

A בס"ד

Intro

Today we will learn בע"ה of בבא בתרא דף קכ"ב. Some of the topics we will learn about include.

The question of ארץ ישראל לשבטים איפלוג  
Was the land of Eretz Yisroel first divided into twelve equal portions for each Shevet, and then each Shevet divided their land per each person, and all the Shevatim received portions of equal size?

OR

לקרקה גברי איפלוג  
The land was first divided per each person and accordingly a Shevet with a larger population received a larger portion, while a Shevet with a smaller population received a smaller portion?

The Gemara describes several additional details of the first חלוקה of Eretz Yisroel:

לא נתחלקה אלא בכסף  
The difference in the land was compensated with money.  
And all agree

לשופרא וסניא  
בקרקה העלוה  
The difference in quality was compensated with land, in that one who got זיבורית, inferior land, got more land than one who got עידיית, superior land.

A

ארץ ישראל לשבטים איפלוג  
לקרקה גברי איפלוג

לא נתחלקה אלא בכסף

לשופרא וסניא  
בקרקה העלוה

B However, there is a Machlokes regarding

לקרובה ורחוקה  
The difference in distance from Yerushalayim, since land closer to Yerushalayim was more valuable;  
Whether this was compensated with money or with land?

ולא נתחלקה אלא בגורל וכו' ובאורים ותומים  
The explanation in how the land was divided according to both the lottery and the תומים ותומים;

The Kesubah includes additional provisions which provide benefits for the wife and her children, one benefit is

מזונות הבת  
When the husband dies, the wife's daughters that they had together are supported from his estate even though his sons inherit the estate.

B

לקרובה ורחוקה

ולא נתחלקה אלא בגורל וכו'  
ובאורים ותומים

מזונות הבת

1 So let's review ...

The Gemara proceeds with a question regarding the distribution of the land of Eretz Yisroel:

איבעיא להו  
ארץ ישראל לשבטים איפלוג  
או דלמא  
לקרקף גברי איפלוג

Was the land first divided into twelve equal portions for each Shevet, and then each Shevet divided their land per each person?

And accordingly, all Shevatim received portions of equal size.

OR

לקרקף גברי איפלוג

The land was first divided per each person?

And accordingly, a Shevet with a larger population received a larger portion, and a Shevet with a smaller population received a smaller portion.

The Gemara brings two proofs that ארץ ישראל לשבטים איפלוג

1.

From the Pasuk

על פי הגורל תחלק נחלתו

בין רב למעט

As the Rashbam explains, the words בין רב למעט teach that each Shevet received their portion through the גורל, a lottery, regardless of whether

שהיה לו חלק מרובה

Each individual person would get a large portion because the population of this Shevet was small;

OR

שהיה לו חלק מועט

Each individual person would get a small portion because the population of this Shevet was large.

And only if we say

לשבטים איפלוג

The land was divided equally among the twelve Shevatim, would it be possible for one person to get more land than another.

For if we say

לקרקף גברי איפלוג

If the land was first divided per person, each person got the same amount of land?

1

?

איבעיא להו  
ארץ ישראל לשבטים איפלוג  
או דלמא  
לקרקף גברי איפלוג

Was the land first divided into twelve equal portions for each Shevet, and then each Shevet divided their land per each person? And all Shevatim received portions of equal size.

OR

The land was first divided per each person? And a Shevet with a larger population received a larger portion, and a Shevet with a smaller population received a smaller portion.

ארץ ישראל לשבטים איפלוג

1

על פי הגורל תחלק נחלתו  
בין רב למעט

As the Rashbam explains, the words בין רב למעט teach that each Shevet received their portion through the גורל, a lottery, regardless of whether...

שהיה לו חלק מועט  
Each individual person would get a small portion because the population of this Shevet was large.

שהיה לו חלק מרובה  
Each individual person would get a large portion because the population of this Shevet was small;

And only if we say לשבטים איפלוג

The land was divided equally among the twelve Shevatim, would it be possible for one person to get more land than another.

For if we say

לקרקף גברי איפלוג

If the land was first divided per person, each person got the same amount of land?

2

2. The Gemara brings a second proof from the following Braisa

1. עתידה ארץ ישראל שתחלק לשלשה עשר שבטים שבתחלה לא נתחלקה אלא לשנים עשר שבטים

In the time of משיח the land of Eretz Yisroel will be divided into thirteen equal portions.

As the Gemara explains, the additional portion is for Moshiach.

While when the Yidden first entered Eretz Yisroel the land was divided into only twelve equal portions. Apparently, the Braisa holds

לשבטים איפלוג

=====

The Braisa proceeds with other details regarding the first חלוקה.

2.

לא נתחלקה אלא בכסף

The difference in the land was compensated with money.

As the Gemara explains, all agree regarding

לשופרא וסניא

בקרקה העלוה

The difference in quality was compensated with land:

One who got זיבורית, inferior land, got more land, and one who got עידיית, superior land, got less land.

However, there is a Machlokes regarding

לקרובה ורחוקה

The difference in distance from Yerushalayim, since land closer to Yerushalayim was more valuable;

רבי אליעזר

בכספים העלוה

The difference was compensated with money. Those that were closer to Yerushalayim monetarily compensated those that were farther away.

However, both those closer to and those farther from Yerushalayim received the same amount of land.

While רבי יהושע says

בקרקה העלוה

The difference in distance was compensated with land, and those farther got more land than those who were closer.

=====

2

2

**עתידה ארץ ישראל שתחלק לשלשה עשר שבטים שבתחלה לא נתחלקה אלא לשנים עשר שבטים**

In the time of משיח the land of Eretz Yisroel will be divided into thirteen equal portions.

*As the Gemara explains, the additional portion is for Moshiach.*

While when the Yidden first entered Eretz Yisroel the land was divided into only twelve equal portions.

Apparently, the Braisa holds

**לשבטים איפלוג**

**לא נתחלקה אלא בכסף**

The difference in the land was compensated with money.

*As the Gemara explains, all agree regarding*

**לשופרא וסניא**

**בקרקה העלוה**

The difference in quality was compensated with land:

One who got זיבורית, inferior land, got more land, and one who got עידיית, superior land, got less land.

*However, there is a Machlokes regarding*

**לקרובה ורחוקה**

The difference in distance from Yerushalayim, since land closer to Yerushalayim was more valuable;

**רבי יבטל**

**בקרקה העלוה**

The difference in distance was compensated with land, and those farther got more land than those who were closer.

**רבי אייבט**

**בכספים העלוה**

The difference was compensated with money. Those that were closer to Yerushalayim monetarily compensated those that were farther away. However, both those closer and those farther received the same amount of land.

3 The Braisa continues:

3.

ולא נתחלקה אלא בגורל

The land was divided according to the lottery, as the Pasuk states

אך בגורל יחלק את הארץ

4.

ולא נתחלקה אלא באורים ותומים

The land was also divided according to the אורים ותומים, as the following Pasuk states

על פי הגורל תחלק נחלתו

As the Gemara explains, the land was divided according to both the אורים ותומים and the גורל as follows:

אלעזר מלוכש אורים ותומים

ויהושע וכל ישראל עומדים לפניו

וקלפי של שבטים וקלפי של תחומין מונחין לפניו

אלעזר the גדול כהן wore the אורים ותומים, and יהושע and all the Yidden were assembled before him. And before אלעזר there was one box that contained the names of all the Shevatim, and a second box that contained the twelve portions and their boundaries.

3

ולא נתחלקה אלא בגורל

The land was divided according to the lottery, as the Pasuk states

אך בגורל יחלק את הארץ

ולא נתחלקה אלא באורים ותומים

The land was also divided according to the אורים ותומים, as the Pasuk states

על פי הגורל תחלק נחלתו

The land was divided according to both the אורים ותומים and the גורל as follows:

אלעזר מלוכש אורים ותומים  
ויהושע וכל ישראל עומדים לפניו  
וקלפי של שבטים וקלפי של תחומין  
מונחין לפניו

אלעזר the גדול כהן wore the אורים ותומים, and יהושע and all the Yidden were assembled before him. In front of אלעזר there was one box that contained the names of all the Shevatim, and a second box that contained the twelve portions and their boundaries.



4

והיה מכויין ברוח הקדש ואומר

זבולון עולה

תחום עכו עולה עמו

First אלעזר used the אורים ותומים to predict that they will draw זבולון from the first box and his portion עכו from the second box. Then

טרף בקלפי של שבטים

ועלה בידו זבולון

טרף בקלפי של תחומין

ועלה בידו תחום עכו

The appointee then mixed the lots within each box and miraculously drew זבולון and תחום עכו from their respective boxes.

And as the Rashbam explains;

ובכך מתקררה דעתן של ישראל

שרואין שהגורל היה עולה כמו שנתנבא תחילה

וידעין שחלוקה ישרה הוא

This was done to pacify the Shevatim who received smaller portions, so that it would be obvious that the distribution was fair since the outcome of the גורל was destined from above.

=====

4

והיה מכויין ברוח הקדש ואומר  
זבולון עולה  
תחום עכו עולה עמו

First אלעזר used the אורים ותומים to predict that they will draw זבולון from the first box and his portion עכו from the second box.

Then

טרף בקלפי של שבטים  
ועלה בידו זבולון  
טרף בקלפי של תחומין  
ועלה בידו תחום עכו

The appointee then mixed the lots within each box and miraculously drew זבולון and תחום עכו from their respective boxes.

*And as the Rashbam explains;*

ובכך מתקררה דעתן של ישראל  
שרואין שהגורל היה עולה כמו שנתנבא תחילה  
וידעין שחלוקה ישרה הוא

*This was done to pacify the Shevatim who received smaller portions, so that it would be obvious that the distribution was fair since the outcome of the גורל was destined from above.*

5 The Braisa concludes  
ולא כחלוקה של עולם הזה  
חלוקה של עולם הבא  
The first חלוקה was different than the חלוקה in times to  
come, in that  
העולם הזה  
אדם יש לו שדה לבן  
אין לו שדה פרדס  
שדה פרדס  
אין לו שדה לבן  
In the first חלוקה a person who received a field, did not  
necessarily receive an orchard, and vice versa, a person  
who received an orchard did not necessarily receive a  
field. However  
לעולם הבא  
אין לך כל אחד ואחד  
שאין לו בהר ובשפלה ובעמק  
In times to come, each person will receive all three types  
of fields, and  
הקדוש ברוך הוא מחלק להן בעצמו  
Hashem, will Himself distribute the fields to each person.  
=====

5

**ולא כחלוקה של עולם הזה**  
**חלוקה של עולם הבא**  
*The first חלוקה was different*  
*than the חלוקה in times to come.*

**העולם הזה**  
**אדם יש לו שדה לבן**  
**אין לו שדה פרדס**  
**שדה פרדס**  
**אין לו שדה לבן**  
*In the first חלוקה a person who received a field,*  
*did not necessarily receive an orchard, and vice versa,*  
*a person who received an orchard*  
*did not necessarily receive a field.*

*However*  
**לעולם הבא**  
**אין לך כל אחד ואחד**  
**שאין לו בהר ובשפלה ובעמק**  
*In times to come, each person will receive*  
*all three types of fields, and*

**הקדוש ברוך הוא מחלק להן בעצמו**  
*Hashem Himself will distribute the fields*  
*to each person.*

**6** Zugt Di Mishnah  
 אחד הבן ואחד הבת בנחלה  
 Both sons and daughters are entitled to inheritance.  
 However,  
 אלא שהבן  
 נוטל פי שנים בנכסי האב  
 ואינו נוטל פי שנים בנכסי האם  
 A firstborn son is entitled to a double portion only in his  
 father's estate but not in his mother's estate.

The Gemara asks  
 אי לימא דירתי כי הדדי  
 The Mishnah cannot be understood literally that sons and  
 daughters inherit together in their father's estate, because  
 הא תנן בן קודם לבת  
 A previous Mishnah already taught that a son comes  
 before a daughter, and only if there are no sons does a  
 daughter inherit her father's estate.

Therefore, the Gemara offers four explanations to the  
 Mishnah whose names are alluded to in the  
 סימן נפשם  
 1.  
 says רב נחמן בר יצחק  
 אחד הבן ואחד הבת  
 נוטלין בראוי כבמוחזק  
 Both, a son, and a daughter when there are no sons,  
 receive the assets that were already in their father's  
 possession before he died, and even those that came to  
 him only after he died.

**6** מלאכי  
**אחד הבן ואחד הבת בנחלה**  
*Both sons and daughters are entitled to inheritance.*  
**אלא שהבן**  
**נוטל פי שנים בנכסי האב**  
**ואינו נוטל פי שנים בנכסי האם**  
*A firstborn son is entitled to a double portion  
 only in his father's estate  
 but not in his mother's estate.*

?

**אי לימא דירתי כי הדדי**  
*The Mishnah cannot be understood literally  
 that sons and daughters  
 inherit together in their father's estate, because*  
**הא תנן בן קודם לבת**  
*A previous Mishnah already taught  
 that a son comes before a daughter,  
 and only if there are no sons  
 does a daughter inherit her father's estate.*

1

רב נחמן בר יצחק

**אחד הבן ואחד הבת**  
**נוטלין בראוי כבמוחזק**  
*Both, a son, and a daughter when there are no sons,  
 receive the assets that were already in their father's  
 possession before he died,  
 and even those that came to him only after he died.*

7

2.  
 אחד הבן ואחד הבת  
 נוטלין חלק בבכורה  
 If the father was a בכור, firstborn son, and was entitled to a double portion in his father's estate, but he died first, both, his son, and daughter when there are no sons, receive their father's double portion in their grandfather's estate, as we learned earlier regarding the בנות צלפחד.

3.  
 אחד בן בין הבנים  
 ואחד בת בין הבנות  
 אם אמר יירש כל נכסי  
 דבריו קיימין  
 If a father with many sons stipulated that only one son inherit his entire estate, or if he had many daughters and he stipulated that only one daughter inherit his entire estate, his wish is fulfilled, as the Mishnah later cites the opinion of רבי יוחנן בן ברוקא

The Gemara however rejects these three explanations, because they do not correspond to the Mishnah's exclusions.

4.  
 Therefore, the Gemara concludes with the following explanation:  
 אחד הבן ואחד הבת שוין  
 בנכסי האם ובנכסי האב  
 Both, a son, and a daughter when there are no sons, inherit the estate of both, their father and their mother.

7

2

רב סמא

### אחד הבן ואחד הבת נוטלין חלק בבכורה

If the father was a בכור, and was entitled to a double portion in his father's estate, but he died first, both, his son, and daughter when there are no sons, receive their father's double portion in their grandfather's estate, as we learned earlier regarding the בנות צלפחד.

3

רב אילי

### אחד בן בין הבנים ואחד בת בין הבנות אם אמר יירש כל נכסי דבריו קיימין

If a father with many sons stipulated that only one son inherit his entire estate, or if he had many daughters and he stipulated that only one daughter inherit his entire estate, his wish is fulfilled, as the Mishnah later cites the opinion of רבי יוחנן בן ברוקא

~~4~~

The Gemara however rejects these three explanations, because they do not correspond to the Mishnah's exclusions.

4

מר בר רב אילי

### אחד הבן ואחד הבת שוין בנכסי האם ובנכסי האב

Both, a son, and a daughter when there are no sons, inherit the estate of both, their father and their mother.

8 However, there are two distinctions between נכסי האב and נכסי האם:

1.

Regarding a firstborn son;

נוטל פי שנים

בנכסי האב

ואינו נוטל פי שנים

בנכסי האם

He receives a double portion only in his father's estate but not in his mother's estate.

2.

And

והבנות

נזונות מנכסי האב

ואינן נזונות מנכסי האם

Regarding a daughter's privilege for support even when there are sons;

They receive support only from their father's estate, but not from their mother's estate, and it belongs solely to the sons.

As the Rashbam explains, because

נזונות בתנאי כתובה

The daughter's privilege of support is not part of הלכות

ירושה, as an inheritance, but as a Kesubah obligation;

which obviously applies only to the father, not the mother.

8

*However, there are two distinctions between*

**נכסי האב - נכסי האם**

A

**אינו נוטל**

FIRSTBORN  
SON

**נוטל**

**פי שנים**

**פי שנים**

**מנכסי האם**

**מנכסי האב**

A

**אינן נזונות**

DAUGHTER

**נזונות**

**מנכסי האם**

**מנכסי האב**

*As the Rashbam explains, because*

**נזונות בתנאי כתובה**

*The daughter's privilege of support is not part of הלכות ירושה, as an inheritance, but as a Kesubah obligation; which obviously applies only to the father, not the mother.*