



OVERVIEW of the Daf

1) The kohen's monetary right to a live unblemished korban (cont.)

The Gemara unsuccessfully challenges the position of R' Nachman in the name of Rabbah bar Avuha that the allowance for a kohen to sell a bechor is limited to nowadays when the animal belongs to the kohen but not when the Beis HaMikdash stood and the bechor would be offered as a korban.

R' Mesharshiya also unsuccessfully challenges R' Nachman's position.

A second version of the exchange between R' Mesharshiya and R' Nachman is presented.

Three more unsuccessful challenges to R' Nachman's assertion are recorded.

It is suggested that R' Nachman's position is subject to a dispute between Tannaim.

This suggestion is rejected.

R' Chisda asserts that the kohen's allowance to sell a bechor is limited to selling it to a kohen.

One reason why it is prohibited to sell the bechor to a yisroel is suggested but rejected.

Another reason why it is prohibited for a kohen to sell a bechor to a yisroel is proposed.

A related incident is presented. ■

REVIEW and Remember

1. What happens if the child of a Kohen's wife and the child of a slave woman become intermingled?

2. In what regard are kodoshim kalim the property of the owner?

3. What is the point of dispute between R' Yochanan ben Nuri and R' Akiva?

4. Why is it prohibited for a Kohen to sell a bechor to a yisroel?

Today's Daf Digest is dedicated
 By Mr. and Mrs. Michael Daniels
 In loving memory of their father
 ר' שלמה בן ר' מיכאל דוד ע"ה

Distinctive INSIGHT

The restriction against a kohen's selling a bechor to a yisrael

דילמא אזיל ישראל ושדי ביה מומא וממטי לחכם ואומר לו בכור זה נתן לי כהן במומו

A bechor born in one's flock must be given to a kohen. If it is unblemished, the kohen will offer it as an offering. If it is blemished, the kohen may shecht it and eat from its meat.

Our Gemara discusses the halacha cited on 7b from the Mishnah in Ma'aser Sheni (1:2). A kohen may sell a bechor to a different kohen or to a yisrael. If the bechor is unblemished it may only be sold alive. The buyer will wait until the animal develops a blemish, when he can then shecht it and eat its meat. A blemished bechor may be sold whether alive or after being shechted, because it may be eaten, even by a non-kohen. The exception to this is where it was shechted while unblemished, because this is שחוט חוץ, an animal designated for an offering which is shechted outside the Mikdash, and it is prohibited from benefit.

Rav Nachman explained that the law in the Mishnah is only applicable at a time when the Beis HaMikdash is not built. If the Beis HaMikdash was built it would be allowed to sell a live unblemished bechor only to a kohen. Also, after it was shechted it would not be allowed to sell the meat at all, as this would be a disgrace to the meat of an offering.

In our Gemara, R' Chisda says that after a kohen receives a bechor from a yisrael, he may only sell this live, unblemished bechor to another kohen, but not to a yisrael. We suspect that a yisrael will cause a blemish to the bechor, and then take it to an expert to be inspected, claiming that it was already blemished when he bought it from the kohen.

The Gemara challenges the statement of R' Chisda. Is an expert allowed to rule regarding a blemish and permit it under these conditions? Rav taught that a blemish of a bechor may only be inspected for a yisrael if the kohen to whom he wishes to give the bechor is together with him. Otherwise we suspect that the yisrael would not offer the newly-permitted bechor to a kohen at all, but rather he might keep it and eat it himself.

The Gemara responds and explains that the reason

HALACHAH Highlight

Returning pidyon haben money

מפני שנראה ככהן המסייע בבית הגרנות

Because he appears like a kohen who assists on the threshing floor

The Gemara mentions that it is prohibited for a kohen to “assist on the threshing floor.” In other words, it is prohibited for a kohen to assist a farmer thresh his grain so that the farmer will give his terumah to that kohen. This principle is not limited to terumah; rather it applies to any gift that is to be given to a kohen. Yam Shel Shlomo¹ writes that technically if one redeems his son on condition that the money is returned the redemption is effective. In other words, if the father gives five sela'im to a kohen for the pidyon haben of his son but stipulates that the kohen must return the money his son is redeemed. Nevertheless, this should not be done since it appears to violate the principle of “a kohen who assists on the threshing floor” since it will give everyone an incentive to redeem their sons with this kohen. Moreover, even if the father does not stipulate that the kohen must return the money but the kohen returns the money on his own it also appears to violate this principle. This concept is mentioned in Tur² as well.

Yam Shel Shlomo then notes that in his time kohanim had adopted the practice of returning the redemption money. The reason this is permitted and does not appear like “a kohen who assists on the threshing floor” is that all the kohanim do this, so no kohen has an advantage over another.

(Insight...continued from page 1)
behind R' Chisda's ruling is that if a kohen would sell a blemished bechor to a yisrael, it would appear as if he is patronizing him in order that the yisrael will later give him other gifts, such as terumah. This is not allowed, as it is a chillul Hashem.

Tosafos asks that even if a yisrael claims that he received the bechor while blemished from the kohen, the rule is that a blemish does not permit a bechor unless we have testimony that the blemish developed on its own, because kohanim themselves are suspect of causing a blemish upon the bechor, in which case they are penalized not to be allowed to use the bechor. Tosafos answers that the Gemara means that the yisrael would have to testify that he saw the blemish occur on its own. ■

er. However, he still opposes the practice because it cheapens the mitzvah for the father and the kohen when the money is always returned. He then quotes a teshuvah of an earlier authority who writes that if he could he would stop the practice of having a festive meal to celebrate a pidyon haben except for people of means who can afford the meal and to give five sela'im to a kohen. Nowadays, people think the meal is the primary part of the mitzvah and as a result they improperly expect the kohen to return the redemption money and by doing so they do not fulfill the mitzvah. ■

1. ים של שלמה קידושין פ"א סי' ז'.

2. טור יו"ד סי' ש"ה. ■

STORIES Off the Daf

The Reluctant Kohen

לא לאו בתם

On today's daf we find the case of an unblemished bechor.

One farmer purchased a cow and did not realize that it had never before given birth. After when it gave birth, he found out that the newborn was actually a bechor. He knew that he was obligated to give the animal to a kohen who would then be duty-bound to care for it.

When the time came he gave it to the only kohen he knew...who lived in

the city. To his surprise the kohen refused to take the animal. “I live in a smallish place,” he said. “How can I possibly care for this animal? What will I do when it grows up?”

The farmer was not so easily dissuaded. “Your concerns are certainly valid, but I believe it is your obligation to take the animal. Refusing to do so is considered a disgrace of kodoshim. I guess you will have to search for a kohen who lives in a more rural area.”

The Chavas Ya'ir, zt"l, however, ruled that the kohen's claim that his situation permitted him to refuse the animal was correct. “If a kohen does not have space to deal with the bechor

he is not obligated to accept it. This is not considered a disgrace to the holiness of the bechor since he is not rejecting it, merely explaining that he cannot accommodate it as it is fitting.”¹

The Aruch HaShulchan, zt"l, rules similarly. “It is only proper that one who must give a bechor to the kohen should select a kohen who lives in a rural area and has space for the animal to roam. If he gives the bechor to a kohen who lives in the city, it will surely cause damage when it gets older, causing a terrible desecration of God's name.”² ■

1. שו"ת חות יאיר, סי' ל"ט

2. ערוך השולחן, סי' ש"ו, סי"ק י"ט ■