



Blemished Bechor

A *korban* that has a *mum* (blemish) cannot be used as a *korban*. We have learnt that once it develops a permanent *mum*, the animal must be redeemed and a replacement animal purchased with the proceeds.

The *Mishnah* (2:2-3) however explains that there is a difference whether the animal developed a *mum* after having been set aside for a *korban* or whether it had a *mum* at the time it was consecrated. In the first case, the animal has what is called *kedushat ha'guf* – the animal itself was a *korban*. That been the case, despite developing a *mum* and being redeemed, it is not treated like a normal animal and the *Mishnah* lists various laws and restrictions that continue to apply to it. If however, the animal had a *mum* prior to it being consecrated, then it only had *kedushat damim* – only the value of the animal has sanctity. It would be similar to setting aside any other object with the intent that one will sell it and use its value for a *korban*. That being the case, once it is redeemed, it is treated like a regular animal. The exception to this distinction is the *bechor* and *maaser*. In other words, even if they had a *mum* from the outset, they have *kedushat ha'guf*. We shall try to understand why.

Rashi (14a) explains that for a *bechor*, it becomes a *bechor* from when it was born. This is not just a question of timing. *Rashi* in *Chulin* (130a) notes that the blemish that the animal was born with did indeed precede the *kedushat bechor*. Nevertheless, *Rashi* explains that the *kedushah* of the *bechor* is conditioned on the *rechem* – it being born – whether or not it has a *mum*. After that, if it is unblemished, it is offered as a *korban*, and if it is not, it is consumed.

When it comes to *maaser beheima*, *Rashi* explains that the *Torah* teaches, “do not check between good or bad”, implying that whether or not it has a *mum*, if it is the tenth animal, it becomes *maaser*. It would seem then, that the reason why *bechor* and *maaser* are different is because there is a special exception made by the *Torah*, a *gezeirat ha'katuv*, that they attain *kedushat ha'guf*, even if the *mum* preceded that *hekdesh*.

Rabbeinu Gershom however explains that the reason why *bechor* and *maaser* are different is because the *kedusha* comes on its own. Implying that when it comes to other *korbanot*, the *kedusha* is a result a person consecrating that animal for a *korban*.

The *Mishnat R' Aharon* (*Kodshim*, *Sugyot* 12:6) explains that there is a difference between *bechor* and other *korbanot*. When setting aside an animal for a *korban*, that animal attains *kedushah* – *kedushat ha'guf* – because the animal can be used as a *korban*. That is the only way a person can inject *kedushat ha'guf* by declaration. If it cannot be offered, if it has a *mum*, then it cannot attain the *kedushat ha'guf*. Suitability for *korban* comes first; *kedusha* is second. For a *bechor* however, it is the opposite. The *kedusha* comes because the animal is a *bechor*. The requirement to offer it is a *korban* stems from that *kedushat bechor*. In other words, the *kedusha* of a *bechor* starts because it is a *bechor* and whether it can be offered as a *korban* is a technical question to be dealt with after that. The same holds true for *maaser behema*. The *kedushah* of *maaser behema* stems from the *mitzvah* of marking every tenth newborn animal. That is what gives it the *kedusha*. Whether it is suitable to be offered as a *korban* is a separate question.

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Revision Questions

בכורות א' ג' – ג' ג'

- Explain the debate if the animal that was used for *peter chamor* was redeemed. (א' ג')
- Explain the debate if the *peter chamor* died after it was redeemed but before the *seh* was given to the *kohen*. (א' ג')
- What must one do if they do not wish to redeem the *peter chamor*? (א' ג')
- Which option takes precedence? (א' ג')
- Which three other *mitzvot* also have “options” and what is the precedence? (א' ג')
- List the five ways, through dealing with a *Nochri*, one can be exempt from *bechor*? (From where is this law learnt?) (א' ב')
- Are *Levi'im* obligated in *bechor*? (א' ב')
- What are the differences if an animal had a blemish, was sanctified and then redeemed or if an animal was sanctified, then developed a blemish and was then redeemed? (List seven.) (א' ב' ג')
- Which cases are the exceptions to the previous question? (א' ב')
- What is the law regarding a first born animal from an animal sanctified for a *korban* but then developed a *mum*? (א' ב' ג')
- In which case does the *Tana Kama* and *R' Shimon ben Gamliel* argue whether the offspring from “iron sheep” belonging to a *Nochri*, has the status of a *bechor*? (א' ב' ג')
- To what extent does the offspring need to appear like the mother in order to have the status of a *bechor*? (א' ב' ג')
- What are the three (or four) opinions regarding the law if the head's of two offspring of an animal (that had not given birth yet) exited the mother at the same time? (א' ב' ג')
- Regarding the previous case explain the debate if one of them died? (א' ב' ג')
- What is the law if the offspring consisted of a male and female? (א' ב' ג')
- What is the law if the offspring from two animals that had not given birth yet, consisted of: (א' ב' ג')
 - Two males?
 - A male and female?
 - Two males and a female?
- Regarding the first case in the previous question, what is the law if one of the mothers had already given birth? (א' ב' ג')
- Explain the debate regarding the first two offspring of an animal with the first was delivered by means of caesarean section. (א' ב' ג')
- According to *R' Yishmael*, if one purchased an animal from a *Nochri* and is not aware if it had given birth, what is the difference if this animal is goat, sheep or cow? (א' ב' ג')
- Explain the opinion of *R' Akiva* regarding the previous question. (א' ב' ג')
- Regarding the previous case, what is the opinion of *R' Shimon ben Gamliel* if the purchased animal was feeding? (א' ב' ג')
- If a *bechor* has a *mum* can its hair be removed to analyse the *mum*? (א' ב' ג')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
7 December י"ז כסלו	8 December י"ח כסלו	9 December י"ט כסלו	10 December כ' כסלו	11 December כ"א כסלו	12 December כ"ב כסלו	13 December כ"ג כסלו
Bechorot 3:4-4:1	Bechorot 4:2-3	Bechorot 4:4-5	Bechorot 4:6-7	Bechorot 4:8-9	Bechorot 4:10-5:1	Bechorot 5:2-3

