**Parsha Potpourri**

**Parshas Mattos-Masei – Vol. 12, Issue 38**

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**ומקנה רב היה לבני ראובן ולבני גד עצום מאד ויראו את ארץ יעזר ואת ארץ גלעד**

 **והנה המקום מקום מקנה (32:1)**

At the end of Parshas Chukas, the Jewish people conquered the lands of Sichon and Og, which were just across the Jordan River to the east of the land of Israel proper. In Parshas Mattos, the tribes of Gad and Reuven approached Moshe with a request. They observed that these lands were particularly well-suited for raising animals, and since these two tribes were blessed with an abundance of livestock, they asked Moshe for permission to receive and settle this area as their portion in the land of Israel.

Moshe responded harshly, questioning why their brethren should go to battle to conquer the remainder of the land of Israel while they remain behind living comfortably. He also argued that their actions could dissuade the rest of the Jewish people from wanting to enter and conquer the land, in a manner similar to the negative report brought back by the spies.

The tribes of Gad and Reuven clarified their intentions, explaining that after they built cities for their families and animals in this region, they would join the rest of the Jews in the battles for the land of Israel. Only after it was fully conquered and settled by the other tribes would they return to their families. Upon hearing this, Moshe acceded to their request. Nevertheless, the Medrash (Tanchuma Matos 5) criticizes the tribes of Gad and Reuven for their decision to live in Ever HaYarden – on the other side of the Jordan River – which was motivated by their material wealth. Because they placed excessive value on their money and possessions, they elected to separate themselves from their brethren and denied themselves the opportunity to inherit land inside of the land of Israel proper. As a result, they were punished by being the first tribes sent into exile (Divrei HaYomim 1 5:26).

 The sefer Shivtei Yisroel makes an interesting observation regarding the tribes that lived in Ever HaYarden: All three of them were firstborns, as Reuven was a firstborn of both his father Yaakov and his mother Leah, Gad was the firstborn of his mother Bilhah, and Menashe was the firstborn of his father Yosef. Firstborns present a certain paradox. On the one hand, the Torah clearly recognizes the position as one which commands honor and privileges, as their younger siblings are obligated to show them respect (Kesuvos 103a), and they are entitled to a double portion of their father’s inheritance (Devorim 21:17). Additionally, from a psychological perspective, firstborn children naturally tend to be energetic leaders.

On the other hand, when firstborns act upon their drives in a rash manner, they can make grave errors in judgment. For this reason, Yaakov rebuked his firstborn son Reuven by telling him (Bereishis 49:4) that he lost his right to leadership because he was פחז כמים – impetuous like rushing water. This deficiency was not limited to Reuven, and unfortunately it extends to many firstborns. Not surprisingly, the Torah is replete with firstborn children who stumbled and made great mistakes: Cain, Yishmael, Eisav, Reuven, and Menashe (who was eclipsed by his younger brother Ephraim), all of which may be related to some degree to the character trait of being impatient and acting with hasty recklessness.

 This explanation helps us appreciate on a deeper level why the firstborn tribes of Reuven, Gad, and Menashe impetuously requested that the territory of Ever HaYarden be given to them as their inheritance in Eretz Yisroel after they recognized that it was well-suited for grazing their flocks, in contrast to the other tribes who were willing to patiently wait to see the promised land that awaited them on the other side of the river.

 In addition to being punished by being exiled prior to the other tribes, some opinions maintain that these tribes also lost the opportunity to perform the mitzvah of bikkurim (bringing the first fruits to the Temple in Jerusalem), as the Mishnah (Bikkurim 1:10) quotes the opinion of Rav Yossi HaGelili, who rules that bikkurim are not brought from Ever HaYarden. Why did they specifically lose this mitzvah?

The Mei Shiloach writes that one of the lessons of the mitzvah of bikkurim is the importance of being patient, as just when a farmer sees fruit appearing on his trees after an entire year of working his field, the Torah tells him that he may not run to the tree and take the fruits for himself; rather, he must bring them to the Kohen in Jerusalem and wait patiently before he can enjoy the rest of his harvest. In light of this explanation, the Shivtei Yisroel posits that the tribes of Reuven, Gad, and Menashe, who demonstrated impatience in hastily selecting their inheritance in the land of Israel, were denied the ability to bring bikkurim, which is designed to promote the importance of being patient.

**זה הדבר אשר צוה ד' לבנות צלפחד לאמר לטוב בעיניהם תהיינה לנשים**

 **אך למשפחת מטה אביהם תהיינה לנשים (36:6)**

The Torah requires a daughter who inherits land from her father to marry somebody from her father’s tribe to prevent the ownership of the land from being transferred to another tribe upon her death (36:7-9). Although the Torah seems to require the daughters of Tzelafchad to marry men from their father’s tribe (Menashe) for this reason, the Gemora in Bava Basra (120a) teaches that this wasn’t a commandment, but rather a piece of good advice that Hashem told Moshe to give them. As this section of the Torah was taught in response to the argument of the tribe of Menashe (36:1-4) that the marriage of the daughters of Tzelafchad to men from other tribes would bring about a reduction in the size of their tribal land, why wasn’t this advice indeed made an obligation incumbent upon them?

The Steipler answers by noting that the Rambam rules (Hilchos Nachalos 1:8) that a husband only inherits his wife’s possessions through a later Rabbinical enactment. If one of the daughters of Tzelafchad married a man from another tribe, there was no fear that her land would pass over to him. The only way for the land to pass to another tribe would be in a case where her son, whose tribe is determined by his father, inherits it from her.

The Gemora teaches that each of the daughters of Tzelafchad was already over the age of 40 at this time. The Gemora questions this claim by noting that if it were true, they would no longer be able to biologically bear children. The Gemora answers that although this should have been the case, Hashem made a miracle for them due to their righteousness and allowed them to have children.

In light of this Gemora, it is difficult to understand why the tribe of Menashe argued that the daughters of Tzelafchad shouldn’t be allowed to marry men from other tribes. Their husbands wouldn’t inherit the land, and they weren’t biologically capable of having children who might inherit it. We must conclude that their tribesmen recognized their piety and feared that they may miraculously give birth to sons. However, this miracle could only take place before Hashem gave the commandment regarding the transfer of tribal property. Once this mitzvah was given, there was no longer any basis for worry. In the event that the daughters of Tzelafchad would ignore Hashem’s preference and marry men from another tribe, they would no longer be considered sufficiently righteous to merit the miraculous birth of sons, which would result in the transfer of their tribal land.

With this understanding, it is now clear that there was no prohibition for the daughters of Tzelafchad to marry men from another tribe. Their husbands wouldn’t inherit their land, and they wouldn’t give birth to sons who could inherit it, thus leaving the land firmly in the hands of their relatives from the tribe of Menashe. Nevertheless, Hashem gave them a piece of “good advice.” If they married men from the tribe of Menashe, they could miraculously merit children, as in that case the children’s inheritance would pose no threat to the ownership of the tribal land.

**Parsha Points to Ponder (and sources which discuss them):**

1. Are vows made by non-Jews binding upon them, and if so, can they be annulled like vows made by Jews? (Yerushalmi Nazir 9:1, Mishneh L’Melech Hilchos Melochim 10:7, Gilyonei HaShas Avodah Zara 5b, Shu”t Avnei Nezer Yoreh Deah 306, Chavatzeles HaSharon)
2. Moshe told the tribes of Gad and Reuven that they must fulfill their conditions in order to be clean in the eyes of Hashem and the Jewish people (32:22). Chazal derive from here several laws requiring a person to exceed the strict letter of the law in order that he not appear to be doing something inappropriate to those who observe him, often referred to as “maris ayin.” If somebody is doing something only to prevent a case of maris ayin but which would require a blessing if it was required according to the letter of the law, may he recite a blessing? (Shu”t Rashba 525, Ran Shabbos 23a, Besamim Rosh 283, Pri To’ar 19:1, Kreisi U’Pleisi 13:4, Michtam L’Dovid Orach Chaim 23, Chavatzeles HaSharon)
3. Which letter in the Hebrew alphabet is not found in the names of any of the 42 places in which the Jewish people encamped during their travels through the wilderness, and why is it omitted?

**Answers to Points to Ponder:**

1) The **Yerushalmi**, as explained by the **Mishneh L’Melech**, quotes a dispute about the legal status of vows made by non-Jews. One opinion maintains that Jews are able to annul their vows, while non-Jews are bound by their vows and are unable to rescind them. A second opinion argues that only Jews are required to annul their vows if they do not wish to be bound by them, but non-Jews are not required to do so because they are not even obligated to fulfill them, since the section in the Torah teaching the laws of vows was only directed to the Jewish people. **Rav Akiva Eiger** writes that while a non-Jew may make a vow to bring an offering in the Beis HaMikdash and it is accepted if he brings it, he is not obligated to fulfill his commitment if he subsequently changes his mind. The **Avnei Nezer** suggests that although the mitzvah of fulfilling one’s vows is not one of the seven Noahide mitzvos in which non-Jews are commanded, there are numerous sources who maintain that non-Jews are also required to observe mitzvos that are matters of basic logic. In this case, because it is common sense that a person must keep his word, non-Jews are therefore obligated to fulfill their promises.

2) The Gemora in Chullin (75b) rules that if a pregnant animal is ritually slaughtered, its fetus may be Biblically eaten without being slaughtered. However, if the fetus walks or moves on the ground, the Rabbis required its slaughter because of “maris ayin.” The **Rashba** rules that one should say a blessing on this slaughter just as one says a blessing on any Rabbinical commandment. However, the **Besomim Rosh** and **Pri To’ar** disagree, arguing that no blessing is made on a mitzvah which is solely due to maris ayin. The Gemora in Shabbos (23a) rules that if a person has windows facing different directions, he must light a Chanukah menorah in each of them due to “chashad,” so that somebody passing an empty window won’t suspect him of neglecting the mitzvah. The **Ran** writes that no blessing is made when lighting the additional menorahs. The **Pri Chodosh** and Pri To’ar equate the concepts of maris ayin and chashad and maintain that the Ran disagrees with the Rashba, although the **Kreisi U’Pleisi** differentiates between the two concepts and argues that there is no disagreement between the Ran and Rashba. The **Michtam L’Dovid** suggests that there is no dispute, as the Ran is discussing a case in which a person already said a blessing when lighting his first menorah.

3) The letter ז does not appear in any of the names of the 42 places to which the Jewish people traveled during their 40-year sojourn in the wilderness. Some explains that this alludes to the fact that they did not travel on Shabbos – the seventh day of the week, as the numerical value of the letter ז is seven. Others point out that the name of this letter – zayin – also means weapons, and its omission hints to the fact that the Jewish people did not need to use traditional weapons to fight their battles, which were miraculously orchestrated by Hashem.

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