

OVERVIEW of the Daf

1) R' Pappa's inquiries (cont.)

The Gemara explains the Navi's reference to Menashe's ten portions.

2) The children of the spies and complainers

A contradiction between two Beraisos is noted whether the children of the spies and the complainers were given portions on their own merit or their grandfather's merit.

Two resolutions to the contradiction are noted.

3) Tzelafchad's right to a double portion

The Mishnah's statement that Tzelafchad deserved a double portion is challenged since it was only a prospective asset and a first born does not collect a double portion from prospective assets.

R' Yehudah in the name of Shmuel offers a resolution to this challenge.

Rabbah challenges this resolution and offers an alternative resolution.

A Baraisa is cited to unsuccessfully challenge Rabbah's explanation.

4) The incident of Tzelafchad's daughters

Two explanations are given for the pasuk that states that the leaders and rest of the assembly were consulted after Moshe and Elazar could not answer Tzelafchad's daughters' inquiry.

The basis of the dispute between these two approaches is explained.

The Gemara discusses the issue of whether we give deference to a student in the presence of his rebbi.

A Baraisa enumerates the praiseworthy traits of the daughters of Tzelafchad.

The Gemara provides a source that they possessed each of these traits. ■

REVIEW and Remember

1. Why did the children of Yosef complain?

2. Regarding what detail about Tzelafchad's daughters' complaint was Moshe Rabbeinu uncertain?

3. What is the point of dispute between R' Yoshiya and Abba Chanan in the name of R' Eliezer?

4. How do we know that the daughters of Tzelafchad were righteous?

Distinctive INSIGHT

Who was Tzelafchad?

אפילו קטנה שבהן לא נשאת פחות מארבעים שנה

The Baraisa elaborates in its praise of the daughters of Tzelafchad. They were wise, they were insightful, and they were righteous. They were respectful in their approach to Moshe regarding the inheritance of their father, and they were accepting of his rulings and his instructions. Ultimately, in another Baraisa, R' Eliezer tells us that none of the daughters married younger than the age of forty, as they patiently waited to find a worthy husband. Tosafos (ד"ה אפילו) explains that this is determined based upon the opinion of Rabbi Akiva (Shabbos 96b) that Tzelafchad was the wood-gatherer, who died due to his desecration of the Shabbos. His daughters were obviously alive at that time, while the clarification to Moshe regarding the inheritance and the instructions regarding who they were to marry took place in the fortieth year in the desert.

In the Gemara in Shabbos (96a), when Rabbi Yehuda ben Besaira heard that Rabbi Akiva identified Tzelafchad as the wood collector who violated the Shabbos, Rabbi Yehuda told him that he was slandering "a righteous man (צדיק)".

Sfas Emes points out that the daughters of Tzelafchad admitted that their father died due to his "sin". The term "חטא" generally refers to an inadvertent sin. The verse in Kohelles (7:20) tells us that there is no man who is a total tzaddik in the land who will not sin even inadvertently. The wood collector had acted with intent, and Rabbi Yehuda would never have used the term "tzaddik" to describe him. Although Tzelafchad had sinned, it was without intent, and this did not compromise his title as a fully righteous man.

Rashi explains that had Tzelafchad sinned by violating Shabbos, this would have been a grievous and significant sin. However, according to this version, the daughters claimed that he was a tzaddik, because he had only sinned in being one of the rebels of the Ma'apilim. Relatively speaking, this was a much lesser sin than violating the Shabbos. As the Maharshal emends, in this manner Tzelafchad had not been involved in a chillul Hashem - the desecration of the Name of Hashem. Reb Tzadok HaKohen writes in his sefer Tzidkas Hatzadik that the sin of these fighters was that they refused to be denied the opportunity to enter Eretz Yisrael. He explains that their sin was not an intentional act of rebellion against Hashem and Moshe, but it was rather a case of terrible misjudgment. They were killed in battle due to their mistake, but this did not deem them as evildoers. ■

HALACHAH Highlight

Violating Shabbos in order to be seen as a gentile

אבל לא היה יודע באי זו מיתה הוא ימות

But he did not know which method of execution should be used to kill him

In his work Teshuvos Torah L'Shmah¹, Rav Yosef Chaim of Baghdad, author of Ben Ish Chai, presents a fascinating question. There was once a Jew who was travelling and as Shabbos was approaching he found an inn on the side of the road to stay for Shabbos. That Shabbos night the wind was particularly strong and cold so this person was forced to spend the night in a large room in the inn that had weather-proof windows. A few hours into Shabbos a group of non-Jewish travelers came to the inn and also decided to spend the night in that same large room. The Jew recognized immediately that this group of non-Jews were rabid anti-Semites and if they were to discover that they were sharing a room with a Jew they would force him out of the room with the good windows. This person was not a healthy person and was concerned for his health if he would be forced to sleep in a room that did not have proper windows, although it was

not a life-threatening concern. He decided that he would light a candle in the presence of the members of this group and by doing so they would leave him alone never suspecting that he was a Jew. After the incident he inquired whether he violated a Torah prohibition since he did not need the light for its illumination being that the room was well lit.

Ben Ish Chai answered that the melacha performed by this person is categorized as a **מלאכה שאינה צריכה לגופה** – a melacha that is not needed for its usual purpose. He bases this conclusion on Maharsha's commentary to our Gemara. Maharsha cites earlier authorities who assert that Tzelafchad gathered wood to teach others about the severity of the transgression of gathering wood on Shabbos. Since his intent when performing the melacha was something other than for the wood his act is categorized as a **מלאכה שאינה צריכה לגופה**. So too in our case, explains Ben Ish Chai, since this fellow lit the candle for a purpose other than for illumination the act is categorized as a **מלאכה שאינה צריכה לגופה**. Whether a **מלאכה שאינה צריכה לגופה** is a Biblical prohibition is a dispute between Rambam and other Rishonim. Consequently, this person is in need of atonement since he actively and knowingly violated Shabbos when his life was not in danger. ■

1. שו"ת תורה לשמה סי' קכ"ג. ■

STORIES Off the Daf

The Tzaddik's blessing

"מחללי מות ימות..."

On today's daf we find that willful desecration of the Shabbos is such a severe sin that it warrants the death penalty.

A certain person once decided to emigrate to America from Poland. Since he lived near the Chofetz Chaim he wished a blessing from the tzaddik before embarking on his journey. The great sage agreed to bless his endeavor on one condition: "You must promise never to violate the sanctity of Shabbos, and to seal it with a handshake."

The man readily agreed and received the tzaddik's effusive brochah.

He traveled to Baltimore and quickly found a job washing windows. After an extended period working in the com-

pany, his boss suddenly insisted that he begin to come in on Shabbos. The immigrant would not hear of this and refused. Predictably, his employer fired him on the spot.

The next week the man began searching for a job but found nothing. After a month of fruitless seeking, things started getting tight financially. When three months had passed without work, his situation was hardly bearable. After several months had transpired, the man was virtually starving.

One Shabbos after shul he decided to give in and work on Shabbos. After all, their destitution constituted a serious question of pikuach nefesh for himself and his wife and children.

He decided that he would approach his old boss and ask for his old job back on whatever terms were offered. But as he walked to his old place of employment he suddenly recalled that he had promised the Chofetz Chaim that he

would not work on Shabbos no matter what.

He realized that although his family had much less food than they required, they would not literally starve and he was therefore obligated to keep Shabbos. He turned around and went home to his dismal Shabbos table.

That very night, his boss came to his door with another man. "Six months ago I told this gentleman that you would sacrifice to keep the Shabbos no matter what it took. He doubted this and we wagered to give you six months with no employment to see who was right. Today was the last day and I won the bet."

His boss took a wad of bills out of his pocket and said, "Here is your full salary for the last six months. And of course you are welcome back to your job starting tomorrow!"¹ ■

1. מאיר עיני ישראל, ח"ו, ע' 509. ■