

Bechoros – Simanim

פרק ה – כל פסולי המוקדשין

דף לב – 32 Daf

1. Source that מעשר בהמה may not be sold

A Baraisa teaches: a *passuk* says about *bechor*, "לא תפדה" – *it shall not be redeemed*, and נמכר – *but it may be sold*. However, regarding *maaser* it says "לא יגאל" – *it shall not be redeemed*, ואינו נמכר לא חי ולא שחוט – *and it may not be sold, neither alive nor shechted*, ולא תם ולא בעל מום – *neither unblemished nor blemished*. An extensive discussion follows to identify the source for this interpretation. Rav and Rebbe Yochanan say that it is derived from a *gezeirah shavah* (לא יגאל לא יגאל) from חרמים – *property declared consecrated*, which is given to Kohanim. Just as with חרמים, that *passuk* also says it may not be sold, so too מעשר בהמה may not be sold. The Gemara proceeds to explain that this *gezeirah shavah* must be מופנה – "*free*," i.e., one of the two phrases is superfluous. Otherwise, מעשר בהמה could not be derived from חרמים, because they have a stringency, שכן חלים על הכל – *because they take effect on everything*, in contrast to מעשר. Two more sources are given for this law.

2. חרמים are *hekdesh* until they are given to the Kohen

Rava explains (according to Rashi's preferred *girsā*) that the term "לא ימכר" – *it shall not be sold*, written about חרמים, is unnecessary. It is self-evident that חרמים cannot be sold, regardless of where they are: if they are in the original owner's domain, they are *hekdesh*, which cannot be sold. If they are in the Kohen's domain, they are fully *chullin*, and certainly may be sold. As a Baraisa teaches: חרמים כל זמן שהן בבית בעלים – *as long as חרמים are in the original owner's domain*, הרי הן כהקדש לכל דבריהם – *they are like hekdesh in all respects*, as the *passuk* says: כל חרם – *every cherem is most holy to Hashem*. But once he gives them to the Kohen, הרי הן כחולין לכל – *they are like chullin in all respects*, as the *passuk* says: כל חרם בישראל לך יהיה לא – *every cherem in Yisroel shall be yours*. Since "לא ימכר" is superfluous, we say: אם אינו ענין לחרמים – *if it has no application for חרמים*, תנהו ענין, למעשר – *give it an application for maaser*, teaching that מעשר בהמה may not be sold.

3. Who is permitted to eat a בבור בעל מום?

In the next Mishnah, Beis Shammai says: לא ימנה ישראל עם הכהן לבכור – *a Yisroel may not be invited to join a Kohen in eating a blemished bechor*. Beis Hillel permits it, and even permits it to be eaten by an idolator. Our Mishnah follows Rebbe Akiva, who says in a Baraisa that Beis Hillel permits a בבור בעל מום to be eaten by an עובד עבודה זרה, but the Tanna Kamma there says Beis Hillel only permits it for a Yisroel. The opinions are explained: Beis Shammai *darshens* a *passuk* which says the meat of a *bechor* shall be for Kohanim like חזה ושוק. Just as חזה ושוק may only be eaten by Kohanim, so too a בבור בעל מום is only permitted to Kohanim. Beis Hillel says this is only true for a בבור תם, but regarding a בבור בעל מום, the *passuk* permits a *tamei* person to eat it. If a *tamei* person (who may not eat *kodashim*) may eat it, certainly a Yisroel (who may eat קדשים קלים) may eat it. According to Rebbe Akiva, the *passuk's* comparison of "כצבי וכאיל" – *like the deer and the hart* – teaches that just as an idolator may eat these, he may eat a בבור בעל מום.

Siman – Lab (Mad Scientist in a Lab)

The **mad scientist** Kohen **in the lab** who was experimenting with a new ink to write **לא יגאל** and מעשר בהמה to demonstrate a גזירה שוה between them, that would disappear from the חרם animal when it would be given to a Kohen and it becomes the Kohen's property, shared his lunch of meat from a blemished *bechor* with his assistant the Yisroel.



The **mad scientist** Kohen **in the lab** who was experimenting with a new ink to write **לא יגאל** on **מעשר בהמה** and **חרמים** to demonstrate a **גזירה שוה** between them, that would disappear from the **חרם** animal when it would be given to a Kohen and it becomes the Kohen's property, shared his lunch of meat from a blemished **bechor** with his assistant the Yisroel.

3 things to remember

1. Source that **מעשר בהמה** may not be sold
2. **חרמים** are *hekdesh* until they are given to the Kohen
3. Who is permitted to eat a **בכור** **בעל מום**?

