

THE DAUGHTERS OF TZLOFCHAD

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MATTOS/MASEI

Today's Learning

Taharot 7:8-9
Kitzur 179:12-180:1
Eruvin 82
Yerushalmi Eruvin 12

R' Moshe Tzuriel shlita writes: R' Samson Raphael Hirsch z"l comments that the mourning period of the Three Weeks, beginning on the seventeenth of Tammuz and lasting until the ninth of Av, is to be taken as an unfolding drama and not as a period of isolated afflictions. The various phases of

remembrance include: the beginning of the siege of Jerusalem, the capture of the city, the burning of the Temple, and the murder of the kohanim. In other words, the historical fact of military defeat at the hands of the Babylonians (First Temple) or the Romans (Second Temple) was not the last word. The punishment for national sins was an ongoing process, capable of being halted at any step; more so, capable of being reversed from catastrophe to victory, if only we would have seized the opportunity to repent. It is never too late to return to G-d. Even as the flames licked at the sacred altar, if our ancestors had changed heart and returned to Torah loyalty, G-d would have reversed the disaster.

That is why when Caramel, a cousin of the Prophet Yirmiyah came to the latter to sell his field, G-d ordered Yirmiyah to make a proper legally-binding deed, with good witnesses etc. (see Yirmiyah Ch. 32).

Yirmiyah objected, "Behold the siege-works are being clasped against our city walls so to capture it, the city is falling before the sword, hunger and (subsequent) plague. What you proclaimed will be is being actualized - and yet you say, 'Make a legal and binding sale of the field'?" Hashem answered, "True, I am the G-d almighty, is there anything impossible for Me? The Babylonians are burning the houses . . . yet I will still gather together the dispersed Jews from all their places of captivity, I will bring them back to Israel and they will dwell securely. They will be My people and I will be their G-d. I will give them one heart and one path, so that they fear Me forever. Therefore fields will be negotiated, since I will return their exiles."

We learn from the above that the destruction was done in stages, allowing Bnei Yisrael to halt or alter it. This ability to stem the tide of disaster, this ability to be reborn and start life afresh, stems from G-d's mastery of history, G-d's manifest providence. The flood tides of countless persecutions all passes over our heads; individuals die, but the nation as a whole continues in full force. We reel with the forces of the waves, flexible as reeds, but immediately afterwards we stand spiritually erect, firm as oaks (see Taint 20a). We are resigned to our destiny, but steadfast in our obligations. (From Destruction and Correction, an e-mail lecture)

Mattos

"Moshe spoke to the heads of the tribes of Bnei Yisrael saying, 'This is the thing that Hashem commanded'." (30:2)

"To the heads of the tribes" may be translated, "Regarding the heads of the tribes." In other words, Moshe spoke to Bnei Yisrael regarding the heads of the tribes, and he said, "Whatever the heads of the tribes say, you should regard it as if that is the thing that Hashem commanded." One must obey the decrees of the Sages no less than the decrees of G-d Himself. (Torat Moshe; quoted in Ma'ayanah Shel Torah)

Why, of all of the Torah's laws, do the laws of vows open with a reminder about the importance of obeying the Sages? Also, why is it that rabbis can annul vows?

The answer is that the Torah expects a Jew to order his lifestyle according to the will of the Torah scholars. It therefore follows that, "Whoever takes a vow does so only if the rabbis approve." If the rabbis do not approve of a specific vow, they can annul it.

When one does not consult with rabbis, he may inadvertently sin precisely when he thinks he is performing a mitzvah. To take an extreme example, one may build an altar in his backyard and sacrifice an animal on it. Even if he is exacting in all of the laws of the sacrifices, he commits a grievous sin by bringing a sacrifice outside of the Temple. (Avnei Ha'azel; quoted in Ma'ayanah Shel Torah)

R' Mordechai Gifter shlita writes that the obligation to submit to the opinions of Torah scholars comes from our recognition that they are our link to Moshe Rabbenu and the giving of the Torah. From this deep conviction, he writes, Jews have derived the fundamental principle of emunat chachamim/faith in Torah sages: to believe in and be convinced of the correctness of the teachings of Torah sages. In the words of Chazal, even when they tell you that right is left and left is right - even when you feel that you know better, you must submit to their words. Woe to the generation that seeks to know the Torah's "right" and "left" but that seeks it according to its own understanding instead of according to the wisdom of the Torah itself. (Adapted from Torah Perspectives pp. 14-15)

Masei

"My master was commanded by Hashem to give the inheritance of Tzlofchad our brother to his daughters." (36:2)

R' Avigdor Nebenzahl shlita taught: Chazal (Bava Batra 119b) praise the daughters of Tzlofchad: "The daughters of Tzlofchad were wise, they were expounders of Torah, and they were righteous." The gemara explains that they were wise in that "they spoke in a timely fashion," they posed their question to Moshe precisely when Moshe was studying and teaching the laws of yibum/ levirate marriages. What made these women wise was that they understood the true purpose of inheriting from their father. They did not simply desire his gold, silver, or even his portion in the Land of Israel. They realized that the purpose of inheritance was to provide a tikkun/correction for the soul of the departed. The Torah mandates that inheritance go to the next of kin. If there is a son, the son inherits, if there is not a son, then a daughter, and so forth as prescribed by the Torah in Parashat Pinchas. The reason the inheritance must go to relatives is because when one inherits his father's land, one can provide a tikkun for the father's soul.

The same can be said of yibum. Rambam writes that although the law of yibum (that if a man dies

childless his widow should marry his brother) applies only to the deceased's brother, the deeper meaning of this halachah applies to other relatives as well. Thus, the story of Yehuda's relationship with Tamar is referred to as one of yibum, as is Boaz's marriage to Ruth. Although the strict halachah cannot be fulfilled by other relatives, the tikkun can certainly be accomplished by them.

The daughters of Tzlofchad applied this principle to all inheritance. Hashem gave a man a wife, as well as all his worldly possessions, in order to serve Hashem. If a man was unable to apply to the utmost in serving Hashem that which he had during his lifetime, his next of kin can provide a tikkun for that situation by inheriting it and using it in the correct manner. (R' Nebenzahl says that this is how his teacher, R' Eliyahu Dessler z"l understood the request of Tzlofchad's daughters.)

The Torah (Bereishit 33:19) relates how Yaakov Avinu purchased a field. The Torah tells of this incident because purchasing a field in the Land of Israel is akin to acquiring for oneself a portion in the World to Come. The daughters of Tzlofchad felt that through them, their father would merit a share in the land of Israel and thus in the next world. Although one may argue that if inheriting the land is what provides the tikkun, then it need not be the daughters that inherit; perhaps if Tzlofchad's brothers had inherited, the same tikkun could be accomplished. However, Tzlofchad's daughters understand that the tikkun is greater if closer relatives such as themselves are the heirs. (From a lecture delivered at Yeshivat Hakotel 20 Tamuz 5758)

R' Moshe Hadarshan z"l

11th century

R' Moshe Hadarshan is the earliest known scholar from Provence (the Mediterranean coast of France) whose works are cited by later authorities. R' Natan ben Yechiel, author of the Aruch, was his disciple and cites him several times in that work.

A great-grandson of R' Abun, who was reputedly the first rosh yeshiva in Narbonne, R' Moshe inherited that position from his father, R' Yaakov ben Moshe ben Abun. R' Moshe composed an anthology of midrashim arranged according to the verses of the Torah (similar to Yalkut Shimoni) interspersed with his original inserts and spiced with allusions and gematriot. Rashi (in several places in his Torah commentary) refers to this work as the Yesod of R' Moshe Hadarshan.

Rabbenu Tam lists R' Moshe and his brother R' Levi as the foremost halachic authorities in their land. In the commentary to Divrei Hayamim I (4:31) ascribed to Rashi, a son of this R' Levi is cited. A son of R' Moshe himself is cited in Rashi's commentary to Yirmiyah 31:21.

R' Moshe Isserles writes about a R' Moshe Hadarshan who traveled throughout Provence and Spain fighting intermarriage. However, this appears to be a different person. (Sources: The Artscroll Rishonim p.161; She'eilot U'teshuvot Rema No. 30)

The second of this week's two parashot opens with a list of all of the places where Bnei Yisrael camped during their 40 years in the desert. Why? R' Moshe Hadarshan explains as follows:

Reading this list teaches us Hashem's kindness, for even though Hashem decreed that Bnei Yisrael must wander in the desert, you should not think that they wandered around for forty years without respite. In all, Bnei Yisrael stopped in 42 places. Of these, 14 were during the first year, before the decree [that they would wander] was made. Another eight stops occurred after Aharon died [in the 40th year]. It turns out that in the remaining 38 years, Bnei Yisrael made only 20 stops. (Quoted in Rashi to 33:1)

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