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Bechoros Daf 31

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Chaverus

The Gemora cites a *braisa*: And all of these (*who wished to accept the obligation of chaverus with exception of one matter*), if they reversed themselves (*and later wished to repent and rejoin the code of chaverus in its entirety*), we do not accept them forever; these are the words of Rabbi Meir. Rabbi Yehudah says: If they reversed themselves (*and repented*) only in secrecy, we do not accept them (*for they cannot be trusted to remain righteous*), but if they reversed themselves (*and repented publicly*), we may accept them. [Tosfos understands the Gemora as follows: And all of these (*who have accepted the obligation of chaverus*), if they reversed themselves (*and later wished to repent and rejoin the code of chaverus*), we do not accept them forever; these are the words of Rabbi Meir. Rabbi Yehudah says: If they reversed themselves only in secrecy, we do not accept them (*for they cannot be trusted that they really wish to repent*), but if they reversed themselves publicly, we may accept them (*for they do not intent to trick people*).]

There were those who said (*in R' Yehudah*) as follows: If what they did was in secrecy (*and they did not publicly desecrate Hashem's Name*), we may accept them, but if they did so publicly, we do not accept them.

But Rabbi Shimon and Rabbi Yehoshua ben Karchah said: Whether this (*privately*) or that, they may be accepted because it is written: *Repent, O rebellious children.*

Rabbi Yitzchak of Kefar Acco reported in the name of Rabbi Yochanan: The *halachah* is in accordance with the view of that pair.

The Gemora cites a *braisa*: At first the Sages said: If a *chaver* became a tax-collector (*one who was appointed by the king to collect taxes from Jews; they were generally regarded as thieves*), we expel him from the *chaverus*. If he withdrew (*from his appointment*), we still do not accept him (*as a chaver*). They subsequently declared: If he withdrew, he is regarded like any other person (*and we may accept him*).

The Gemora relates: The scholars required the teaching of Rav Huna bar Chiya. Rabbah and Rav Yosef went in to him together with four hundred pairs of scholars. When he heard that they were coming, he tied (*prepared*) for them four hundred couches. Eventually they heard that he had become a tax-collector. Thereupon they sent him a message that he should go to his office, and go to what is preferential to him (*but they will not go to him*). He sent back to them this message: I have withdrawn. Rav Yosef did not go, but Rabbah went. Rav Yosef said: We have learned in a *braisa*: If he withdrew, we still do not accept him (*as a chaver*). Rabbah, however, said: We have learned in the *braisa*: They subsequently declared: If he withdrew, he is regarded like any other person (*and we may accept him*).

The Gemora cites a *braisa*: A man may examine all *bechoros*, except his own (*for the Kohen is suspect that he might declare it to be a permanent blemish, for then, he will be permitted to slaughter it and eat it*); he may examine his own sacrifices and his animal tithes (*in order to ascertain whether it is a*



permanent blemish, so he will be able to redeem them as *chullin*). He also may ask himself with reference to his *taharos*. (31a)

Judge under Suspicion

The master had said: A man may examine all *bechoros*, except his own. What are the circumstances? It cannot be that he was the only one examining it, for one person alone is not trusted (*for a Mishna teaches us that three judges are required*). Rather, we must suppose that three people examined it. But, if so, are three people suspected (*to lie and rule that there was a permanent blemish*)? But it was taught in a *Mishna*: If she refused (*a girl whose father had died could be given in marriage while still a minor (under the age of twelve) by her mother or older brother. This marriage is only valid Rabbinically. As long as she has not attained the age of twelve, she may nullify the marriage by refusing to live with her husband. This act of refusal, referred to as mi'un nullifies the marriage retroactively.*) or if she performed *chalitzah* in front of the Sage, he may marry her, because he is part of the Beis Din. The *Gemora* explains that the *braisa* indeed is referring to one person, and it is as Rav Chisda said in the name of Rabbi Yochanan elsewhere (*regarding the nullification of a vow*) that one expert scholar (*can take the place of three and permit the vow by himself*); so also here it is the case of an individual expert (*who examined the bechor*).

The *braisa* had stated that may examine his own sacrifices. This, the *Gemora* explains, is because if he wished (*not to bring it as an offering*), he could ask (*of a Sage*) for an annulment of his consecration.

He may examine his own animal tithes, because if he wished, he could have inflicted blemishes in the entire flock (*of animals, and then, even the ma'aser animal would be blemished*).

The *braisa* had concluded that he also may ask himself with reference to his *taharos*. The *Gemora* explains the reason for this: It is because they are fit to eat during the period of his *tumah* (*and therefore, he will not be suspected of ruling improperly*). (31a)

WE SHALL RETURN TO YOU, AD KAMMAH YISROEL CHAYAVIN

Mishna

Consecrated animals that have become disqualified – their proceeds go to the Temple Treasury - may (*after they have been redeemed*) be sold and slaughtered in the market (*and it is not regarded as degrading; this is because their proceeds become sacred and are used for the purchase of other sacrifices*), and they may be weighed out by the *litra* (*like all other animals*). Except in the case of a *bechor* or a tithing animal, as their profit goes to the owners. [*The Mishna is teaching us that we do not allow a bechor and ma'aser to be denigrated for the benefit of the person who receives the money when it is sold. This is as opposed to other sacrifices that are sold, as their proceeds go to hekdesh. We therefore allow them to be sold by weight, in order for hekdesh to get the best value.*] The profit on dedicated objects which became unfit (*for the purpose consecrated*) goes to the Temple Treasury. One may weigh one piece of meat of the *bechor* against another piece of ordinary meat (*that had previously been weighed by a litra*). (31a)

Redeeming Consecrated Animals

The *Mishna* had stated that regarding consecrated animals that have become disqualified – their proceeds go to the Temple Treasury.

The *Gemora* asks: Now, when is this? If it is after redemption, then why does it state that their profit belongs to Temple Treasury? Doesn't the profit from them belong to the owners? And if the *Mishna* is referring to the period before



redemption, why does it say they are slaughtered? Do they not require 'standing and evaluation' (*in order to be redeemed, and a dead animal cannot stand*)?

The *Gemora* notes that no difficulty arises according to the one who says that objects consecrated for the altar are not included in the law of 'standing and evaluation'; but according to the one who holds that they are included in the law of 'standing and evaluation,' what is there to say?

The *Gemora* answers: The *Mishna* refers to the period after redemption, and the expression 'their profit belongs to Temple Treasury' means from the beginning (*when it was redeemed*). For since the master permits them to be sold in the market, slaughtered in the market and weighed by the *litra*, the amount of the redemption is increased from the beginning. (31b)

Selling Bechor and Ma'aser

The *Mishna* had stated: Except in the case of a *bechor* or a *ma'aser* (*tithing animal*), as their profit goes to the owners.

The *Gemora* asks: This is understandable in the case of a *bechor*, which, although it must not be sold in the market, can be sold privately; but are *ma'aser* animals allowed to be sold privately? It was taught otherwise in a *braisa*: Regarding a *bechor* the verse says: "You should not redeem." When it has no blemishes, it is sold when it is alive, and when it has a blemish, it can be sold both alive and already slaughtered. Regarding *ma'aser* the verse says: "It should not be redeemed." It cannot be sold alive or slaughtered whether it is with or without a blemish.

The *Gemora* relates: This problem presented itself to Rav Sheishes in the evening, and he solved it the next morning by reference to a *braisa* (*mentioned below*). The *Mishna* is dealing with a *ma'aser* animal belonging to orphans, and it (*that it is permitted to be sold in this case*) is based upon the principle of restoring something lost (*for otherwise, the meat*

will spoil before they have an opportunity to eat it all). Rav Iddi was the attendant of Rav Sheishes. He heard this from him and proceeded to mention it in the study hall, but did not cite it in his name. Rav Sheishes heard of it and was annoyed. He exclaimed: He who has stung me, a scorpion should sting him.

The *Gemora* explains why this made a difference to him. It is as Rav Yehudah reported in the name of Rav: What is the meaning of the following verse: *I will dwell in your tent in many worlds?* Is it possible for someone to dwell in a tent in both worlds? It means that David stated before Hashem: Master of the Universe, it should be Your will that after I die, they should say a statement in my name in this world (*as well as my being in the next world*), for Rabbi Yochanan said in the name of Rabbi Shimon ben Yochai: Any deceased Torah scholar, in whose name a traditional statement is reported in this world, his lips move gently in the grave (*it is as if he is living in both worlds*).

Rabbi Yitzchak the son of Zeira, and others say that Shimon Nezira said: What is the verse? It is written [Shir Hashirim 7:10]: *And the utterance of your palate is like the best wine; it goes to my beloved with sincerity, moving gently the lips of those who are asleep*. The Sages are likened to a heated mass of grapes. As a heated mass of grapes (*sitting in the vat for a week until they become warm; the wine then emerges easily*), as soon as a man places his finger upon it, the wine moves immediately, so too with the scholars, as soon as a traditional statement is made in their name in this world, their lips move gently in the grave.

The *Gemora* cites the *braisa* (*reference above by Rav Sheishes*): A *ma'aser* animal belonging to orphans, we may sell. And as to the meat of a slaughtered *ma'aser* animal, he may include it in the sale of its hide, fat, sinews and horns.

Abaye explains the *braisa* to mean as follows: A *ma'aser* animal belonging to orphans may be sold. And how is it sold?



Its meat is included in the sale of its hide, fat, sinews and horns.

The *Gemora* notes that we can infer from here that in the case of an adult, it is forbidden to sell a *ma'aser* animal even when it is included with other things.

The *Gemora* asks: Why is this different from the following *Mishna*: [One is not allowed to purchase a fruit that grew in the *Shemittah* year. The *Mishna* therefore rules that] if one is purchasing a *lulav* and *esrog* from his friend (*an am ha'arezt*) during the *Shemittah* year, he must purchase the *lulav* and receive the *esrog* for free. Rav Huna explains that if the seller does not agree, however, then the cost of the *esrog* should be incorporated into the cost of the *lulav*.

The *Gemora* answers: There, the matter is not obvious (*for the esrog was not so expensive*), but here (*where the meat is much more expensive than the other items*), the matter is obvious.

Rava asked: If this (*that the braisa is only referring to the ma'aser animals belonging to orphans*) is so, why does the *braisa* mention 'ma'aser animal' twice?

Rather, said Rava, it means as follows: A *ma'aser* animal belonging to orphans may be sold in the ordinary way, whereas in the case of the meat of a slaughtered *ma'aser* animal belonging to an adult, he may sell it by including it in the sale of its hide, fat, sinews and horns. Rava proceeds to prove why his interpretation is the correct one. (31b – 32a)

INSIGHTS TO THE DAF

He who Quotes Someone who Quotes Another who Quotes Another

Our *Gemora* discusses the benefit caused to someone whose Torah is cited in his name after his death. The *Gemora* says his lips move in the grave and the *Gemora* even recounts that

Rav Sheishes was upset with his *shamash*, who quoted his words without mentioning his name.

The Acharonim discuss someone who merely conveys a saying without innovating it. Will his lips also move in the grave when someone cites the Torah in his name?

Aged wine or wine with honey: HaGaon Rabbi Yitzchak Elchanan of Kovno zt"l writes in the preface to his *Nachal Yitzchak* that the Amoraim disagreed about this question in the Yerushalmi! The Yerushalmi asks (*Shekalim 7b*) "what benefit does a person have" if a Torah saying is quoted in his name. Bar Nezira said he benefits as though he drinks *konditon* – wine mixed with honey (see the Remo, *Y.D.* 217:15) and Rabbi Yitzchak said that he is as though he drank aged wine. Rabbi Yitzchak Elchanan explains that just as someone who drinks aged kosher wine thanks all those who helped to bring the wine this far, preserved, tasty and undamaged similarly someone who says a Torah saying must deliver it in the name of **all** those who preserved it in its best form, without dilution or distortions. On the other hand, Bar Nezira contended that he should only mention the person who innovated the saying, or at least added something to it, and he hinted this when he mentioned wine with honey. Only he who adds honey to it improves it, and its quality is also attributed to him.

Some also found variations in the text of the Babylonian Talmud that could indicate the two different approaches. Sanhedrin 90b cites Rabbi Yochanan in the name of Rabbi Shimon ben Yehotzadak: "Anyone that a **halachah** is said in his name in this world, his lips move in the grave." Our *Gemora* and Yevamos 96b cite a similar saying in the name of Rabbi Shimon bar Yochai but with a change in the phrasing: "Any *talmid chacham* that a **shemu'ah** is said in his name in this world, his lips move in the grave." It could be that they disagreed if one must say only a halachah – a practical innovative ruling – in the name of the innovator, or if a *shemu'ah* – something **heard** – should also be said in the



name of he who cited it, although he only passed on what he heard from others (see *Shem 'Olam* in the preface).

Seven quoters: Indeed, many times we find that the redactors of the Babylonian Talmud, Rav Ashi and Ravina, quote a halachah in the name of all those who mentioned it till they received it. One of the longest chains of quotes is in Chulin 98a: “Rav Shamen bar Aba said in the name of Rabbi Id bar Id bar Gershom in the name of Levi bar Parta in the name of Rabbi Nachum in the name of Rabbi Baryam in the name of one elderly man called Rabbi Yaakov: Devei Nesiah said – an egg is forbidden in 60 parts...” Seven Amoraim passed on this *shemu'ah*.

Why are the Amoraim so called? Indeed, the author of *Sefer He'aruch* wrote (in the entry “*amar*”) that the sages of the Babylonian Talmud were called Amoraim (sayers) because they said either their own words or words in the name of other Amoraim.

The saying delivered in the names of two alternating Amoraim: Of particular interest is a saying passed down in the name of different people in turn. Rav 'Avira would pass down a certain saying, sometimes in the name of Rabbi Ami and sometimes in the name of Rabbi Asi (Chulin 84b). If they both said it, why didn't he mention them both together? (See *Maris Ha'Ayin* by the Chida on Chulin, *ibid*). *Ben Yehoyada'* offers a fine explanation (Chulin, *ibid*). *Rabbi Ami was greater than Rabbi Asi and therefore it was fitting to mention him first. On the other hand, Rabbi Asi was Rav Avira's mentor and the latter saw a need to mention him first. To avoid the doubt, he didn't mention both names together but sometimes would say it in Rabbi Ami's name and sometimes in Rabbi Asi's...*

DAILY MASHAL

The verse “...who makes the lips of the sleeping to talk” (Shir HaShirim 7:10) served Maharam Shiff (in *Derushim Nechmadim* at the end of his *chidushim* on Chulin, s.v.

Becheshbon) as a means to remember the coins in practice in Chazal's era and which frequently appear in the *Gemora*:

A *sela'* is worth four (ד) *dinarim*.

A *dinar* is worth six (ו) *ma'os*.

A *ma'ah* is worth two (ב) *pundyonim*.

A *pundyon* is worth two (ב) *isarim*.

Thus **dovev** – “who makes to talk”.

Maharam Shiff adds that the *perutah*, worth an eighth of an *isar*, is also hinted in the next words of the verse, “the lips of the **sleeping**”. It is known that one should sleep eight hours a day, as we are told: “*Yashanti az* (the numerical equivalent of 8) *yanuach li*”. We can thus well remember that a *perutah* is an eighth of an *isar*.

Belzer Rebbe: Reaping The Benefits Even After Death

Rabbi Elozar related a discussion in the Beis Medrash, but did not relate the discussion in the name of Rabbi Yochanan. When Rabbi Yochanan heard about this omission, he was perturbed.

The *Gemora* asks: Why was Rabbi Yochanan so perturbed in the first place?

The *Gemora* answered: Rav Yehudah said in the name of Rav, what is the meaning of the following verse? “I will dwell in your tent in many worlds?” Is it possible for someone to dwell in a tent in both worlds? It means that David stated before Hashem: Master of the Universe, it should be Your will that after I die, they should say a statement in my name in this world (as well as my being in the next world), for Rabbi Yochanan said in the name of Rabbi Shimon ben Yochai: Any deceased Torah scholar, in whose name a traditional statement is reported in this world, his lips move gently in the grave (*it is as if he is living in both worlds*).

The Belzer Rebbe said over on the last Shabbos of his lifetime: After a person dies, he is unable to perform any mitzvos or acts of kindness in order to receive reward, as the



Gemora in Eruvin (22a) states: Today (*this world*) is the time designated for performance of His commandments, tomorrow (*in the next world*) is the time designated for reward.

However, there are ways that a person can receive reward even after his death. If one does a mitzvah with full intention, and as a result of that, others are influenced because of him and they also perform that mitzvah, the mitzvah of others is credited on his account. If one leaves behind Torah insights, and others relate his words, his lips move gently in the grave, and he will be rewarded for the Torah being studied.

This is the explanation of the verse [Devarim 11:21]: That your days may be multiplied, and the days of your children, upon the land which Hashem swore unto your fathers to give them, as the days of the heavens above the earth. How will a person's days be multiplied when he is in heaven? In the preceding verse, it is written: And you shall teach Torah to your children. If one teaches his children Torah and trains them in the proper method of serving Hashem, their torah studying and mitzvos observance will be credited to the parent. Even when one is residing in heaven, it is regarded as if he is still living on the earth, because he is reaping the benefits of his productive lifetime.

Reporting a Statement in your Own Name

Rav Yehudah said in the name of Rav, what is the meaning of the following verse? "I will dwell in your tent in many worlds?" Is it possible for someone to dwell in a tent in both worlds? It means that David stated before Hashem: Master of the Universe, it should be Your will that after I die, they should say a statement in my name in this world (*as well as my being in the next world*), for Rabbi Yochanan said in the name of Rabbi Shimon ben Yochai: Any deceased Torah scholar, in whose name a traditional statement is reported in this world, his lips move gently in the grave (*it is as if he is living in both worlds*).

The Kintzker Rav in Chelkas Yoav (O"C 46) states that this is applicable even if one relates a Torah statement in his own name. In Heaven, it is known who was the author of this statement, and it will be attributed to him. He does say, however, that the one who said over the statement without attributing it to the proper author, has transgresses the negative prohibition of stealing. He has stolen the honor that the actual author duly deserved.

The Yefeh Mareh in his gloss to the Yerushalmi in Brachos disagrees, and he writes that it is only when the Torah scholar's name is mentioned that his lips begin to move. From the fact that his name was mentioned in this world, it is regarded as if he is alive and his lips can move. The reason for this is based on a Yerushalmi in Shekalim (7b) which states that when a person is relating a Torah statement from another scholar, he should envision as if that scholar is standing beside him; it is through this that he is considered as if he is alive.