

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah begins with some of the parameters of the obligation to give a kohen the first shearings and then contrasts this with the obligation to give the foreleg, jaws and abomasum. Beis Shammai and Beis Hillel disagree how many sheep are necessary to trigger the obligation of giving the first shearings to the kohen. Additional details related to the obligation of first shearings are presented.

2) Consecrated animals

The source that consecrated animals are exempt from first shearings is identified.

The Gemara searches for the circumstance in which it is necessary for an exposition to teach that a consecrated animal is exempt from first shearings.

The source that sanctity spreads throughout the entire animal is presented.

Rava offers another explanation of the Mishnah's exemption of first shearings from consecrated animals.

Rava explains the need for the word **צאנך**.

3) The dispute between Rabanan and R' Ilai

A related Beraisa is cited that presents a dispute between Rabanan and R' Ilai concerning the question of whether an animal that is owned in partnership is subject to the mitzvah of first shearings.

The exchange between R' Ilai and Rabanan is recorded.

Another explanation of the dispute between R' Ilai and Rabanan is recorded.

A third explanation of the dispute is suggested.

Rava proceeds to note a number of mitzvos where the term "your" is utilized and nonetheless it applies to partnerships.

Rava's explanation regarding the mitzvah of chalah is challenged and subsequently revised. ■

Distinctive INSIGHT

The mitzvah of the first shearing

הא בעי העמדה והערכה, הניחא למ"ד קדשי בדק הבית לא היו בכלל העמדה והערכה, אלא למ"ד היו מאי איכא למימר?

The Mishnah taught that the "first shearings" gift for a kohen is only taken from non-consecrated animals, but not from animals which possess an element of holiness. The Gemara explains that this halacha is based upon the verse in Devarim (18:4) which states, "You should give to him the first shearings of *your* sheep." The inference is that this gift is taken from animals which are wholly owned by a yisrael, and not from animals which are owned by the Mikdash. The Gemara notes that any animal which is consecrated for the Altar is prohibited to be shorn of its wool, so the verse and its lesson is only necessary in a case where an animal was consecrated for its value. And even here, R' Elazar holds that such animals may also not be shorn, but this is only a rabbinic restriction. The Torah does allow an animal which is consecrated for its value to be shorn. Accordingly, we might have thought that if its wool is shorn in violation of this rabbinic restriction that the kohen should receive his gift. The assumption would be that the yisrael would redeem this wool and then present it to the kohen. The Mishnah therefore teaches that the law of the first shearings does not apply in this case.

The Gemara also determines that redemption of a consecrated animal is only possible when the animal can stand and be evaluated (העמדה והערכה), so how could this have been assumed to apply to shorn wool? R' Mani bar Patish answers that the case in which the verse is needed is where someone consecrated his animal for its value, and he said "except for its wool." Here, because the animal itself is owned by the Mikdash, although the wool is owned by the yisrael, the mitzvah of the first shearings does not apply.

Rambam (Hilchos Bikkurim 10:2) rules that the verse exempts consecrated animals from this mitzvah. The illustration he gives, however, is simply where someone consecrated his animal and he shorn its wool. Based upon the verse in Devarim. the halacha is that he need not redeem the wool to give it to the kohen.

Mahari Kurkos notes that Rambam (Arachin v'Charamin 5:12) rules that animals consecrated for their value need to be stood up and evaluated in order to be redeemed. Accordingly, the case referred to by the verse which is exempt from this mitzvah can only be where the owner consecrated his animal with the exception of its wool, as the Gemara states. Yet, Rambam omits this critical detail. Among the answers given is that Rambam only requires redemption with standing the animal up in regard to where the animal itself is being redeemed. Here, where only the wool is being redeemed, the wool can be redeemed by itself without its being stood up to be evaluated. ■

REVIEW and Remember

1. What is the point of dispute between Beis Shammai and Beis Hillel ?
2. What is the point of dispute between Rabanan and R' Ilai ?
3. What is the status of a field jointly owned by a Jew and a gentile ?
4. What is the source that partners are obligated in chalah ?

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מרת ברכה צבי בת ר' יחיאל, ע"ה

HALACHA Highlight

Fulfilling the obligation of first shearings nowadays in Eretz Yisroel

נוהג בארץ ובחוצה לארץ

It is in force in Eretz Yisroel as well as outside of Eretz Yisroel

The Mishnah teaches that the obligation to give a kohen the first shearings applies in Eretz Yisroel as well as outside of Eretz Yisroel. Halacha, however, follows the opinion of R' Ilai (136b) who rules that the obligation to give the first shearings to a kohen applies only in Eretz Yisroel and remains in force even though there is no Beis HaMikdash. The Beis Hillel¹ comments that nowadays even in Eretz Yisroel the obligation to give a kohen the first shearings is not in force and he asserts that this practice is alluded to by Rema. He also² contends that the rest of the priestly gifts are also not obligatory nowadays even in Eretz Yisroel. Birkei Yosef³ disagrees and asserts that the obligation to give priestly gifts remains in force in Eretz Yisroel even in our days and the inference that the Beis Hillel drew from Rema is not correct. Aruch HaShulchan⁴ also writes

that he knows of no rationale why the obligation to give priestly gifts should not be in force and technically it applies outside of Eretz Yisroel as well and it is just by virtue of custom that it is not practiced.

Teshuvos V'hanhagos⁵ mentions that there are people who make an effort to purchase five sheep that have the minimum quantity of wool on each one so that they can give a kohen an amount of wool equal to five sela'im in order to fulfill the mitzvah. The reason people put forward an effort to fulfill this mitzvah is based on a teaching of Arizal that the perfection of a person's soul requires the fulfillment of every mitzvah. For those people who yearn to achieve this aspect of perfection they make sure to purchase sheep so that they could fulfill the mitzvah of giving the first shearings to a kohen. He then reports that he held a "first shearings ceremony" in his shul and he was able to arrange for more than 100 people to properly fulfill this mitzvah. ■

¹ בית הלל יו"ד סי' של"ג סעי' א'.

² בית הלל יו"ד סי' ס"א סק"ג.

³ ברכי יוסף שם אות ב'.

⁴ ערוה"ש סי' של"ג סעי' ב'.

⁵ שו"ת תשובות והנהגות ח"ג סי' שמ"ב. ■

STORIES off the Daf

Hiddur or Halachah?

"ראשית הגז נוהג בארץ..."

Although on today's daf we find that giving the first shearings of wool to the kohen also applies outside of Eretz Yisrael, this is not the halachah. The halachah is that the mitzvah to give the first cuttings of sheep wool to the kohen is only applicable in Eretz Yisrael. Interestingly, the mitzvah to give the first cuttings was once very beloved to many Jews. This mitzvah was so cherished that people began to make strings for their tzitzis from wool which was from the first cuttings in Eretz Yisrael which had been given to a kohen.

One of the grandfathers of the Imrei Yosef of Spinka, zt"l, sent wool from the first cuttings with which to spin tzitzis tassels, and many others followed suit. This hiddur slowly took root, until it became exceedingly prevalent. Eventually the ignorant began to believe that using this type of wool was an obligation—and the most important element of hilchos tzitzis. They began ignoring many of these important halachos, mistakenly thinking that the pedigree of the wool used to spin the tzitzis strings was of paramount importance.

When the Eshel Avraham, zt"l, noticed this strange attitude, he took people to task for this error. "Tzitzis which are certainly kosher are by far superior to those which are not certainly kosher—even if the tzitzis of the second pair was woven from reishis

hagez. Even though the latter comes from the holy land, one should not fulfill the mitzvah with it unless it was made with careful adherence to the many relevant halachos."¹ ■

¹ ספר ציצית, ע' קצ"ז

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אברהם גרשון בן ציפי
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