



**RABBI SHALOM**

**ROSNER**

RAV KEHILLA, OHEL EPHRAIM IN NOFEI HASHEMESH  
MAGGID SHIUR, DAF YOMI, OU.ORG  
ROSH BAIS MEDRASH ENGLISH SPEAKING PROGRAM JCT MACHON LEV

# Tzelofchad's Sin or Merit?

Following the plague in the wilderness, the Torah recounts a new census of the Jewish people, listing each *shevet* in preparation for entering the Land of Israel. Immediately afterward, Hashem commands:

“לאלה תחלק הארץ בנחלה במספר שמות”

*To these shall the land be divided as an inheritance, according to the number of names.*<sup>1</sup>

The implication is clear: those who will inherit the land are specifically this new generation, while the previous generation, who forfeited their portion through sin, has passed on.

Rashi, citing the Gemara in Bava Batra (110a), describes a complex process of inheritance in which the land is, in a sense, distributed through both the living and the deceased. Yet, in the midst of this system, an unexpected claim emerges from the

1. Bamidbar 26:53

**BROTHERS MOVING CO.**

**THE STRONGEST... THE MOST GENTLE**

054-216-0087 • brothersmovingisrael@gmail.com

daughters of Tzelofchad.

They approach Moshe with a powerful argument:

“אבינו מת במדבר... והוא לא היה בתוך העדה הנועדים על ה' בעדת קרח... כי בחטאו מת ובנים לא היו לו”

*Our father died in the wilderness... but he was not among those who rebelled with Korach... rather, he died through his own sin, and he left no sons.*<sup>2</sup>

The Gemara (Shabbat 96b) probes this statement. What was Tzelofchad's sin?

Rabbi Akiva identifies him as the *mekoshesh eitzim*, the man who violated Shabbat by gathering wood. However, Rabbi Yehuda ben Beteira strongly objects: and criticizes Rabbi Akiva - “*Akiva, whether you are correct or not, you will be held accountable.*”

If Rabbi Akiva is correct, then he is revealing what the Torah intentionally concealed. And if he is incorrect, he is casting aspersions on a righteous individual.

Instead, Rabbi Yehuda ben Beteira suggests that Tzelofchad was among the *ma'apilim* - those who, after the sin of the spies, attempted to ascend to Eretz Yisrael against Hashem's command.

Yet this raises a fundamental difficulty. Rabbi Yehuda ben Beteira criticizes Rabbi Akiva for revealing a sin, yet he himself attributes a different sin to Tzelofchad. What, then, is the difference?

The *Menachem Tzion*, Rav Menachem Mendel M' Romanov, a talmid of Rav Elimelch M'Lizhansk, offers a profound insight. While both opinions assign wrongdoing to

2. Bamidbar 27:3

Tzelofchad, they are not equivalent.

The sin of the *mekoshesh* reflects a breach of Shabbat, an act of disobedience without redeeming context. In contrast, the sin of the *ma'apilim* was born out of an overwhelming love for Eretz Yisrael. They were prepared to risk their lives to enter the land promised by Hashem.

That love of Eretz Yisrael transforms the narrative. Even though their actions were misguided and contrary to Hashem's command, the depth of their longing for the land mitigates the failing. It is not considered a *motzi la'az* to associate Tzelofchad with the *ma'apilim*, because their sin was intertwined with extraordinary devotion. As the *Menachem Tzion* explains, the very willingness to sacrifice for Eretz Yisrael carries such spiritual weight that it can outweigh significant deficiencies.

This idea is not confined to the generation of the wilderness. Throughout history and especially in more recent times, Jews have risked everything to build, defend, and sustain the Land of Israel. Many who may not have been fully observant of Torah and mitzvot nevertheless displayed profound dedication and self-sacrifice for the land. Who can measure their merit? We are not tasked with calculating heavenly accounts. But the Torah

teaches us something essential: love for Eretz Yisrael, especially when expressed through sacrifice, is of immeasurable value.

Perhaps this is the deeper message of Bnot Tzelofchad. They did not claim that their father was perfect. On the contrary - "כי בחטאי מת". He had shortcomings. But that was not the full story. A person is not defined solely by their failures, but by what they love, what they strive for, and on behalf of what they are willing to sacrifice.

Tzelofchad may have erred, but if he was among the *ma'apilim*, then his life was animated by a burning love for Eretz Yisrael. That type of love endures, elevates and redeems. And so, as we reflect on our own lives, the question is not only: *Where do we fall short?* But also: *What do we love deeply enough to give ourselves over to?*

If we can cultivate within ourselves even a fraction of that passion - for Torah, Am Yisrael, and for Eretz Yisrael - then those aspirations themselves carry immeasurable weight. So many in our generation have sacrificed their lives on behalf of the land of Israel and for the people of Israel and even though they may not have observed all other mitzvot, who are we to judge their holiness? May we merit not only to inherit the land, but to truly love it, build it, and elevate ourselves through it. ■

**לבינסון רז ושות'** Lewensohn Raz & Co.  
משרד עורכי דין ונוטריון Law Offices & Notary

**Estates, Probate,  
and Inheritances\***

**Real Estate  
Transactions**

**Tama 38 and Renovation  
Construction Projects**

\* Durable Powers of Attorney for Health and Financial Matters



**Moshe Raz,**  
Adv. & Notary

27 Keren Ha'Yesod St., Jerusalem | 02-6731000 | 054-6380149 | office@lawlr.co.il | www.lawlr.co.il