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Chullin Daf 130

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Daf Notes is currently being dedicated to the neshamot of

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

The law of the foreleg, jaws and the abomasums (*gifts to a Kohen from slaughtered cattle, sheep or goats*) applies both within the Land (*of Israel*) and outside it, both during the existence of the Temple and after it, in respect of unconsecrated animals, but not consecrated animals. For it might have been argued as follows: If unconsecrated animals, which are not subject to the law of the breast and the thigh (*gifts to the Kohen from a shelamim offering*) are subject to these dues, how much more so regarding consecrated animals, which are subject to the law of the breast and the thigh, should be subject also to these dues! The Torah therefore states: *and I have given them to Aaron the Kohen and to his sons as an everlasting right*. Only what is mentioned in this verse shall be his.

All consecrated animals which had contracted a permanent physical blemish before they were consecrated and have been redeemed are subject to the law of the *bechor* and to these dues; and they revert to *chullin* that they may be shorn and may be put to work; and after they have been redeemed, their offspring and their milk are permitted; and he who slaughtered them outside the Sanctuary is not liable; and they cannot effect *temurah* (*the owner illegally attempts to exchange a different animal with the original korban; the halachah is that the temurah animal gets the same sanctity as the original one, and both animals must be brought as a korban*); and if they died, they may be redeemed, except for the *bechor* and the *ma’aser*.

All consecrated animals which had contracted a permanent blemish after they were consecrated, or if they had contracted a temporary blemish before they were consecrated and subsequently (*after consecration*) contracted a permanent blemish, and have been redeemed, are exempt from the law of the *bechor*, and from these dues, and 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; and he who slaughtered them outside the Sanctuary is liable, and they do effect *temurah*; and if they died, they must be buried. (130a)

Kohanic Gifts

The *Gemora* notes: The reason (*that sacrificial offerings are exempt from the law of the Kohanic gifts*) is that the Torah stated ‘*them*,’ but without it, I would have thought that consecrated animals are subject to these dues. But surely the argument of the *Mishna* can be refuted as follows: That is so of unconsecrated animals since they are also subject to the law of *bechor*!?

The *Gemora* answers: It can be derived from male unconsecrated animals (*which cannot have a bechor*).

The *Gemora* asks: But it can also be refuted as follows: That is so of males since they are also subject to the *mitzvah* of the ‘*first of the fleece*’ (*which is given to the Kohen*)!?

The *Gemora* answers: It can be derived from male goats.



The *Gemora* asks: But it might be argued that it is so of male goats since they also enter the stall to be tithed!?

The *Gemora* answers: It can be derived from old (*the year before – which ma'aser was already separated from them*) male goats.

The *Gemora* asks: But it might be argued that it is so of old male goats since they have in the past entered the stall to be tithed!?

The *Gemora* answers: It can be derived from a bought or orphaned animal (*whose mother died while bearing it; these are exempt from ma'aser, bechor and the first of the fleece*).

The *Gemora* asks: But it might be argued that it is so of bought or orphaned animals since their kind enters the stall to be tithed!?

The *Gemora* answers: 'Their kind' you say!?! Then it is the same with consecrated animals too, for 'their kind' also enters the stall to be tithed! [*So in conclusion, if not for the exclusionary verse, we would derive from a kal vachomer that consecrated offerings are subject to the Kohanic gifts.*] (130a)

Breast and the Thigh

The *Gemora* asks: But can it not be derived that unconsecrated animals are subject to the laws of the breast and the thigh from the following *kal vachomer* argument? If consecrated animals, which are not subject to the *Kohanic* gifts, are subject to the laws of the breast and the thigh, how much more so are unconsecrated animals, which are subject to the *Kohanic* gifts, should be subject also to the laws of the breast and the thigh! The verse therefore says: *And this shall be the Kohanim's gift. 'This,' yes, but nothing else.*

The *Gemora* notes: Now the reason is that the Torah stated 'this,' but without it, I would have thought that

unconsecrated animals are subject to the laws of the breast and the thigh.

The *Gemora* asks: But is not the *mitzvah* of 'waving' essential (*for the law to be applicable*)? And where can they be waved? It cannot be waved outside the Sanctuary, for it is written: *Before Hashem*. It cannot be waved inside the Sanctuary, for then he is bringing what is unconsecrated into the Courtyard! It is therefore inapplicable. Why then do I require the word 'this'?

It is for Rav Chisda's teaching, for Rav Chisda said: If a man destroyed or consumed the *Kohanic* gifts before they were given to the *Kohen*, he is not liable to make restitution. (130a – 130b)

Damaging Kohanic Gifts

The *Gemora* cites the text mentioned above: Rav Chisda said: If a man destroyed or consumed the *Kohanic* gifts before they were given to the *Kohen*, he is not liable to make restitution. What is the reason for this? It can be because it is written 'this,' or alternatively it can be because it is property which has no definite claimant (*for the Yisroel can say that he intended to give it to a different Kohen, so no specific Kohen can claim a loss*).

The *Gemora* challenges Rav Chisda from a *braisa*: *And this shall be the law (mishpat) of the Kohanim. Mishpat* teaches us that the gifts are a matter of right. What is the effect of this? Is it not that they can be claimed in court?

The *Gemora* answers: No, it is that they are to be distributed by the advice of the court (*to a Torah scholar, and not to an am ha'aretz*). And this is in accordance with Rabbi Shmuel bar Nachmeini, for he said in the name of Rabbi Yonasan: How do we know that one should not give *terumah* to a *Kohen* who is an *am ha'aretz* (*not careful about tumah*)? This is as the verse states: *And Chizkiah instructed the people, the inhabitants of Jerusalem, to give the portion of the Kohanim*



and the Leviim so that the Kohanim and Leviim might be strong in Hashem's Torah. It can be derived from here that any Kohen who holds strongly to Hashem's Torah is entitled to a *terumah* portion, whereas one who does not hold strongly to Hashem's Torah is not entitled to a *terumah* portion.

The *Gemora* attempts to refute Rav Chisda from other *braisos* and *Mishnayos*, but each challenge is successfully refuted. (130b – 131a)

DAILY MASHAL

Knowledge

Rabbi Shmuel bar Nachmeini says in the name of Rabbi Yonasan: How do we know that one should not give *terumah* to a Kohen who is an *am ha'aretz* (not careful about tumah)? This is as the verse states: *And Chizkiah instructed the people, the inhabitants of Jerusalem, to give the portion of the Kohanim and the Leviim so that the Kohanim and Leviim might be strong in Hashem's Torah.* It can be derived from here that any Kohen who holds strongly to Hashem's Torah is entitled to a *terumah* portion, whereas one who does not hold strongly to Hashem's Torah is not entitled to a *terumah* portion.

The *Gemora* refers to a Kohen who does not hold strongly to Hashem's Torah; thereby he is not entitled to a *terumah* portion. It appears that this idea is equated with the uncertainty of whether the Kohen *am ha'aretz* will eat *terumah* in a state of *taharah* or whether he will eat it in a state of *tumah*. This is difficult to understand, as it would seem obvious that if a Kohen does not hold strongly to Hashem's Torah, he certainly will not concern himself with the laws of purity.

In order to comprehend the words of the *Gemora*, we must gain a clear definition of knowledge. The *Gemora* states that one who has knowledge has everything, and if one lacks knowledge, he has nothing. We normally perceive an

ignoramus as one who is not learned, and has yet to achieve scholastic acumen. The *Gemora* teaches us that this is incorrect. The *Mishna* states that a *mamzer* (illegitimate) who is a scholar precedes a Kohen *am ha'aretz*. The Maharal explains that a Kohen's sanctity is intertwined with his physical makeup. A Kohen bears a son who is a Kohen. Regarding a scholar, however, it is not a given that a scholar will bear a son who is a scholar. This is because knowledge, intellect, is distinct from the physical. A *mamzer* is invalidated from the physical aspect of birth, but this does not affect him intellectually.

Based on the words of the Maharal, we can understand our *Gemora*. A Kohen who does not hold strongly to Hashem's Torah is not merely an unlearned Kohen. His whole essence is now physical, and therefore it is uncertain as to how he will eat *terumah*. *Kedushah* can only be maintained when there is knowledge of Hashem and his Torah. This is the meaning of what is said: *for the lips of the Kohen should safeguard knowledge, and people should seek teaching from his mouth, for he is an agent of Hashem, Master of Legions.* It is clear that only a Kohen who has attained and safeguarded knowledge is comparable to an agent of Hashem. Without knowledge, sanctity is in jeopardy.

This is a strong lesson for us as we approach the day when the Jewish People accepted the Torah. Torah is the knowledge that predicates a life of sanctity. Hashem instructed the Jewish People: And now, if you hearken well to Me and observe My covenant, you shall be to Me the most beloved treasure of all peoples, for Mine is the entire world. You shall be to Me a kingdom of ministers and a holy nation. These are the words that you shall speak to the Children of Israel. Only if we observe the Torah, and toil in its study, can we merit being a holy nation.