

Daf Notes

Insights into the Daily Daf

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Bechoros Daf 15

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Daily Daf

Blemished Sacrifice

The *Mishna* had stated: [When the blemish preceded the consecration...] it cannot effect *temurah* (an exchange animal).

The *Gemora* explains the reason for this: It is written: *He shall not exchange it nor replace it (a good for a bad or a bad for a good)*. Now, if a bad (i.e., a blemished consecrated animal) cannot be exchanged for a good (an unblemished and unconsecrated animal), is it necessary to teach us concerning the prohibition of exchanging a good (an unblemished consecrated animal) for a bad (a blemished animal)? Rather, it is teaching us that a *korban* – a good animal (i.e., unblemished) from the start (before its consecration; but which developed a blemish afterwards), the law of *temurah* applies, but to one - bad (i.e., blemished) from the start (before consecration), the law of *temurah* does not apply.

The *Mishna* had stated: [When the blemish preceded the consecration...] and if they died (before redemption), they can be redeemed.

Rav Yehudah said in the name of Rav: This is the teaching of Rabbi Shimon who said: Animals consecrated for the altar were included in the law of “standing and evaluation,” whereas objects consecrated for the maintenance of the Temple were not included in the law of “standing and evaluation” (and that is why – even if the animal dies, and it cannot “stand” to be evaluated, it may still be redeemed). For we have learned in a *Mishna*: Rabbi Shimon said: Animals

consecrated for the maintenance of the Temple - if they die, they can be redeemed. Rabbi Shimon agrees, however, that an animal blemished from the start (before consecration) may be redeemed. [Although animals consecrated for the altar require “standing and evaluation,” and therefore, cannot be redeemed when dead, in the case here of a sacrifice blemished from the start, he agrees that it can be redeemed when dead; this is because it is like an animal consecrated for the maintenance of the Temple, which was not included in the law of “standing and evaluation,” for it was consecrated so that it would be sold and the proceeds will be used to buy offerings for the altar.] What is the reason? It is because it is written: *And the Kohen shall evaluate it*; the word ‘it’ excludes the case of an animal with a blemish from the start (before consecration). But the Sages say: If they die, they are to be buried.

The *Gemora* asks: Who are the Sages referred to here?

The *Gemora* answers: It is a *Tanna* of the school of *Levi*, for a *Tanna* of the school of *Levi* taught the following *braisa*: All animals are included in the law of “standing and evaluation,” even an animal blemished from the start (before consecration). And the *Tanna* of the school of *Levi* taught in his *braisa*: Even a non-domesticated animal, and even a bird (are included in this law).

The *Gemora* notes that the word ‘it,’ according to the opinion of the *Tanna* of the school of *Levi*, is a difficulty.

The *Gemora* asks: The Rabbis, who differ from Rabbi Shimon, what is their position? Seemingly, they maintain that if they (*the animal which was blemished before its consecration*) died, it is redeemed. If so, Rav should have said that this (*our Mishna*) is the teaching of Rabbi Shimon as well as those who dispute with him!?

The *Gemora* answers: They said: Rav holds according to Rabbi Shimon the son of Lakish, who explained that the Rabbis maintain that animals dedicated for the maintenance of the Temple were included in the law of “standing and evaluation,” whereas animals consecrated for the altar were not included in the law of “standing and evaluation.” Therefore, the *Mishna* cannot be explained completely according to their view, for the latter part of the *Mishna* (*regarding animals that were consecrated for the altar, and afterwards, they developed a blemish*) states: and if they died, they shall be buried (*from which we may infer that animals consecrated for the altar are included in the law of “standing and evaluation,” whereas the Rabbis, according to the interpretation of Rabbi Shimon ben Lakish, hold the reverse view*).

The *Gemora* asks (*on the proof*): But how can it be proven that the reason of the *Mishna’s* ruling that they shall be buried is because they are subject to the law of “standing and evaluation”? Perhaps the reason is because we may not redeem consecrated objects in order to give them as food to the dogs (*and there is no other benefit to be had from the carcass*)?

The *Gemora* answers: They said: If this is so, then, let the *Mishna* state: If they become *tereifah*, they shall be buried.

The *Gemora* suggests an alternate explanation (*as to why Rav did not say that our Mishna is the teaching of Rabbi Shimon as well as those who dispute with him*): Rav can say that he in fact holds with Rabbi Yochanan (*that animals consecrated for the altar were included in the law of “standing and evaluation”*), and Rav’s statement should be emended to read as follows: This is the teaching both of Rabbi Shimon and of those who dispute with him.

The *Mishna* had stated: All consecrated animals which had contracted a permanent blemish after they were consecrated (*and have been redeemed, are exempt from the law of the bechor, and from the Kohanic gifts*).

The *Gemora* cites a *braisa* which proves these laws: It is written: (*You may eat its meat ... like the meat of the*) deer.

Just as a deer is exempt from the law of the firstborn (*for the law applies only to domesticated animals*), so too, sacrifices which have become disqualified for the altar (*through a blemish and have been redeemed*) are also exempt from the law of the firstborn. I would then exclude the firstborn and not the *Kohanic* gifts! The verse states: *ibex*. Just as the ibex is exempt from the law of a firstborn and from the giving of the *Kohanic* gifts, so too, sacrifices which have become disqualified for the altar are exempt from the law of the firstborn and of the *Kohanic* gifts.

The *Gemora* asks: Perhaps we should say that just as the fat of the deer and the ibex is permitted for consumption (*for the law applies only to domesticated animals*), so too, the fat of the sacrifices which have become disqualified for the altar, should also be permitted? It is for this reason that the verse states ‘*ach*’ (*but*), which intimates a limitation (*to the analogy; accordingly, we say that the prohibition of cheilev still is applicable*).

The master said: I would then exclude the firstborn and not the *Kohanic* gifts!

The *Gemora* asks: Now, what is the distinction between the two?

The *Gemora* answers: I would exclude the firstborn, because its law does not equally apply in all cases (*for it is applicable only to male offspring; not to females*), whereas I would not exclude the *Kohanic* gifts, as their law applies equally in all cases. The verse states: *ibex*.

Rav Pappa said to Abaye: Why not say that just as the law concerning the slaughtering of it and its offspring on the same day does not apply to a deer and a hart, so too the law concerning the slaughtering of it and its offspring on the same day should not apply to a disqualified offering?

He replied to him: With what will you compare (*these redeemed and blemished sacrifices, to render them exempt from the law regarding the slaughtering of it and its offspring on the same day*)? If you compare them with unconsecrated animals, then the law concerning the slaughtering of it and its offspring on the same day should apply to them! And if you compare them with consecrated sacrifices, then the law regarding the slaughtering of it and its offspring on the same day should apply to them!?

Rav Pappa said to him: If so, then in regard to the fat (*of these disqualified sacrifices*), why not say likewise, as follows: With what will you compare them? If it is with unconsecrated animals, their fat is forbidden, and if with consecrated sacrifices, their fat is forbidden!? But since the *Tanna* said that the word 'ach' (*but*) implies (*that they should be compared regarding the law of the firstborn and the Kohanic gifts*) "but not their fat," then similarly we should learn that the word 'ach' (*but*) as implying, (*that they should be compared regarding the law of the firstborn and the Kohanic gifts*) "but not the law regarding the slaughtering of it and its offspring on the same day.

Raba, based upon the wording of the Scriptural verses, answers Rav Pappa's question differently.

The *Mishna* had stated (*regarding animals which had contracted a permanent blemish after they were consecrated*): they do not revert to *chullin* (*that they may be shorn and be put to work; and even after they have been redeemed, their offspring and their milk are forbidden*).

The *Gemora* cites a *braisa* (*which gives the Scriptural sources for these laws*): *You may slaughter it*, implying that you cannot shear it. *You may eat its meat*, implying that you cannot milk it. *You may eat it*, implying that you cannot feed it to your dogs. We derive from here that you cannot redeem consecrated things in order to give food to the dogs.

There are those who say as follows: You may slaughter it and you may eat its meat, implying that the permission of eating (*from these disqualified sacrifices*) is only from the time of their slaughtering and on. We may, however, redeem consecrated things in order to give food to the dogs.

The *Mishna* had stated: (*even after they have been redeemed*) their offspring and their milk are forbidden.

The *Gemora* asks: What are the circumstances of the case? It cannot be that they were conceived and born after their redemption, for why would they be forbidden? They are offspring of a deer and a hart (*since the mother is completely chullin*)!? Rather, what is meant is that they were conceived before redemption and were born after redemption.

The *Gemora* infers from here that if they were born before redemption, they would indeed become holy (*and not only 'forbidden'*).

The *Gemora* cites a *braisa* which gives the Scriptural source for this: It is written: *male* - this includes the offspring (*of a shelamim*); *female* - this includes a *temurah* (*that it is offered on the altar*). Now, I can only infer from these the offspring of an unblemished animal and the *temurah* of an unblemished animal; from where, however, can I derive the offspring of a blemished animal and the *temurah* of a blemished animal? When it is written: '*whether a male,*' it includes even the offspring of a blemished animal, and the verse '*or a female*' includes the *temurah* of a blemished animal.

The *Gemora* asks: Those offspring which were born after the redemption (*of their mother*), what shall become of them? Concerning those born before their redemption there is a difference of opinion. There is one who says that they are holy enough as to be offered up on the altar, and there is another one who says that they are only holy to the point that they must be left to graze. But what is to be done with (*the offspring*) born after their redemption.

Rav Huna said: We put them in a cell and they die (*of hunger*), for what are we to do? Shall we offer them up on the altar? They derive their status from a source of sanctity which has been rejected. Shall we redeem them? They are not strong enough to receive redemption.

In the West it was stated in the name of Rabbi Chanina: Before the redemption of their mother he consecrates them for that particular sacrifice. (15a – 15b)