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Bava Basra Daf 123

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**From Reuven to Yosef**

### **Defining the Double Portion**

The *Gemora* cites a *braisa*: It is written: *to give him the double portion*. This means that the firstborn receives double the portion of the other son. Does this mean that he receives twice as much as any of the brothers, or perhaps, it means that he should receive the double portion of the entire estate (*we would split the property into three parts; the firstborn would receive two (two-thirds of the estate) and the other brothers would divide the remaining share*)?

The *braisa* continues: It is logical to assume the former, for we should compare his share when he is inheriting with one brother to his share when he is inheriting with five brothers. Just as in the case of inheriting his share with one brother, he receives twice as much as the one brother, so too in the case when he inherits his share with five brothers, he should receive twice as much as each brother (*but not twice the portion of all of them*). Or perhaps we can argue the other way by saying that his share when he is inheriting with one brother to his share when he is inheriting with five brothers. Just as in the case of inheriting his share with one brother, he receives a double portion in all of the estate, so too in the case when he inherits his share with five brothers, he should receive a double portion in all of the estate.

The *braisa* cites Scriptural verses which prove that the firstborn receives double the portion of one of the brothers. The *Gemora* explains why each of the verses are necessary. (122b – 123a)

Rabbi Chelbo inquired of Rabbi Shmuel bar Nachmeini: What prompted Yaakov to take away the *bechorah* (*birthright*) from Reuven and give it to Yosef?

The *Gemora* asks: Surely it is written: *For he (Reuven) defiled his father’s bed!*?

The *Gemora* answers: Rather, this is the inquiry: What prompted Yaakov to give it to Yosef?

Rabbi Shmuel bar Nachmeini replied: Let me give you a parable. It may be compared to a householder who brought up an orphan in his house. After some time that orphan became rich and he said, “It is time that I should let the householder derive some benefit from my wealth.” [*Yaakov gave Yosef the bechorah in recognition for the hospitality he afforded him in Egypt.*]

Rabbi Chelbo asked him: But if Reuven had not sinned, Yaakov would not have given Yosef any benefit at all (*he would have given him something belonging to him, not from his sons; evidently, there is a different reason as to why he gave the bechorah to Yosef*)!?! But Rabbi Yonasan your teacher did not say like that. Rather, he said that the *bechorah* should have emanated from Rachel (*Yosef should have been born before Reuven*), but Leah preceded her (*by giving birth to Reuven first*) with her prayers for mercy. As a result, however, of Rachel’s modesty, the Holy One, Blessed be He, restored the *bechorah* to her. (123a)

### ***Rochel and Leah***

The *Gemora* asks: What was it that caused Leah to precede her with her prayers for mercy?

The *Gemora* answers: It is written: *And the eyes of Leah were weak (rakkos)*. What is meant by “weak”? It is inconceivable to say that the meaning is that her eyes were actually tender (*from tears*), for if the Torah did not speak disparagingly of an unclean (*tamei*) animal, as it is written: *of the animals which are tahor, and of the animals that are not tahor (and it did not say “the animals which are tamei”)*; would the Torah speak disparagingly of the righteous! Rather, said Rabbi Elozar, the meaning of *rakkos* is that her gifts (*from Hashem*) were extensive (*as the Kohanim and Leviim came from Levi, her son, and the royal family came from Yehudah, her son*).

Rav said: Her eyes were actually tender, but that was not disparaging to her, but rather, it was praise to her. Leah, at the crossroads, would hear people saying, “Rivkah has two sons and Lavan has two daughters; the older daughter (Leah) should be married to the older son (Esav), and the younger daughter (Rochel) should be married to the younger son (Yaakov).” And Leah sat at the crossroads and inquired about the conduct of the older one. They told her, “He is a wicked man, who robs people.” And when she asked regarding the conduct of the younger one, they replied to her, “He is a decent man, dwelling in tents.” She wept (*and prayed that she would not marry Esav*) until her eyelashes fell out (*so this attests to her righteousness*).

And this explains the following verse: *And Hashem saw that Leah was hated*. It is inconceivable to say that the verse means that she was actually hated, for if the Torah did not speak disparagingly of an unclean (*tamei*) animal, would the Torah speak disparagingly of the righteous! The meaning of the verse is as follows: The Holy One, Blessed be He, saw that Esav’s conduct was hateful to her, so he opened her womb.

The *Gemora* proceeds to record the incident of Rachel’s modesty. It is written [Breishis 29:12]: *And Yaakov told Rachel that he was her father’s brother*. Was he her father’s brother? Wasn’t he in fact the son of her father’s sister? This is the explanation: Yaakov said to Rachel, “Will you marry me?” She replied, “Yes, but my father is a trickster, and he will outwit you.” He replied, “I am his brother in trickery.” Rachel asked him, “Is it permitted for the righteous to indulge in trickery?” He replied, “Yes,” and the *Gemora* cites a verse in Shmuel proving that one is permitted to act crookedly with a crook. Yaakov asked her, “What is his trickery?” She replied, “I have a sister who is older than me and he will not let me get married before her.” Yaakov gave to Rachel certain identifying signs in order that Lavan would not be able to exchange Leah, the older sister, with Rachel. When the wedding night came, Rachel said to herself (*upon realizing that her father intended to give Leah to Yaakov instead of her*), “My sister will be embarrassed.” She handed over the secret signs to her.

Abba Chalifa Kiruya inquired of Rabbi Chiya bar Abba: Regarding those who entered Egypt with Yaakov, why do you find the amount mentioned in the Torah as their total seventy and in fact, you find only seventy minus one in their detailed enumeration?

Rabbi Chiya bar Abba said: I possessed a precious pearl (*which I did not want to reveal to anyone*) and you seek to deprive me of it. So said Rabbi Chama the son of Rabbi Chanina: This (*the seventieth person*) refers to Yocheved whose conception occurred on the way to Egypt, and her birth was between the walls of Egypt, as it is said: *Who was born to Levi in Egypt*. Her birth occurred in Egypt, but her conception did not occur there.

Rabbi Chelbo inquired of Rabbi Shmuel bar Nachmeini: It is written: *And it came to pass, when Rachel had born Yosef* etc. Why did Yaakov decide to return home just when Yosef was born?

Rabbi Shmuel bar Nachmeini replied to him: Yaakov our father saw that Esav's offspring would be delivered only into the hands of Yosef's offspring, for it is said: And the house of Yaakov shall be a fire and the house of Yosef a flame, and the house of Esav for straw (*so once Yosef was born, Yaakov was not afraid of Esav any longer*).

Rabbi Chelbo asked Rabbi Shmuel bar Nachmeini: It is written: *And David smote them (the Amalekites) from the twilight even unto the evening of the next day!* [How could David, a descendant of Yehudah (not Yosef) win the war against the Amalekites (descendants of Esav)?]

He replied to him: He who taught you the Prophets did not teach you the Writings, for it is written: As he went to Tziklag, there fell in with him people of Menasheh, Adnach, Yozavad, Yediael, Michael, Yozavad, Elihu and Tzilesai, captains of the thousands that were from Menasheh (*so it was only on their account that the Amalekites were subdued*). (123a – 123b)

### **Double Portion**

The *Gemora* cites a *braisa*: The firstborn son of a *Kohen* receives a double portion in the foreleg, jaw, and the maw (*these are gifts given to a Kohen from a non-consecrated slaughtered animal*), in consecrated animals, and in the natural appreciation of an estate that accrued after the father's death. [These are all regarded as if they are the in the father's possession at the time of his death, and not just "potentially" his.]

The *Gemora* explains this (*the last case*): If their father had bequeathed to them a cow that was consigned or rented out to others (*and the sons are inheriting the profit*), or it was grazing in the meadow (*outside the city*), and it gave birth, he receives in it a double portion, but if the brothers built houses or planted vineyards (after their father's death,

but before the estate was divided), the firstborn does not receive in them a double portion.

The *Gemora* explains the *braisa*: How are we to understand the *halachah* with the foreleg, jaw, and the maw? If these were already in the possession of their father, it is obvious that the firstborn receives a double portion from it, and if they were not already in the possession of their father (*at the time of his death*), should it not be regarded as "potential property," and a firstborn does not receive a double portion in property that only potentially belongs to the father as he does in that which was actually in the possession of his father at the time of his death? The *braisa* must be referring to a case where the givers (*of these Kohanic gifts*) were close acquaintances of the *Kohen*, and the animal was slaughtered in the lifetime of the father, and this *Tanna* holds that the *Kohanic* gifts are regarded as already separated, even though they have not actually been separated.

The next case of the *braisa* dealt with consecrated animals. The *Gemora* asks: Surely, these are not his (*so why would the firstborn receive a double portion in them*)?

The *Gemora* answers: The *braisa* is discussing *kodoshim kalim*, and it is following the opinion of Rabbi Yosi HaGelili, who holds that these are considered the property of the owner, for it was taught in a *braisa*: It is written: "*If he will commit a treachery against Hashem (by lying to his fellow)*." This includes *kodoshim kalim*, which are considered his money. (123b)

### **INSIGHTS TO THE DAF**

#### **Leah's Tears**

Rav said: Her eyes were actually tender, but that was not disparaging to her, but rather, it was praise to her. Leah, at the crossroads, would hear people saying, "Rivkah has two sons and Lavan has two daughters; the older daughter

(Leah) should be married to the older son (Esav), and the younger daughter (Rochel) should be married to the younger son (Yaakov)." And Leah sat at the crossroads and inquired about the conduct of the older one. They told her, "He is a wicked man, who robs people." And when she asked regarding the conduct of the younger one, they replied to her, "He is a decent man, dwelling in tents." She wept (*and prayed that she would not marry Esav*) until her eyelashes fell out (*so this attests to her righteousness*).

Why did she begin to cry only after she heard that Yaakov was righteous? It was her understanding all along that she would be married to the older one, so as soon as she heard that the older one was evil, she should have cried then! Why did she even enquire about the younger one's behavior? And, on the contrary! After she was told that the younger one was decent and righteous, she should have been happy for her sister; why cry then?

Ben Yehoyada answers that a righteous woman has in her power to convince an evil man to repent. Leah, upon hearing that the older one was evil, did not cry, for she was confident that she would be able to convince Esav to mend his ways and become righteous. However, after she enquired about the younger one, and found out that he too was extremely righteous, and although the two brothers grew up in the same house, Yaakov could not have a positive influence on his brother Esav, Leah knew then that she would not be able to change someone so steeped in evil. That is why she cried.

### RACHEL'S MODESTY

The *Gemora* proceeds to record the incident of Rachel's modesty. It is written [Breishis 29:12]: *And Yaakov told Rachel that he was her father's brother. Was he her father's brother? Wasn't he in fact the son of her father's sister? This is the explanation: Yaakov said to Rachel, "Will you marry me?" She replied, "Yes, but my father is a trickster, and he will outwit you." He replied, "I am his brother in trickery."*

Rachel asked him, "Is it permitted for the righteous to indulge in trickery?" He replied, "Yes," and the *Gemora* cites a verse in Shmuel proving that one is permitted to act crookedly with a crook. Yaakov asked her, "What is his trickery?" She replied, "I have a sister who is older than me and he will not let me get married before her." Yaakov gave to Rachel certain identifying signs in order that Lavan would not be able to exchange Leah, the older sister, with Rachel. When the wedding night came, Rachel said to herself (*upon realizing that her father intended to give Leah to Yaakov instead of her*), "My sister will be embarrassed." She handed over the secret signs to her.

Dr. Mark Berkowitz cited the Ben Yehoyadah who explains this *Gemora*. He states that the secret message and signs that Rachel and Yaakov exchanged on the first day that they spoke at the well were kept secret by both of them for the seven years that Yaakov labored for Rachel's hand in marriage. He states that the only way that this secret could have worked and Leah could have possibly replaced Rachel was if Yaakov and Rachel did not meet or talk during those seven years. He points out that this is the great modesty that she displayed over these seven years.

Rabbi Aryeh Leib Scheinbaum in *Peninim* on the Torah Parshas Korach provides a similar explanation. [*This article is provided as part of Shema Yisrael Torah Network.*]

The Medrash teaches us that On ben Peles was saved as a result of listening to his wife. She asked him, "What do you gain by being involved in this dispute? Regardless who triumphs, you still emerge as the loser. If Aharon is selected as *Kohen Gadol* - you are his student. If Korach becomes the *Kohen Gadol* - you are still nothing more than a student. Why involve yourself in a 'no win' situation?" On's wife spoke with *seichel*, common sense. Is this a reason to praise her? Basically, she only did what any level-headed person would do.



Horav Nossan Vachtfogel, zt"l, offers a penetrating insight into the matter. He cites the *Gemora* in Megillah 13b where Rabbi Elozar claims that as reward for Rachel Imeinu's *tznius*, modesty, she merited that Shaul Hamelech be descended from her. When did she demonstrate such exemplary *tznius*? Chazal explain that when she gave her sister, Leah, the *simanim*, special signs, that Yaakov Avinu had given her, she acted with exemplary modesty. Rashi explains that her *tznius* lay in the fact that she never publicized her selfless act of devotion to her sister. She never divulged to Yaakov what she had done. She was prepared to give up that for which she had strived for so much - the opportunity to be the progenitor of the *Shivtei Kah*, tribes of *Klal Yisrael*. She did not once call attention to her exemplary act of kindness. This is *tznius* at its zenith.

Rav Nossan posits that included in the *middah* of *tznius* is the ability to maintain a *shev v'al taaseh*, status quo, attitude in regard to a situation in which one is unsure of what to do. He does not take a chance and plunge forward regardless of the consequences. No - *tznius* demands that one sit back and not act, rather than act rashly. Likewise, one who is a *tzanua* will not divulge a secret. If one is asked for information about someone and he does not know the person, it takes *tznius* to say, "I do not know." Regrettably, there are those who are quick to conjecture and state their own opinions about someone, even though they are baseless.

## DAILY MASHAL

### I Don't Know

Rav Nossan remembers that, prior to being asked by Horav Aharon Kotler, zl, to become the first Mashgiach of the Beth Medrash Govohah, he was asked by a *talmid*, close student, of Rav Aharon regarding a controversial *sefer* that was on the table in one of the Yeshivah's classrooms. The Mashgiach responded, "I do not know." This response prompted the *talmid* to approach Rav Aharon and suggest

that Rav Nossan be appointed as Mashgiach of the Yeshivah. It takes someone who possesses the strength of character to assert "I do not know" to be the Mashgiach of the Lakewood Yeshivah. This was the power of On ben Peles' wife. She had the ability to see and stress the *shev v'al taaseh* attitude: "If either way you will not be the victor, why bother involving yourself in the fray of the controversy? Stay at home and stay out of trouble." It takes *tznius* to act in such a manner. On was fortunate that his wife had the necessary character trait - and he had the wisdom to listen to her.