

Bechoros – Simanim

פרק ה – כל פסולי המוקדשין

דף לג – Daf 33

1. Source of the *machlokes* about guarding *terumah* which is ספק טמא from certain *tumah*

The Gemara explains the source of the *machlokes* whether *terumah* which became ספק טמא must be protected from definite *tumah*: the *passuk* says ואני הנה נתתי לך את משמרת תרומתי – *and behold, I have given you the safeguard of my terumos*. The Gemara first explains that Rebbe Eliezer holds the plural implies that בשתי תרומות הכתוב מדבר – *the passuk is discussing two cases of terumah: tahor terumah and "suspended" terumah* (i.e., possibly *tamei*), and about both it said עביד לה שימור – *make a safeguard for it*. Rebbe Yehoshua holds כתוב "תרומתי" – *it is written "my terumah"* (singular). However, this explanation is rejected, because Rebbe Eliezer also primarily follows the written form. The Gemara therefore explains that Rebbe Yehoshua holds the word "לך" – *for you* implies: הראויה – *which is fit for you, guard*, [terumah] *which is fit for you, guard*, but that which is not fit for you, you need not guard. Rebbe Eliezer holds that *terumah* which is ספק טמא is also "ראויה", because ויטהרנה – *Eliyahu might come and declare it tahor*.

2. Penalizing one who was צורם אוזן בבכור

The next Mishnah states: הצורם אוזן בבכור – if [a Kohen] *nicks a bechor's ear*, making it blemished, Rebbe Eliezer says נולד בו מום אחר – *he may never shecht it*, even if it develops another מום. The Chochomim say: when another blemish develops in it, he may shecht on its basis, since he does not gain from the מום he inflicted. The Gemara asks that both opinions contradict themselves: although one whose צרעת was cut off unintentionally becomes *tahor*, קצצה מתכוין – if he cut it off intentionally, Rebbe Eliezer says if he develops another גגע, he can become *tahor* based on it (because we assume that if the second גגע becomes *tahor*, the first would have also healed). The Chochomim say he remains *tamei* unless the גגע spreads over his whole body (which would make him *tahor* even if the first גגע was still there), or if he had cut it out when it was smaller than a גריס. Thus, Rebbe Eliezer here does not penalize him forever, and the Chochomim do, the reverse of their positions in our Mishnah!? The Gemara proceeds to distinguish between the two cases.

3. צורם אוזן בבכור ומת מהו לקנוס בנו אחריו

Rebbe Yirmiyah asked Rebbe Zeira: צורם אוזן בבכור ומת – if one *nicks a bechor's ear and then dies*, מהו לקנוס בנו אחריו – *what is the halachah regarding penalizing his son after him* to prohibit him from *shechting* the *bechor*? This cannot be resolved from similar cases: even if, where one sold a slave to an idolator and died, his son is likewise penalized to redeem him, that may be because ממצות ליה מפקע ליה – *every day he remains with the idolator, he prevents him from performing mitzvos*. On the other hand, even if, where one scheduled work for Chol Hamoed and died, his son is not penalized (and may perform the work), that may be because the father never actually worked on Chol Hamoed. Here, what is the *halachah* if one nicks a *bechor's* ear and dies? לדידיה קנסו רבנן – *Did the Rabbis penalize him* specifically, והא ליתיה – *and he is no longer here*, or לממוניה קנסו רבנן – *did the Rabbis penalize his property* (the *bechor*), and that still exists? This is resolved from a ruling about *shemittah*, that if someone fertilized his field, he may not plant it in the eighth year, yet if he dies, his son may plant it. Here, too, the son may *shecht* the *bechor*.

Siman – Ladder

The man setting up two ladders to watchtowers to guard *terumah* from becoming *tamei*, one for *tahor* and one for *tלויה*, was shocked when the man who had cut the ear of his *bechor* which became forbidden to him, fell out of the tower and died and the Rabbis allowed his son to *shecht* the *bechor*.

דף לד | DAF 34

Ladder



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3 things to remember

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3. צורם אוזן בבכור ומת מהו לקנוס בנו אחריו

