

Daf Notes

Insights into the Daily Daf
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Daily Daf

Mishna

Kohanim and Leviim are exempt (from the laws of bechor – specifically regarding the law of the firstborn donkey) through the logic of the following kal vachomer (literally translated as light and heavy, or lenient and stringent; an a fortiori argument; it is one of the thirteen principles of biblical hermeneutics; it employs the following reasoning: if a specific stringency applies in a usually lenient case, it must certainly apply in a more serious case): if they exempted the firstborn belonging to the Israelites (Yisroelim) in the Wilderness, it is certainly logical that they should exempt their own. [In the Wilderness, there was a commandment to redeem the firstborn – both human (a Yisroel) and animal (firstborn donkey belonging to a Yisroel) with a Levi and their animals.] (3b)

Leviim's Exemption

The Gemora asks: Did they (*the Leviim*) exempt the firstborn animals? Surely a man (*a Levi*) exempted a man (*a firstborn Yisroel*), and an animal (*of a Levi*) exempted an animal (*of a Yisroel*), for it is written: *Take the Leviim in place of all the firstborn among the Children of Israel and the animal of the Leviim in place of their animals.*

Abaye answers: The *Mishna* means as follows: As for *Kohanim* and *Leviim*, their animals are exempt (*from the laws of bechor – specifically regarding the law of the firstborn donkey*) through the logic of the following *kal vachomer*: if their animals exempted the firstborn animals belonging to the *Yisroelim* in the Wilderness, it is certainly logical that they should exempt their own animals.

Rava said to him: But doesn't the *Mishna* say that 'they' exempted (*referring to the Leviim themselves*)? And furthermore, if it (*the kal vachomer*) is as you state, then the *Leviim* should be exempted even from the laws of *bechor* from a kosher animal as well (*for it was their kosher animals that exempted the firstborn animals of the Yisroelim*)! Why then have we learned in a *Mishna* that the *Leviim* are not exempted from the law of *bechor* of a kosher animal – they are only exempted from the redemption of the firstborn male, and the firstborn donkey?

Rather, Rava said: This is what the *Mishna* is saying: *Kohanim* and *Leviim* (*who are firstborn*) exempt themselves (*from the redemption*) through the logic of the following *kal vachomer*: If the holiness of the male *Leviim* removed the holiness of the firstborn *Yisroelim* (*in the Wilderness*), it is certainly logical they should remove their own!

The *Gemora* asks: We have thus found the exemption regarding a human (*that the Leviim's firstborn is exempt*); from where do we know that this also applies to a non-kosher animal?

The *Gemora* answers: It is written: *You shall surely redeem the firstborn of man, and the firstborn of a non-kosher animal shall you redeem*. Whoever is subject to the laws of *bechor* by people, is subject to the laws of *bechor* by a non-kosher animal, but whoever is not subject to the laws of *bechor* by people is not subject to the laws of *bechor* by a non-kosher animal (*so a Kohen or Levi, who are exempt from redeeming their firstborn sons are also exempt from redeeming their firstborn donkeys*).

Rav Safra said to Abaye: According to your interpretation (*which is that a kal vachomer is used to teach us*) that the *Leviim's* non-kosher animals (*are not subject to the laws of bechor*), let us say the following: a *Levi*, who had a sheep (*in the Wilderness*) to remove (*the holiness of a firstborn donkey belonging to a Yisroel*), he should be able to remove (*his own*), but he who did not possess a sheep (*in the Wilderness*) to remove (*the holiness of a firstborn donkey belonging to a Yisroel*), he should not be able to remove his own?

Furthermore, both according to your interpretation and Rava's (*that a Levi is exempt from redeeming his firstborn son is learned with a kal vachomer*), let us say the following: a *Levi* who was a month old - who removed the sanctity of a *Yisroel* in the Wilderness, he should be able to remove himself from the necessity of redemption, whereas a *Levi* who was less than a month old - who did not remove the sanctity of a *Yisroel* in the Wilderness, he should not be able to remove himself from the necessity of redemption!?

And also, a *Levi's* daughter (*who did not remove the sanctity of a Yisroel in the Wilderness*) who gave birth to a firstborn, should not be exempt (*from the laws of bechor*)! Why then did Rav Adda bar Ahavah say that if a *Levi's* daughter (*married to a Yisroel*) gave birth (*to a*

firstborn), her son is exempt from the (*payment of*) five *sela'im* (*for redemption*)!?

The *Gemora* answers: That is not difficult, as Mar the son of Rav Yosef said in the name of Rava: The Torah says: *peter rechem* - the opening of the womb. The Torah makes the law of the firstborn dependent on the opening of the womb (*and since the mother is a Levayah, the son is exempt from redemption*).

Rav Safra asks: But what of Aaron - since he was not included in that census (*of the Leviim*), then (*his firstborn donkey*) should not have been removed (*from redemption*); for it has been taught in a *braisa*: Why is the word '*Aaron*' dotted in the Book of Numbers (*Bamidbar*; *there are dots on top of the word in a Torah scroll*)? It is because he was not in that census.

The *Gemora* answers: The Torah said: The *Leviim*, implying that all *Leviim* are compared to one another. [*This answers all the questions raised above, for it includes all Leviim who had no sheep, who were less than a month old, the sons of a Levayah and Aaron.*]

The *Gemora* asks: And from where do we know that *Kohanim* are included in the term *Leviim*?

The *Gemora* answers: This is as Rabbi Yehoshua ben Levi explained, for Rabbi Yehoshua ben Levi said: In twenty-four passages, the *Kohanim* are referred to as *Leviim*, and the following is an example: *And the Kohanim the Leviim the sons of Tzadok*. (4a)

Future Generations

The *Gemora* asks: From where do we know that the exemptions (*mentioned above regarding the Leviim*) apply for all future generations?

The *Gemora* answers: It is written: *And the Leviim shall be mine*; and '*they shall be*' means that they shall retain their status for all time.

The Gemora asks: And from where do we know that it was (*the Leviim exempted the Israelite's firstborn donkeys in the Wilderness*) with a sheep?

Rav Chisda said: 'Money' is written (*in connection with the redemption of a firstborn son*) for future generations, and 'a sheep' is written (*in connection with the redemption of the firstborn of a donkey*) for future generations. Just as with the money mentioned for future generations, they both redeemed (*the firstborn*) of future generations and they redeemed them at that particular time (*in the Wilderness*), so with the sheep mentioned for future generations, they (*the Leviim*) both redeemed (*the firstborns*) with it for future generations, and they redeemed with it at that particular time (*in the Wilderness*).

The Gemora asks: But how can sheep be compared to money, for money is used to redeem consecrated objects and *ma'aser sheini* (*the second year's tithing; and that is why it was used in the Wilderness, but perhaps sheep were not used then*)?

Rather, the Gemora answers: It is written: *But the firstborn of man you shall surely redeem, and the firstborn of non-kosher animals shall you redeem*. Just as regarding the firstborn of a man there is no distinction between future generations and that particular time - the redemption in each case being with money, so too regarding the firstborn of a non-kosher animal, there is no distinction between future generations and that particular time - the redemption in each case being with a sheep. (4b)

One Sheep for Many Donkeys

Rabbi Chanina said: One sheep of a Levi exempted many firstborn donkeys of the *Yisroelim*.

Abaye said: The proof is that Scripture numbers the extra of men (*there were 22,237 firstborns and 22,000 Leviim*), but does not number the extra of Israelite animals over the *Leviim's* animals.

The Gemora asks: But what proof is this? Perhaps they (*the Yisroelim in the Wilderness*) did not have many animals (*firstborn donkeys*) to redeem?

The Gemora answers: That cannot enter your mind, for it is written: *Now the children of Reuven and the children of Gad had an abundance of cattle*.

The Gemora asks: Perhaps, even so, the ordinary (*non-firstborn sheep*) of the *Leviim* precisely corresponded with (*the amount*) of the firstborn (*donkeys*) of the *Yisroelim*?

The Gemora answers (*that R' Chanina can be supported from the following*): It is written: *And the animal of the Leviim instead of their animals*. One animal belonging to a *Levi* took the place of many (*Israelite*) animals (*firstborn donkeys*).

Rava said: We have also learned this ruling in a *Mishna*: And he redeems with the sheep many times.

The Gemora explains that Rabbi Chanina was explaining the reason of the *Mishna*: What is the reason that he redeems with the sheep many times? It is because one sheep of a *Levi* exempted many firstborn donkeys. (4b)

Firstborn Sanctity in the Wilderness

It was stated: Rabbi Yochanan said: The firstborns (*human and animals*) in the Wilderness were sanctified. Rish Lakish said: The firstborns (*born*) in the Wilderness were not sanctified.

The Gemora explains: Rabbi Yochanan said that the firstborn were sanctified in the Wilderness, for the Torah said that they should be sanctified, as it is written: *Sanctify for Me all the firstborn*. Rish Lakish said that the firstborns were not sanctified in the Wilderness, since it is written: *And it shall be when Hashem shall bring you into the land of the Canaanites, and subsequently it says: You shall set apart every firstborn to Hashem*. From this you can infer that beforehand (*those born in the Wilderness*), were not sanctified.

Rabbi Yochanan challenged Rish Lakish from the following *Mishna*: Before the Tabernacle was erected, the *bamos* were permitted, and the service was performed by the firstborn. [*Evidently, they were sanctified in the Wilderness!?*]

He replied to him: The service was performed by those (*firstborns*) who went out from Egypt.

The *Gemora* notes that this answer stands to reason, for if you will not say so, is a one year old capable of performing the service (*for the Tabernacle was built only a year after they left Egypt*)?

The *Gemora* asks: How could Rabbi Yochanan have asked such a question at all?

The *Gemora* explains his challenge: Rabbi Yochanan thought: It would be understandable if you said that the sanctity of the firstborn did not cease in the Wilderness, because then the firstborns born beforehand (*in Egypt*), did not lose their sanctity either; but if you say that their sanctity ceased (*in the Wilderness*), then those firstborns born beforehand should also lose their sanctity!?

Rish Lakish would answer: Those who were previously sanctified (*the firstborns born in Egypt*), remained holy, and those who were not previously sanctified did not become holy.

Rabbi Yochanan challenged Rish Lakish from the following *braisa*: On the day on which the Tabernacle was erected, vowed and donated offerings, *chatas* and *asham* offerings, *bechor* and *ma'aser* offerings, were sacrificed by them. [*Evidently, they were sanctified in the Wilderness!?*]

The *Gemora* answers: Here too, it refers to those (*firstborns*) who went out from Egypt. And from the *braisa* itself, we can prove the other way: On that day the *bechoros* were sacrificed, but after that (*in the Wilderness*), they were not.

There were those who said as follows: Rish Lakish asked Rabbi Yochanan from the following *braisa*: On the day on which the Tabernacle was erected, vowed and donated offerings, *chatas* and *asham* offerings, *bechor* and *ma'aser* offerings, were sacrificed by them. On that day the *bechoros* were sacrificed, but after that (*in the Wilderness*), they were not.

Rabbi Yochanan replied: Amend the *braisa* as follows: From that day and onward, and the novelty of this teaching is that from that day and on, these sacrifices were permitted, but not beforehand. From this we may infer that obligatory sacrifices were not sacrificed on a *bamah* (*a private altar – even at a time when they were permitted*).

The *Gemora* cites a *braisa* in an attempt to support Rabbi Yochanan: It emerges that in three places, the firstborns were sanctified for Israel: in Egypt, in the Wilderness, and when they entered the Land (*of Israel*). The *braisa* cites the Scriptural verses which prove that.

Rav Nachman bar Yitzchak answers that the meaning of the *braisa* is that in three places the *Yisroelim* were commanded concerning the sanctification of the firstborn, but they were not actually sanctified (*until they entered Eretz Yisroel*).

The *Gemora* asks: But weren't the firstborns sanctified in Egypt?

The *Gemora* explains the *braisa* to mean that in some of the three places referred to, the firstborns were sanctified (*in Egypt and in Eretz Yisroel*), and in some (*in the Wilderness*), they were not sanctified. (4b)