

Parashah Matot contains a magnificent example of conflict resolution based on skillful negotiation. When the tribes of Gad and Reuben, who own large herds of livestock, see that the land on which they are presently encamped is more suited to their needs, they ask Moses and Eleazar to allow them to settle there, rather than across the Jordan. This is a potentially dangerous proposal. Their reluctance to enter the new land could discourage the rest of the people, who have not forgotten the negative stories brought back by the scouts. Also, the land still must be conquered, and everyone is needed. Will the Gadites and Reubenites put their own interests before those of their people? Moses lays out these concerns with straightforward eloquence, reminding them of all they have been through and appealing to their sense of duty. Amazingly, they reach an equitable agreement: The Gadites and Reubenites may stay where they are, and in exchange, they will be in the vanguard, and remain with the others until the entire land is conquered and all of the Israelites are settled on their lands. After so many terrible conflicts during their nearly 40-year journey, this is a major development. In a discussion of many similar examples, Talmud Tractate Bava Kamma 20b calls this sort of agreement *zeh neheneh v'zeh lo chaser* – this one receives benefit and that one does not suffer a loss, a principle that is still an integral component of all successful negotiation strategies. In Parashah Massei Moses is faced with another conflict, one that eloquently expresses the difficulties of adapting divine decree to human needs. The paternal leaders of the Gilead family, from the tribe of Manasseh, petition Moses to amend his ruling allowing brotherless daughters to inherit the land of their deceased fathers. Their request is logical: Should a female landowner marry outside of her tribe, her land would become part of her husband's holdings and thus lost to her ancestral tribe. When Moses initially asks HaShem concerning the daughters' request, HaShem tells him, "Zelophehad's daughters speak justly. You shall certainly give them a portion of inheritance along with their father's brothers, and you shall transfer their father's inheritance to them. ... If a man dies and has no son, you shall transfer his inheritance to his daughter." (27:7-8) It is noteworthy that there is no mention of whom the daughters may marry, and when the men of Gilead challenge Moses he reiterates HaShem's words, "The tribe of Joseph's descendants speak justly." (36:5) And then he adds, "This is the word that the Lord has commanded regarding Zelophehad's daughters. Let them marry whomever they please, but they shall marry only to the family of their father's tribe. Thus, the inheritance of the children of Israel will not be transferred from tribe to tribe, for each person from the children of Israel will remain attached to the inheritance of his father's tribe." (36:6-7) Verses 8 and 9 recapitulate, and verse 10 reads, "As the Lord had commanded Moses, so did Zelophehad's daughters do." In short, the daughters of Zelophehad and the Gileadites both rightfully challenge a divine decree and ask Moses to make a decision. Our history of challenging HaShem goes back to Abraham bargaining for Sodom and Moses reasoning with, and even daring to shame HaShem into relenting. And now, at the end of his life, Moses is called upon to interpret divine law to accommodate justifiable requests. Welcome to the world of *halachah*, the world of interpretation and application of Jewish law. The word derives from the root הלך, to go, walk, proceed. The laws established in the Torah are often not explicit, and moreover, they always need to be adapted as time, place, and conditions change. The discussions in the Mishnah, Talmud, and other writings illustrate the principles our sages developed to interpret these laws. The dilemmas they raised and the conclusions they drew are based on human understanding, not on direct communication with HaShem. Despite its tragic outcome for the venerable Rabbi Eliezer, the story of Akhnai's oven in Tractate Bava Metzia 59 offers a prime example: In a heated dispute concerning whether a new type of oven construction is ritually clean or unclean, Rabbi Eliezer finds it clean, while his colleagues all disagree. Rabbi Eliezer calls forth miracles to prove his point: a carob tree is uprooted and transplanted, a stream runs backward, the walls of the study hall lean and begin to fall until his rival, Rabbi Yehoshua, stops them, and finally, Eliezer calls forth a *bat kol*, a divine voice to agree with him. But his colleagues remain unconvinced, and when Rabbi Yehoshua quotes Deuteronomy 30:12: "It is not in heaven," they all agree with him and ostracize Eliezer. In other words, practical halachah is decided by the rabbis through majority vote, not through divine decree. The story ends with Rabbi Natan encountering the prophet Elijah years later, and asking him how HaShem reacted to Yehoshua's statement; Elijah answers, 'The Holy One of Blessing smiled and said: "My children have triumphed over me.'" This is certainly not the finest example of peaceful conflict resolution, since it ends in estrangement for Rabbi Eliezer, which is only lifted shortly before he dies. But it illustrates two important Jewish principles: Jewish law is not set in stone; it must constantly be interpreted and adapted to new situations as they arise. And although we respect and honor our teachers, they, like all of us, are not infallible. We will always have disagreements, and it is our duty to listen objectively to all sides, and then uphold the majority decision, even if we disagree. Unfortunately, the tragic litany of our countless wars continues to show how often we fail. But for the good of all humanity, we must keep trying. This week's reading, which ends the Book of Numbers, offers two excellent teachings.

Shabbat shalom!