

Meshech Chochmah Parshas Masei

Mitzvos “From Hashem” and Mitzvos “With Hashem”

וַיִּקְרְבוּ רֵאשֵׁי הָאָבוֹת לְמִשְׁפַּחַת בְּנֵי גִלְעָד בֶּן מַכִּיר בֶּן מְנַשֶּׁה מִמִּשְׁפַּחַת בְּנֵי יוֹסֵף
וַיִּדְבְּרוּ לִפְנֵי מֹשֶׁה... וַאֲדֹנָי צִוָּה בְּה' לָתֵת אֶת נַחֲלַת צִלְפַּחַד אָחִינוּ לְבָנֹתָיו.

The heads of the fathers of the family of the children of Gilad, son of Machir, son of Menasheh of the families of the children of Yosef, approached and spoke before Moshe... My master has been commanded by Hashem to give the inheritance of Tzelafchad our brother to his daughters. (36:1-2)

The final perek of our parsha deals with the concern of the families of Gilad, in light of the fact that the inheritance of their relative, Tzelafchad, was to be given to his daughters. If those daughters were to marry into other tribes, the children of those marriages would then belong to those tribes, and the inheritance of Tzelafchad would effectively be diverted from the tribe of Yosef to those tribes.

The Meshech Chochmah notes the Bnei Yosef's usage of the phrase “ואדוני צוה בה,” with the letter *beis*, which literally translates as “My master has been commanded *with* Hashem.” Presumably, the more intuitive phraseology would be with the letter *mem* – “מה” – meaning *from* or *by* Hashem!¹ What is behind this unusual spelling?

Divine Foreknowledge and Free Will

By way of preface to his explanation, the Meshech Chochmah refers us to the well-known discussion regarding the of Hashem's foreknowledge of what people will do and their capacity to exercise free-will. Seemingly, the two are in conflict, for if Hashem already knows what a person will do, then he has no choice but to do that thing, otherwise Hashem's knowledge was flawed!

The Rambam's response to this question² essentially takes the form of “neutralizing” one of the contradictory factors in the equation. In contrast to

¹ The Meshech Chochmah notes that Onkelos, who translates this word as “במימרא דה” – through the word of Hashem,” is likewise responding to the issue of the usage of the letter *beis*.

² Hilchos Teshuvah 5:5.

every other being, Hashem's knowledge is not something that is extrinsic to Him; rather, it is an intrinsic part of His Being and hence, partakes of its unfathomable nature. In other words, since we cannot understand what it means for Hashem to "know" something, we cannot pose the contradiction between that knowledge and people's capacity to choose.

Between Divine Knowledge and a Heavenly Proclamation

However, we will appreciate that this approach is effective only as long as no-one apart from Hashem knows what will happen. As soon as this knowledge is available to anyone else – which will be in a way that is extrinsic to their being – it will compromise the free-will of those involved. With this in mind, the Meshech Chochmah explains the Gemara's discussion³ regarding zivugim (Divine designation of marriage partners) in the beginning of Maseches Sotah. The Gemara cites a teaching that forty days before an embryo is formed, a *bas kol* (heavenly proclamation) is issued, announcing whom it is destined to marry. The Gemara then raises a question on this idea from a different teaching which states that a person's *zivug* is determined based on their actions! If this is so, then how can the designation of one's *zivug* be pre-announced? Surely, this cannot be determined in advance, as it will then force the person to make the choices that will lead him to the person who is appropriate to his actions!

The Meshech Chochmah notes that the Gemara only perceives a contradiction between these two teachings since the first one stated that one's *zivug* is announced through a *bas kol*. Barring such an announcement, the fact that Hashem knows who a person will marry would not be seen as conflicting with the idea that it depends on the person's action, since Hashem's knowledge and man's free-will do not conflict. However, once we say that one's *zivug* is proclaimed via a *bas kol*, it then becomes known to the celestial beings, whose foreknowledge conflicts directly with the free-will choices that people will then make.

The Death of Tzelafchad and the Laws of Inheritance

As the Torah recounts, when Moshe was approached by the daughters of Tzelafchad regarding inheriting their father's portion in Eretz Yisrael, he brought their case before Hashem, Who informed him that the daughters were entitled to inherit.⁴ The Meshech Chochmah explains that the reason Moshe did not initially

³ Sotah 2a.

⁴ See Bamidbar 27:1-7.

know the halachah is based on the idea we have been discussing. Apparently, Tzelafchad's daughters were the only ones who had both no father and no brothers. As such the question of daughter's inheriting was unique to them at that time. However, their situation was a result of their father's death which, as they stated, came about "on account of his sin." Since the circumstances which led to their situation were based on Tzelafchad's free-will, the ruling concerning it was not initially made known to Moshe; rather, it remained in the sole domain of Hashem's knowledge – which does not compromise free-will – until Tzelafchad made his decision and the question then became relevant.

Coming back to our pasuk, this is why the Bnei Gilad are refer to the ruling of giving Tzelafchad's inheritance to his daughters as something Moshe was commanded "בה – with Hashem." The background to that ruling, lying as it did with Tzelafchad's free-will, required that it remain "with Hashem" until the resulting situation unfolded and the question regarding his daughters became relevant.⁵

Mitzvos "To Moshe" and Mitzvos "Through Moshe"

אַלֶּה הַמִּצְוֹת וְהַמְשַׁפְּטִים אֲשֶׁר צִוָּה ה' בְּיַד מֹשֶׁה אֶל בְּנֵי יִשְׂרָאֵל בְּעֶרְבַת מוֹאָב.

These are the mitzvos and the laws that Hashem commanded through Moshe to Bnei Yisrael in the Plains of Moav (36:13)

⁵ The Meshech Chochmah proceeds to discuss a fascinating accompanying point. The Bnei Gilad were claiming that since Tzelafchad's daughters inherited his portion, they should only be allowed to marry someone from the tribe of Yosef. If this is true, then as surely as the halachah that they inherit was not known prior to Tzelafchad's death, their designated *zivug* could likewise not be made known through a *bas kol*, for it, too, was influenced by Tzelafchad's actions. To this Hashem responded (pesukim 5-6) that although Bnei Gilad were correct in principle, the prohibition against marrying someone from a different tribe did not apply to Tzelafchad's daughters themselves. Rather, as the Gemara (Bava Basra 120a) explains, they were encouraged to marry from the tribe of Yosef as a matter of "*eitzah tovah* – good counsel." The Meshech Chochmah explains that this "good counsel" was actually the *bas kol* which was proclaimed before they were born, which stated that each of their *zivugim* were actually from the tribe of Yosef! Since they were not restricted halachically by the fact that they inherited their father, it turns out that his actions did not influence their *zivug*, in which case there was no reason for it not to be proclaimed through a *bas kol* as is the case with everyone else.

It is interesting to compare the concluding pasuk of Chumash Bamidbar with that of Chumash Vayikra,⁶ which reads:

אֱלֹהֵי הַמִּצְוֹת אֲשֶׁר צִוָּה ה' אֶת מֹשֶׁה אֶל בְּנֵי יִשְׂרָאֵל בְּהַר סִינַי

These are the mitzvos that Hashem commanded Moshe to Bnei Yisrael at Har Sinai

We note that while the earlier concluding pasuk refers to the mitzvos as ones that Hashem commanded “אֶת מֹשֶׁה אֶל בְּנֵי יִשְׂרָאֵל – Moshe to Bnei Yisrael,” our pasuk refers to them as ones that Hashem commanded “בְּיַד מֹשֶׁה אֶל בְּנֵי יִשְׂרָאֵל – Through Moshe to Bnei Yisrael.” What is the difference between these two descriptions?

Hearing the Mitzvos

The Meshech Chochmah explains that the basis to understanding the two pesukim is found in the Gemara in *Maseches Yoma*,⁷ which draws a distinction between the way mitzvos were transmitted at Har Sinai and the way they were transmitted in the Mishkan.

- At Har Sinai: All of Bnei Yisrael heard the Mitzvos being given to Moshe, who then taught them to the people.
- In the Mishkan: Only Moshe heard Hashem transmitting the mitzvos, who then transmitted them to the people.

As is his way throughout his peirush, the Meshech Chochmah demonstrates that this idea identified by Chazal can be perceived by a careful reading of the pesukim:

- The earlier pasuk, which discusses the mitzvos that were transmitted “at Har Sinai,” refers to Hashem commanding Moshe (“אֶת מֹשֶׁה”) to tell them to Bnei Yisrael, as this is something the people themselves heard.

⁶ 27:34.

⁷ 4b.

- Our pasuk refers to the mitzvos which were given “in the Plains of Moav,” many years after we had moved on from Har Sinai. These were heard by Moshe in the Mishkan and as such are described as being commanded “בְּיַד מֹשֶׁה,” which literally means “In Moshe’s hand.” Since they were initially heard by Moshe alone, they were “in his hand” – concealed from others – until he transmitted them to the people.

Interestingly, there is also a pasuk in the end of Chumash Vayikra⁸ which refers to the mitzvos given at Sinai as being “into Moshe’s hand.” How does this fit in in light of our discussion? The Meshech Chochmah explains that even with regards to the mitzvos that were given at Sinai, there were aspects that were given to Moshe alone, such as certain oral traditions (*Halachah le’Moshe mi’Sinai*). In addition the Gemara⁹ states that *pilpul*, the methodology of expounding halachos, was originally given to Moshe alone, who then shared it with Bnei Yisrael. It is with reference to these aspects that the mitzvos from Sinai are also referred to as having been given “בְּיַד מֹשֶׁה – into Moshe’s hand”

חזק חזק ונתחזק

⁸ 26:46.

⁹ Nedarim 38a.