

פרשת פינחס

וַתַּעֲמְדֵנהּ לְפָנַי מֹשֶׁה וְלְפָנַי אֶלְעָזָר הַכֹּהֵן וְלְפָנַי הַנְּשִׂאִים וְכָל הָעֵדָה... (פרק כז' ב)
(The daughters of Zelophehad) *stood before Moses and before Elazar the Kohen and before the leaders and the entire congregation...*

Rashi, quoting Sifrei and בבא בתרא קיט: clarifies: "After asking Moshe, they proceeded to go 'before Elazar'? Is it possible that if Moses did not know (the law) that Elazar (or anyone else) did know? Transpose the verse and explain it (as if it were written, 'They stood before Moshe **after having already** stood before Elazar, the leaders and the rest of the people.'). These are the words of R' Yoshiyah." Rashbam in בבא בתרא adds that the verse chooses this order because it wishes to mention the teacher, Moshe, before his students. Rashi continues: Abba Chanan said in the name of R' Elazar: "They were sitting in the study hall and (the women) stood before all of them. " The Meshech Chochma expounds on this by having us continue with the aforementioned גמרא in בבא בתרא which says: "What is the basis for the differing opinions of R' Yoshiyah and Abba Chanan? Abba Chanan believes that one may show respect for a student in the presence of his teacher, for that is an honor for the teacher. R' Yoshiyah, on the other hand, does not feel that it is respectful to acknowledge the student in the presence of his teacher." He therefore instructs us to juxtapose the pasuk. The גמרא continues and tells us, "There is a ruling that we may show honor to the student and a conflicting ruling that we may not. How can this be resolved? If we see that the teacher (himself) has allowed the student to be honored in his presence, then so may we. Otherwise, we cannot." The גמרא does not elaborate further but Rav Meir Simcha helps us as follows: The גמרא פסחים סו: (in the name of Resh Lakish) that any חכם who "loses his temper" will have his "wisdom" removed from him i.e. he will forget his learning. This is derived from an incident involving (no one less than) Moshe, who, upon realizing that the soldiers returning from vanquishing Midyan spared the Midyanite women, became upset-ויקצוף משה. We continue to read that Elazar explains to the people how to purify the Midyanite vessels. Why did Moshe not instruct them? Resh Lakish believes that precisely because Moshe became angry with them, he (temporarily) forgot these rules and therefore Elazar "took over". On the other hand, Sifrei feels that the reason Elazar taught these laws was intentionally planned by Moshe, for Moshe feared that after his death, when Elazar would become the Nation's primary adjudicator, the (distracted) people would taunt him by saying, "Until now, you were silent. With what right do you speak up now?" Moshe therefore "permitted" him to relay the laws of purification of impure vessels "in the presence of his teacher." We thus see that these two interpretations can clearly reflect the opinions of R' Yoshiyah and Abba Chanan respectively.

אבינו מת במדבר והוא לא היה בתוך העדה הנועדים על ה' בעדת קרח כי בחטאו מת... (פרק כז' ג)
(The women explained:) *Our father died in the wilderness, but he was not among the assembly that was gathering against Hashem in the assembly of Korach; rather he died of his (own) sin...*

The previously cited גמרא in בבא בתרא continues and informs us that these women were special in that "they were extremely bright, had the ability to expand (the words of the Torah)

and were exceptionally righteous.” It proceeds to give examples of each of these traits. The Haamek Davar, working with this premise that the women were very knowledgeable of the laws of inheritance, gives an additional understanding as to why פסוק ב has the women presenting themselves to the entire group, rather than just to Moshe. He feels that they were each so **equally** clever that they wished to individually present their case and particular insights; so that one presented to Moshe, another to Elazar and the remaining to the נשיאם and the people-thus increasing their odds of obtaining a favorable decision. He reinforces this by noting that this can explain why פסוק ב repeats לפני three times, in order to allude to their separate presentations.

The Meshech Chochma uses פסוק ג to give us another example of the shrewdness of Zelophehad’s daughters and begins with a ruling in סנהדרין מח: If a person deserves the death penalty, after he is executed his children still inherit his estate. This is not the case for someone who is put to death for an act of rebellion against the monarchy-in this case, the king acquires the estate. The daughters knew these rules and they realized that it was crucial for them to explain to those assembled, והוא לא היה בתוך העדה הנועדים על ה' בעדת קרח (and as Rashi explains) their father was not part of Korach’s uprising (against Moshe and Hashem) but rather he violated Shabbos or was part of the group that insisted on retrying to go into Eretz Yisrael after the tragic incident of the מרגלים-neither treasonous acts. Why was this information so vital? According to the Meshech Chochma, it was because the daughters knew that if their father was part of Korach’s rebellion against Moshe, their father would be מוריד במלכות and his estate i.e. his portion in ארץ ישראל would have been transferred to the “throne”, to Moshe, who would have given it to be divided among all the other tribes (since as a part of the tribe of Levi, Moshe had no portion of his own in the Land). Thus the women would have no basis to expect any of their father’s land and therefore it was essential to their argument that they announce to all, כי בחטאו מת! Truly bright women!

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