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Bava Basra Daf 117

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### **Mishna**

The daughters of Tzelophchad took three portions in the inheritance of *Eretz Yisroel*: They took the portion of their father who was among those who came out from Egypt: and they divided with his (*Tzelophchad*) brothers in the possessions of Cheifer (*Tzelophchad's father*); and since he (*Tzelophchad*) was a firstborn, they took two portions.

[*Tzelophchad died leaving five daughters and no sons. The daughters came to Moshe complaining that they would not receive any land in Eretz Yisroel. Moshe asked Hashem what the halachah is in this case. Hashem responded, saying: The daughters of Tzelophchad speak right: You shall surely give them a possession of an inheritance among their father's brothers; and you shall cause the inheritance of their father to pass to them.*

*The Tanna of our Mishna holds that Eretz Yisroel was divided up according to those who had left Egypt, so even though those who left Egypt did not enter Eretz Yisroel, but died in the desert and did not take up their portion in the land, nevertheless, when the land was divided up, it was not divided according to the name of those who entered it, but according to those who had left Egypt, i.e., those who entered the land inherited from their fathers.] (116a)*

### **Portion in Eretz Yisroel**

The *Tanna* of our *Mishna* (by saying that *Tzelophchad* has a portion in *Eretz Yisroel* even though he died in the *Wilderness*) holds like the opinion of the one who said that *Eretz Yisroel* was divided according to those who had left Egypt. For it was taught in a *braisa*: Rabbi *Yoshiyah* said: *Eretz Yisroel* was divided according to those who left Egypt, for it is said (by the counting immediately prior to entering *Eretz Yisroel*): According to the names of the tribes of their fathers they shall inherit (and their fathers did not enter *Eretz Yisroel*; they did, however, come out of Egypt). But how would the verse, *To these the land shall be apportioned for an inheritance* (for seemingly, this is stating that the land is divided according to those who entered *Eretz Yisroel*), be applied? *To these* means “like these (at the time of this last census, when they were about to enter *Eretz Yisroel*),” excluding those under twenty (who were not yet twenty at the time of the first census, after they came out of Egypt – they will not receive a portion).

Rabbi *Yonasan* said: The land was divided according to those who entered *Eretz Yisroel*, for it is said: *To these the land shall be apportioned for an inheritance*. But how would the verse, *According to the names of the tribes of their fathers they shall inherit* (for seemingly,

*this is stating that the land is divided according to those who came out of Egypt), be applied? Rabbi Yonasan explains: This manner of inheritance is different from all other inheritances in the world, for, regarding all other inheritances, the living inherits the dead, but in this case, the dead inherit the living. [Those who entered Eretz Yisroel received shares according to their number, but the total of the shares were again divided in accordance with the number of their fathers who came out of Egypt. If two brothers, for example, came out of Egypt and died, and nine sons of the one, and one son of the other entered Eretz Yisroel, every son received a share, ten shares being allotted to the ten sons. All these shares were then transferred back to their fathers whose number was two (the dead inheriting the living), and divided into two shares, each, of course, representing five of the original shares.]*

Rebbe said: I will give you an example to which this thing (*Rabbi Yonasan's ruling*) may be compared. Two brothers, *Kohanim*, were in one city (*and they stipulated to divide equally all the terumah that they would receive*). One had one son and the other had two sons, and they (*the children*) went to the granary (*to receive terumah for their fathers*). He who has one son received one portion, and the one who has two sons received two portions. When they return (*with the three portions*) to their fathers, and would then redivide the total amount into equal shares.

Rabbi Shimon ben Elozar said: The land was divided according to these (*who came out of Egypt*) and according to those (*who entered Eretz Yisroel*) in order to uphold both of the aforementioned verses. How was this done? If the father was from those who came out of Egypt (*but he did not enter Eretz Yisroel*), he

would receive his share among those who came out of Egypt. [*If, for example, Reuven was twenty years of age when he left Egypt, and he had children in the Wilderness and died before entering Eretz Yisroel, and his children were not yet twenty when they entered Eretz Yisroel (and therefore could not receive a portion in their own right), they would divide between themselves the share to which Reuven, their father, was entitled to as one of those who left Egypt.*] If the father was from those who entered Eretz Yisroel (*but he was not from those who left Egypt*), he would receive his share among those who entered Eretz Yisroel. [*If, for example, Reuven had children in Egypt and died there, and his sons were not yet twenty when they left Egypt, and they were of age when they entered Eretz Yisroel; or in the case when Reuven left Egypt when he was not yet twenty and he had children in the Wilderness and died there, and they were of age when they entered Eretz Yisroel; in either of these cases, each of the sons receives a share in the inheritance of Eretz Yisroel by virtue of their entry into Eretz Yisroel when they were of age.*] If they belonged to both categories (*their father was from those who left Egypt, and they were of age when they entered Eretz Yisroel*), they receive his share among both categories.

The *braisa* continues: The share of the spies (*even though they were from those who left Egypt, and by right, their children who entered Eretz Yisroel should receive their portion*) was taken by Yehoshua and Calev. The complainers and the assembly of Korach had no share in the Land (*so all the Tribes took their portion*). However, their sons received shares by virtue of the fathers of their fathers and the fathers of their

mothers (*if they were from those who left Egypt*). (117a – 117b)

### DAILY MASHAL

#### The origin and correct version of the *Mi shebeirach* prayer

Rabbi Pinchas bar Chama learnt from a verse in Mishlei that anyone with an ill person at home should go to a wise person to beg mercy for him. In his *Nimukei Yosef* on our *sugya*, Rabbi Yosef Haviva records the custom in France for those with an ill person at home to request a blessing from the local rabbi heading the *yeshivah*. The *Rema* recommends asking the most learned person in one's town to pray for the ailing (*Shulchan 'Aruch, Y.D. 335:10*). The Meiri, on the other hand, explains that the purpose of visiting the learned is to find out **how** to pray for the sick. Ramban's comment on the verse "When the people come to me to seek Hashem" (Shemos 18:15) demonstrates that the custom to ask the wise to pray for the ill has always been accepted practice: "When the people come", says Ramban, means that they asked Moshe to pray for their sick and to inform them as to what Hashem says.

As a relevant aside, we should mention a letter by HaGaon Rav Moshe Feinstein zt"l which appears in his *Igros Moshe (Y.D., IV, 51)*. Rav Feinstein apologizes at length for his **consenting** to pray for the ill: "I answer their requests and bless and pray for them, though knowing my little worth...and though they ask me to do so because they regard me to be wise, it won't help anything if I tell them they're mistaken and that I haven't even come close to wisdom as they'll just consider me greater and talking, as it were, out of

humility. I also can't ignore the reality that I've become known as a wise person, being a *rosh yeshivah* and delivering *shiurim* and because of my books, though my status is far from that meant by Rabbi Pinchas bar Chama and far from the wise personages who lived in the centuries after the completion of the Gemara...Nonetheless, perhaps even the wise of our generation suffice for this purpose."