scenario. Not only was Moshe permitted to betroth her, but {at the time} he was even permitted to marry her. Thus, even after Moshe became a *kohen*, certainly the daughter of Yisro was permitted to him (even though she was a convert).

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<sup>24</sup> *Bamidbar* 12:8.

<sup>25</sup> *Bamidbar* 12:1.

<sup>26</sup> *Yevamos* 61a.

<sup>27</sup> *Vayikra* 21:14.

But we can ask: Moshe had married Tziporah in a permissible manner **before** *Matan Torah*. At that time, the Jewish people all had the *halachic* status of *Bnei Noach*. And then, the concept of “acquisition,” betrothal, as it exists after *Matan Torah*, did **not** exist at all.<sup>28</sup> Thus, we presume that after *Matan Torah*, all the Jewish people needed to renew the *kiddushin*,<sup>29</sup> and the *acquisitions* of their wives to conform with the Torah law {applicable to their new status}. Thus, the question returns: How did Moshe marry Tziporah after *Matan Torah*?

This question poses no real difficulty.

[Firstly, because the new *acquisition* certainly occurred immediately after *Matan Torah*. Thus, the *acquisition* occurred **before** Moshe became a *kohen* (during the days of inauguration, after they erected the *Mishkan*).<sup>30</sup> Even if we accept that Moshe became a *kohen* immediately at *Matan Torah*, according to the opinion that maintains “Moshe served as a *kohen* to Hashem all his days,” this question still poses no difficulty, because:]

The verse says,<sup>31</sup> “A man from the house of Levi went and *acquired* the daughter of Levi.” The Gemara<sup>32</sup> expounds: “He performed for her a ritual act of *acquisition* {betrothal}.” This means that Amram married her using the method of *acquisition* {betrothal} that was used **after** *Matan Torah*.

[Some commentators<sup>33</sup> use this above explanation to clarify Rambam’s wording,<sup>34</sup> “In Egypt, Amram was commanded regarding additional mitzvos.” At first glance, this is difficult: Where do we find Amram was given additional mitzvos? But Rambam’s statement is referring to the mitzvah of *kiddushin*, which already was practiced in Egypt.]

Since even before *Matan Torah*, the Jewish people married their wives using the same method of “acquisition” {betrothal} used after *Matan Torah*;

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<sup>28</sup> See *Mishneh Torah*, “*Hilchos Ishus*,” ch. 1, par. 1.

<sup>29</sup> {In the original, “*kiddushin*.”}

<sup>30</sup> {Tabernacle.}

<sup>31</sup> *Shemos* 2:1.

<sup>32</sup> *Sotah* 12a; *Bava Basra* 120a.

<sup>33</sup> *Tzafnas Paneach al HaTorah*, “*Shemos*,” *ibid.*; *Maharatz Chayos* on *Sotah*, *ibid.*

<sup>34</sup> *Mishneh Torah*, “*Hilchos Melachim*,” ch. 9, par. 1.



therefore, they did not need to perform a new *kiddushin* after *Matan Torah*. Their original *kiddushin* remained in effect after *Matan Torah*.

On this basis, we can appreciate how Moshe's "acquisition" of his wife was permitted, since he did so before *Matan Torah*, and he did **not** need to marry her again after *Matan Torah*.

## 6.

BIAS

On this basis, we can explain: (a) the nature of Zimri's argument, "Who permitted the daughter of Yisro to you?"; and (b) why Moshe did not refute his complaint:

Zimri did not accept the validity of the inference (of the **Oral Law**)<sup>35</sup> from the verse, "shall he take a wife," mentioned above. In his opinion, Moshe needed to divorce "the daughter of Yisro."

Moshe could not respond using the teaching based on the verse, "shall he take a wife." The reason is because the law states<sup>36</sup> that a Torah scholar who makes a *halachic* ruling when he has a personal stake in the matter is not believed to say, "so have I been taught...." In that situation, Moshe had a personal stake: "Who permitted the daughter of Yisro **to you?**"

[This is like what we find in Korach's dispute. Aside from Korach's dispute over Aharon's appointment as *kohen*, Korach also came forward with false claims and challenges concerning the mitzvah of *mezuzah*,<sup>37</sup> "Does a house full of holy books need a *mezuzah*?" And about *techeiles*,<sup>38</sup> "Does a cloak which is entirely of *techeiles* need *tzitzis*?" Indeed, we do not find that Moshe answered

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<sup>35</sup> {In the Hebrew original, "*Torah she'baal peh.*"}

<sup>36</sup> *Rama, Yoreh Deah*, ch. 242; *Yevamos* 77a, *Tosafos*, s.v., "*im*," *ibid.*

<sup>37</sup> *Talmud Yerushalmi, Sanhedrin*, ch. 10, *halachah* 1; *Midrash Tanchuma*, "*parshas Korach*," sec. 2; *Bamidbar Rabbah*, ch. 18, sec. 3; Rashi on *Bamidbar* 16:1.

<sup>38</sup> {The blue dye used for *tzitzis*.}

these queries by referring to teachings from the *Oral Law*. He simply said, "... if Hashem will create a creation...."<sup>39</sup>

The explanation is, as discussed: Moshe was not objective; therefore, in this matter, he lacked credibility.]

## 7.

NO DEBATES

The lesson that can be derived:

We do not always need to answer other people's questions. Sometimes, with his questions, the other person is trying to permit a Midianite! If the other person's intentions are for the sake of Heaven, then we need to "Answer (even) a fool in accord with his folly."<sup>40</sup> However, if someone asks a Torah related question intending to permit what the Torah forbids, then the approach taken must be, "**Do not** answer a fool in accord with his folly."<sup>41</sup> The method to overcome this kind of person opposed to Torah is not by debate, but with tenacity, transcending reason and logic.

[The same applies to every person internally. When the "old and foolish king"<sup>42</sup> — the evil inclination — attempts to confuse a person, he should not debate the evil inclination. Rather, he should immediately **act** with conviction, "pull the evil inclination into the study hall."<sup>43</sup>]

Pinchas acted this way: "**he zealously avenged** My vengeance."<sup>44</sup> He did not engage in debate. On the contrary, the law is that "one who comes to consult with the court {when he sees a Jewish man having relations with a gentile woman}, the court does **not** tell him {that a zealous person may kill the

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<sup>39</sup> *Bamidbar* 16:30.

<sup>40</sup> *Mishlei* 26:5; see *Shabbos* 30b.

<sup>41</sup> *Mishlei* 26:4.

<sup>42</sup> *Koheles* 4:13, *Koheles Rabbah*, loc cit.; *Zohar*, beg. of *parshas Vayeshev*.

<sup>43</sup> *Sukkah* 52b; *Kiddushin* 30b.

<sup>44</sup> *Bamidbar* 25:11.

transgressor}.”<sup>45</sup> Pinchas avenged **Hashem’s** vengeance (“**My** vengeance”) and performed an act of self-sacrifice by killing Zimri.

## 8.

### THE PREVIOUS REBBE

The holiday commemorating the redemption of the 12<sup>th</sup> and 13<sup>th</sup> of Tammuz<sup>46</sup> falls (in most years) during the week of *parshas Balak*. The idea discussed above is also germane to this holiday:

The Rebbe, whose day of redemption and joy we are celebrating, “zealously avenged My vengeance.” Notwithstanding the protestations of certain individuals who claimed that a Jew is not obligated to sacrifice his life for every little thing, etc., the Rebbe “zealously avenged **My** vengeance.” Since this matter was Hashem’s (“**My** vengeance”), the Previous Rebbe constantly put his life on the line, in a very real way, to spread Torah and Judaism.

Self-sacrifice for Hashem can be shown in several ways, including:

- a. In our *parshah*, it was not shown by the leader of the generation — the leader of the generation was Moshe. Rather, Pinchas exemplified it resolutely. (For this reason, Pinchas — who is the same person as the prophet Eliyahu<sup>47</sup> — said, “I have acted with great zeal for Hashem, the L-rd of Hosts,”<sup>48</sup> and had found no saving grace for the Jewish people.)<sup>49</sup>
- b. As exemplified by the Rebbe, whose joyous day of redemption we are celebrating, when the leader of the generation himself “zealously avenged My vengeance.”

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<sup>45</sup> *Sanhedrin* 82a; *Mishneh Torah*, “*Hilchos Issurei Biah*,” ch. 12, par. 5; *Tur*, “*Even HaEzer*,” ch. 16; *Rema*, “*Choshen Mishpat*,” sec. 425, par. 4.

<sup>46</sup> {The day the previous Lubavitcher Rebbe was released from prison in 1927. The day also commemorates his birthday in the year 1880.}

<sup>47</sup> See *Likkutei Sichos*, vol. 4, p. 1071, fn. 8.

<sup>48</sup> *Melachim I* 19:10.

<sup>49</sup> *Zohar*, vol. 1, 93a.

[In truth, even in the case of Pinchas, it was Moshe (the leader of the generation) who **empowered** Pinchas to “zealously” avenge Hashem’s “vengeance.” When Moshe told Pinchas, “Let the one who reads the letter be the agent to fulfill its contents,”<sup>50</sup> Moshe had imbued Pinchas with the fortitude to avenge Hashem.]

The Previous Rebbe did so in a **kind** way. As evidenced by the story repeated on many occasions.<sup>51</sup> The Previous Rebbe requested that his father, the Rebbe Rashab, bless him so that his leadership would be conducted in a kind and compassionate manner. The novelty was that even when “he zealously avenged My vengeance,” his zealousness was exhibited in the manner of described by the verse, “the generous man is blessed”<sup>52</sup> —with kindness and compassion.

— Based on talks delivered on the 13<sup>th</sup> of *Tammuz* & *Shabbos parshas Matos-Masei* 5729 (1969)

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<sup>50</sup> *Sanhedrin* 82a.

<sup>51</sup> *Likkutei Sichos*, vol. 2, p. 502; see *Sefer Hasichos* 5703 (1943), p. 12.

<sup>52</sup> *Mishlei* 22:9.