# Bechoros – Simanim
# פרק ו – על אלו מומין

## Daf 41 – דף מא

**1. מומין and conditions which do not permit ordinary *shechitah* but disqualify *korbanos***

The Mishnah states: ואלו שאין שוחטין עליהן לא במקדש ולא במדינה – *and these are* the conditions *because of which we cannot shecht* a *bechor either in the Mikdash or* [outside the Mikdash], because although they disqualify *korbanos*, they are not sufficiently severe to permit ordinary *shechitah*: flecks or water in the eye which are not permanent (and are not a "מום קבוע"), back gums which were merely notched, or an animal with גרב or חזזית (certain kinds of boils which heal), or יבלת (a wart in the eye, as defined on the previous Daf). The Mishnah lists other disqualifying factors: an animal which is old, sick, or foul-smelling, ושנעבדה בו עבירה – *one with which a sin* [of relations with a person] *was committed* ושהמית אדם – *or killed a person* according to one witness or the owner, which is sufficient to establish the event but insufficient to have the animal stoned. The Gemara explains that there are three types of גרב: dry inside and outside, and dry inside but wet outside, which are both full-fledged מומין, and wet inside and outside, which is the גרב of our Mishnah.

**2. *Machlokes* regarding אנדרוגינוס: חרוץ במקום בשר is not a מום**

The Mishnah recorded three opinions regarding אנדרוגינוס. The Tanna Kamma says both a טומטום and אנדרוגינוס may not be *shechted* either inside or outside the Mikdash, because their gender is unknown (and if they are female, they are not a *bechor*). Rebbe Yishmael says: אין לך מום גדול מזה – *there is no greater blemish than this*, i.e., an אנדרוגינוס's female organs are a full-fledged מום, and it may be *shechted* normally. Still, it cannot be shorn or worked, like any blemished *bechor*. The Chochomim say it is not a *bechor* at all, and may even be shorn or worked. [They consider it בריה בפני עצמה – *a creature unto itself*, neither male nor female, and not subject to *bechor* laws.] The Gemara questions the Tanna Kamma's view: although an אנדרוגינוס cannot be sacrificed as a *bechor*, since it may be female, but its female organs should be ruled "חרוץ" – *a cut*, and permit *shechitah* as a בעל מום!? Abaye says a *hekesh* between חרוץ and שבור – *broken* teaches that חרוץ only applies במקום עצם – *in a bone area*, not in an area of flesh. Rava demonstrates from elsewhere that חרוץ במקום בשר – *a cut in an area of flesh* is not a מום.

**3. Does Rebbe Yishmael consider an אנדרוגינוס a certain *bechor*, or a ספק בכור?**

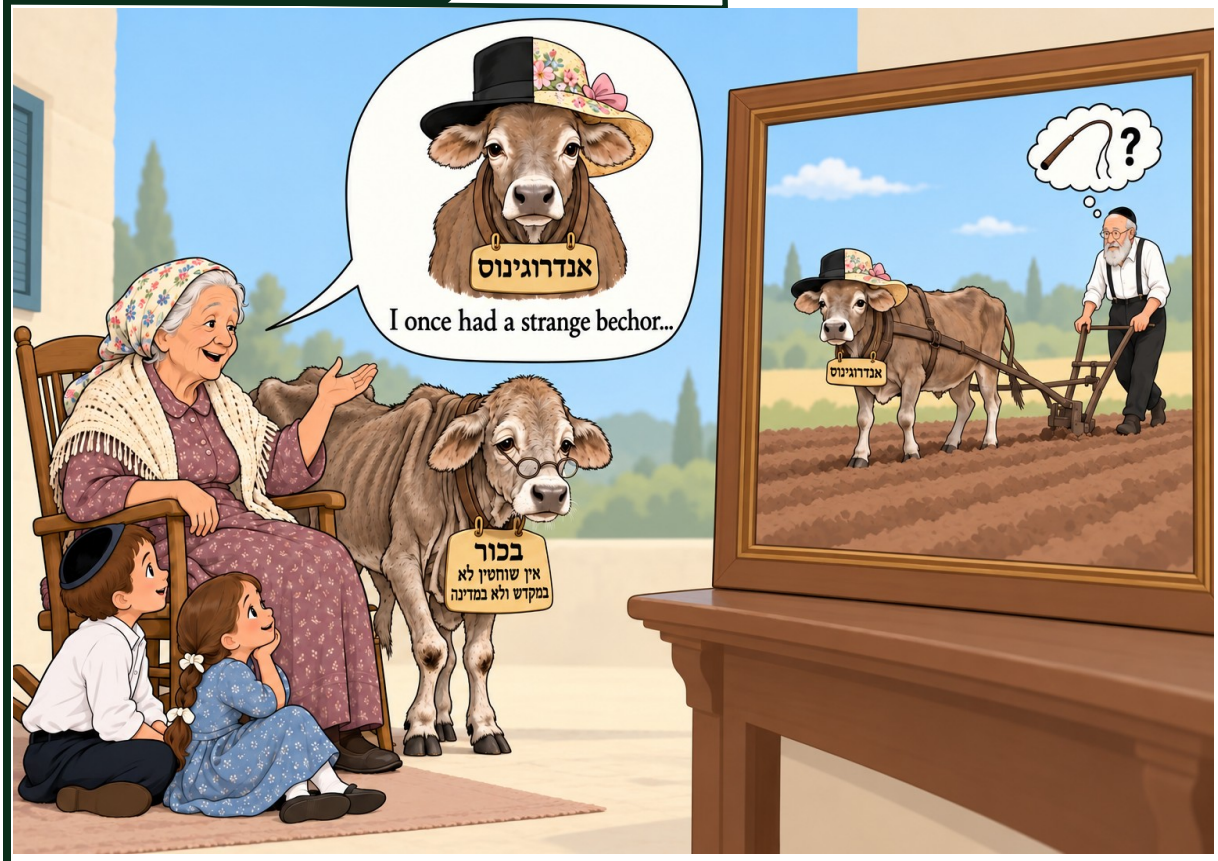
Rebbe Yishmael said that an אנדרוגינוס is a full-fledged בעל מום, because he holds חרוץ – *a cut* in an area of flesh to be a מום. Rava asked: is Rebbe Yishmael certain that an אנדרוגינוס is a definite male *bechor* with a blemish, or ספוקי מספקא ליה – *is he uncertain*, and only saying that <u>even</u> if it is a male *bechor*, it may be *shechted* as a בעל מום? A practical difference is למילקא עליה משום גיזה ועבודה – *to incur malkus for shearing or working it*, or whether the owner is required למיתבה לכהן – *to give it to a Kohen*. If Rebbe Yishmael is uncertain if it is a male, shearing or working it would not obligate *malkus*, and the owner could keep it. The Gemara presents a Baraisa it attributes to Rebbe Yishmael, which *darshens* "זכר" to disqualify אנדרוגינוס as an עולה. But if Rebbe Yishmael is uncertain if אנדרוגינוס is male, אצטריך קרא למעוטי ספיקא – *is a passuk needed to exclude a ספק* (whose status is known to Hashem)?! This proves he considers it a definite זכר. However, the Gemara concludes that this Baraisa may be a different Tanna.

***Siman* - Grandma**

The **grandma** who had a pet ***bechor* as old** as her, **whose age disqualified it from being brought as a *korbon*, but did not allow *shechting* it to be eaten**, told her grandchildren about the strange **אנדורגוניס *bechor* she once owned**, and couldn't remember **if her husband got *malkus* for working it in the field.**

## DAF 41 | דף מא

Grandma




**The grandma** who had a pet ***bechor*** as old as her**, whose age disqualified it from being brought as a *korbon*, but did not allow *shechting* it to be eaten,** told her grandchildren about the strange **אנדורגוניס *bechor* she once owned,** and couldn't remember **if her husband got *malkus* for working it in his field.**

## 3 things to remember

1. **מומין and conditions which do not permit ordinary *shechitah* but disqualify *korbanos***
2. ***Machlokes* regarding אנדרוגינוס: מום is not a חרוץ במקום בשר**
3. **Does Rebbe Yishmael consider an אנדרוגינוס a certain *bechor*, or a ספק בכור?**

