



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Bava Basra Daf Kuf Chuf Beis

- **Q:** Was EY divided based on the Shevatim (12 equal parts, one part for each Shevet), or was it divided based on the number of people (with each person receiving an equal portion)? **A:** The pasuk says that the division is based on the gorel, "whether large or small". This must mean that it was divided based on the Shevatim, because if it was based on the people, everyone would end up with an equal piece! Also, a Braisa says, in the future EY is destined to be divided among 13 Shevatim, for initially it was only divided among 12 Shevatim. Also, it was divided with money compensation for those who received land of lesser value, as the pasuk says "bein rav limat". **R' Yehuda** said, a se'ah of land in Yehuda is worth as much as 5 se'ah of land in the Galil. Also, EY was divided by gorel, as the pasuk says "ach b'gorel". It was also divided by the Urim V'tumim, as is taught by the pasuk "ahl pi hagorel". How did this take place? Elazar stood there with the Urim V'tumim, and Yehoshua and all of Klal Yisrael stood there in front of him with 2 gorels – one that had the names of the Shevatim, and one that had the boundaries of the portions of EY. Elazar would speak based on the Urim V'tumim and say that a particular Shevet would be the next one out of the gorel and that the other gorel would then say that he is to receive a particular portion. Each time that is exactly what happened – that particular Shevet was chosen and that exact portion was chosen for him. This division is different than the division that will take place after Moshiach, because then it will be done by Hashem, and each person will have a portion that has every type of land in it (hills, valleys, grain, orchards, etc.). Now, the Braisa clearly said that "initially EY was only divided among 12 Shevatim". We see that EY was divided based on the Shevatim – SHEMAH MINAH.
 - The Braisa said that EY will ultimately be divided among 13 Shevatim. **R' Chisda** explained, that 13th portion will be for Melech HaMoshiach.
 - **Q:** The Braisa said that EY was divided with monetary compensation for those who got less valuable land. What was this money for? If this means that one who got better quality land must give money to one who got lower quality, there would be no one foolish enough to take money and be happy with lower quality land!? **A:** The people who got portions closer to Yerushalayim had to give money to those with portions further from Yerushalayim.
 - We see this as a machlokes in a Braisa, where **R' Eliezer** said that the difference was made up with money, and **R' Yehoshua** said it was made up with more land.
 - A Braisa says that the pasuk of "ach b'gorel" teaches that Yehoshua and Kalev were excluded from the gorel. Now, this can't mean that they didn't get a portion in EY, because we have learned that they even got other people's portions, so they certainly got their own! Rather, it means their portions were given to them by the word of Hashem, and not by the gorel, as can be seen from pesukim.

MISHNA

- Both a son and a daughter are subject to the same halachos of inheritance, except that a son who is a bechor gets a double portion from his father's estate, but not from his mother's estate, and daughters are supported from their father's estate until they marry, but are not supported from their mother's estate.

GEMARA

- **Q:** What is meant by the statement that a son and daughter are subject to the same halachos of inheritance? It can't mean that they inherit equally, because we have learned that a son and all his descendants take precedence over a daughter!? **A:** **R' Nachman bar Yitzchak** said, this refers

to the halacha that a son and a daughter would both get a share of assets that come into the estate even if the estate wasn't in possession of the assets at the time of death.

- **Q:** This can't be what is meant, because we already know this from the story of the daughters of Tzelapfchad, where they took their father's share of their grandfather's estate even though their father predeceased their grandfather and therefore never had their grandfather's estate in his possession at his time of death!? Also, if this is what the Mishna meant, why would it then be followed up with an exception of a difference between the estate of a mother and a father? It would presumably need to be an exception regarding a son and daughter!? **A:** Rather, **R' Pappa** said, the Mishna means that both a son and a daughter would be entitled to inherit their father's double portion from their grandfather's estate if their father was a bechor.
 - **Q:** This can't be what is meant, because we already know this from the story of the daughters of Tzelapfchad, where they took their father's double share of their grandfather's estate for his having been the bechor!? Also, if this is what the Mishna meant, why would it then be followed up with an exception of a difference between the estate of a mother and a father? It would presumably need to be an exception regarding a son and daughter!? **A:** Rather, **R' Ashi** said, the Mishna means to say that a son and daughter are the same in that if the father said he wants one particular son among all his sons, or one particular daughter among all his daughters, to inherit the entire estate, we follow through on his wish and the other sons or daughters do not inherit anything.
 - **Q:** Who would this follow, **R' Yochanan ben Broka**? He clearly states (later on) that if a father says this about someone who is fit to inherit from him, we follow his wishes, but if it is said about someone who is not fit to inherit him, we do not follow his wishes!? We can't say that the Mishna is teaching us the view of **R' Yochanan ben Beroka** as an anonymous shitah so that we should pasken like him, because this would be a case of an anonymous Mishna followed by a machlokes (where **R' Yochanan ben Broka** argues about this later on) in which case we do not follow the anonymous Mishna!? Also, the exceptions listed in the Mishna are not exceptions to **R' Yochanan ben Broka's** case, so why would they be listed as such!? **A:** Rather, **Mar bar R' Ashi** said, the Mishna means to say that a son and a daughter are equal with respect to their mother's and father's estate, but a bechor only takes a double portion from his father's estate, not his mother's, and a daughter only gets supported from her father's estate, not her mother's. The focus is on the difference between the estate of a mother and the estate of a father, not of a son and a daughter in their inheritance, and that is how the exceptions fit in.