

דף יומי • פכורות • דף ל"א

Daf Yomi • The Full Daf • Elucidated Talmud • Navy & Gold Edition • with Rashi

THE SUGYA

We begin the daf with a fascinating discussion regarding the kabbalah (acceptance) of a chaver. The Gemara brings a braisa where the Tannaim argue about an am ha'aretz who accepted the strict stringencies of a chaver but then backslid and retracted. Rabbi Meir holds we can never accept him back, while Rabbi Yehuda and the Sages offer more lenient views depending on whether he retracted in public or private. We also learn about the status of a chaver who became a tax collector, and the Gemara brings a beautiful ma'aseh with Rav Huna bar Chiyya and the Sages of his generation regarding this very halacha.

Next, the Gemara transitions to the halachos of inspecting blemishes. The braisa teaches that a person is trusted to inspect all firstborns except for his own, due to the concern of personal interest. However, he is trusted to inspect his own consecrated animals, his own animal tithes, and his own pure foods. The Gemara analyzes the exact case of this braisa, clarifying whether we are dealing with a single expert or a Beis Din of three, and explains the underlying sevara for why he is trusted in the other cases. We then begin a new Mishnah discussing how disqualified consecrated animals are sold and weighed after redemption.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 31A

BRAISA

תנו רבנן: וכולן שחזרו בהן אין מקבלין אותן עולמית, דברי רבי מאיר.

The Rabbis taught in a braisa: **And** with regard to **all of them**, amei ha'aretz who accepted the stringencies of a chaver and then backslid, **who retracted** from their acceptance, **we never accept them** back as chaverim; this is **the statement of Rabbi Meir**.

BRAISA

רבי יהודה אומר: חזרו במטמוניות — אין מקבלין אותן, בפרהסיא — מקבלין אותן.

Rabbi Yehuda says: If they **retracted in private**, while in public they still pretend to act like chaverim, **we do not accept them**, because they are acting deceitfully; but if they retracted **in public**, showing openly that they left the path, and now they want to return, **we accept them**, because they can be trusted.

BRAISA

איכא דאמרי: אם עשו דבריהן במטמוניות — מקבלין אותן, בפרהסיא — אין מקבלין אותן.

There are those who say a different version of Rabbi Yehuda's ruling: If they **performed their actions** as chaverim **in private** as well, showing they were sincere from the start, then when they want to return **we accept them**; but if they only acted as chaverim **in public**, then **we do not accept them**.

BRAISA

רבי שמעון ורבי יהושע בן קורחה אומרים: בין כך ובין כך מקבלין אותן, משום שנאמר: "שובו בנים שובבים".

Rabbi Shimon and Rabbi Yehoshua ben Korcha say: Both in this case and in that case, under all circumstances, we accept them back, because it is stated in the pasuk: "Return, backsliding children, I will heal your backslidings."

RULING

אמר רבי יצחק איש כפר עכו אמר רבי יוחנן: הלכה כמותו הווי.

Rabbi Yitzchak of the village of Akko said that Rabbi Yochanan said: The halacha is like that pair, Rabbi Shimon and Rabbi Yehoshua ben Korcha, that we always accept them back.

BRAISA

תנו רבנן, בראשונה היו אומרים: חבר ונעשה גבאי — דוחין אותו מחבירתו, פירש — אין מקבלין אותו.

The Rabbis taught in a braisa: At first, they would say: If a chaver became a tax collector, we reject him from his status of being a chaver; and even if he resigned from being a tax collector, we do not accept him back.

BRAISA

חזרו לומר: פירש — הרי הוא ככל אדם.

Later, they went back to say: If he resigned, behold he is like any other person and we can accept him back.

STATEMENT

רב הונא בר חייא איצטריקא ליה שעתא, הוה עייל גביה רבה ורב יוסף וארבע מאה זוגא דרבנן.

The Gemara relates: Rav Huna bar Chiyya needed the hour, meaning the Sages needed him for a certain matter. Rabba and Rav Yosef and four hundred pairs of Rabbis went to his house to visit him.

STATEMENT

שמע דאתו, קטיר להו ארבע מאה תכתקי.

When he heard that they were coming, he tied for them four hundred chairs to sit on.

STATEMENT

לסוף שמעו דנעשה גבאי, שלחו ליה: זיל לחשיבותיה, זיל לקדמותיה.

In the end, they heard that he had become a tax collector. They sent to him: Go to your importance as a tax collector, go to your former status, as we do not need you anymore.

STATEMENT

שלח להו: הדר בי. רב יוסף לא אזל, רבה אזל.

He sent to them: I have repented and resigned. Rav Yosef did not go to him, but Rabba went.

EXPLANATION

רב יוסף אמר: תנינא, פירש — אין מקבלין אותו;

Rav Yosef said to explain his view: **We learned** in the first version of the braisa, if he **resigned**, we do not accept him back.

EXPLANATION

רַבָּה אָמַר: תִּנֵּינָא, חֲזְרוּ לוֹמַר: פִּירֵשׁ — הֲרִי הוּא כָּל אָדָם.

But **Rabba said: We learned** in the later version of the braisa, **they went back to say:** If he **resigned**, behold he is like any other person and we accept him.

BRAISA

תִּנּוּ רַבָּנֵי: כָּל הַבְּכוֹרוֹת אָדָם רוֹאָה, חוּץ מִשָּׁל עֲצָמוֹ, וְרוֹאָה אֶת קִדְּשׁוֹ, וְאֶת מַעֲשְׂרוֹתָיו, וְנִשְׁאָל עַל טְהוֹרוֹתָיו.

The Rabbis taught in a braisa: **A person may inspect all firstborns** to rule on their blemishes, **except for his own** firstborns, because he has a personal interest; **but he may inspect his own consecrated animals** to see if they have a blemish to redeem them, **and his own animal tithes**, and he **may ask himself** and rule **on his own pure foods**.

QUESTION

אָמַר מָר: כָּל הַבְּכוֹרוֹת אָדָם רוֹאָה חוּץ מִשָּׁל עֲצָמוֹ. בְּמַאי עֲסָקִינָן?

The Master said above: **A person may inspect all firstborns except for his own.** The Gemara asks: **With what** are we dealing here?

QUESTION

אֵילִימָא בְּחֵד — מִי מְהִימָן?

If we say we are dealing **with a single** expert, **is he trusted** by himself to permit a firstborn? The Mishnah says we need three people!

QUESTION

אָלָא בְּתִלְתָּא, וּמִי חֲשִׁידִי?

Rather, we must be dealing **with three** judges, and he is one of them. But if so, **is he suspected** of bias when he is sitting with two others?

OBJECTION

וְהִתְנַן: מִיֵּאָנָה אוֹ שֶׁחֲלָצָה בְּפָנָיו — יִשְׁאָנָה, מִפְּנֵי שֶׁהוּא בֵּית דִּין!

But didn't we learn in a Mishnah: If a girl **refused** her husband **or performed chalitzah in front of him** as a judge, **he may marry her**, because **he is** only one member of a **Beis Din**, so there is no suspicion of bias!

RESOLUTION

לְעוֹלָם בְּחֵד, וְכִדְאָמַר רַב חֲסִידָא אָמַר רַבִּי יוֹחָנָן: בְּיַחֲד מוֹמָחָה, הֵכָא נָמִי בְּיַחֲד מוֹמָחָה.

The Gemara answers: **Actually**, we are dealing **with a single** judge, and like Rav Chisda said that Rabbi Yochanan said in another context: We are dealing **with a single expert** who is trusted alone; **here too**, we are dealing **with a single expert**. He is trusted for others, but not for his own.

EXPLANATION

וְרוֹאָה אֶת קִדְּשׁוֹ, דָּאִי בָּעִי מִיתְּשִׁיל עַלֵּיהּ.

The Gemara explains the next clauses: **And he may inspect his own consecrated animals**, because we do not suspect him of inventing a blemish, **since if he wants, he can ask a Chacham to annul them** entirely, so he has no motive to lie.

EXPLANATION

ומעשרותיו, דאי בעי שדי ביה מומא בכוליה עדריה.

And he may inspect his own animal tithes, because if he wants, he could have cast a blemish on his entire herd before tithing them, which would make them all exempt from being offered on the Mizbeach.

EXPLANATION

ונשאל על טהרותיו, דהא חזו ליה בימי טומאתו.

And he may ask himself on his own pure foods, because even if they are tamei, behold they are fit for him to eat during the days of his tumah, so he is not desperate to lie.

STATEMENT

הדרן עלה עד כמה ישראל חייבין.

May we return to you, "Until how much is an Yisrael obligated."

משנה MISHNAH

MISHNAH

מתני' כל פסולי המוקדשין, הנאמן להקדש, נמכרין באיטליו, ונשחטין באיטליו, ונשקלין בליטרא,

MISHNAH: With regard to all disqualified consecrated animals that were redeemed, their benefit goes to the Hekdesh treasury. Therefore, to get the highest price, they are sold in the butcher's market, and they are slaughtered in the butcher's market, and they are weighed by the litra like regular meat,

MISHNAH

חוץ מן הבכור והמעשר, שהנזיתן לבצללים.

except for the firstborn and the animal tithe, whose benefit goes to the owners (the Kohen or the owner), so we do not degrade them by selling them in the public market.

MISHNAH

פסולי המוקדשין — הנזיתן להקדש. ושוקלין מנה כנגד מנה בבכור.

For disqualified consecrated animals, their benefit goes to Hekdesh. But we may weigh a portion against a portion in the case of a blemished firstborn to be precise, but not with official weights.

GEMARA

גמ'

GEMARA:

STATEMENT

כל פסולי המוקדשין הנאָתן להקדש.

Our Mishnah taught that with regard to **all disqualified consecrated animals** that were redeemed, **their benefit** from the sale belongs to the **Temple treasury**.

QUESTION

אימת?

The Gemara asks: **When** does this apply?

OBJECTION

אלימא לאחר פדיונו — הנאָתן להקדש?

If we say that it is referring to the profit made **after its redemption**, does **their benefit** really go to the **Temple treasury**?

OBJECTION

הנאָתן דבָּעלים הוא!

Surely **their benefit belongs to the owner** who redeemed them!

ANSWER

אָלאַ לפני פדיונו.

Rather, you must say it refers to the sale **before its redemption**, where the money paid goes to the **Temple treasury**.

OBJECTION

נשחטין?

But if so, how can the Mishnah say they are **slaughtered** and then evaluated?

OBJECTION

הא בעי העמדה והערכה!

But redeeming a consecrated animal **requires standing and valuation** while it is still alive!

EXPLANATION

הניחא למאן דאמר, קדשי מזבח לא היו בכלל העמדה והערכה,

The Gemara notes: **This works out well according to the one who says** that **altar-consecrated** animals that became blemished **were not included in the** requirement of **standing and valuation**, so they can indeed be slaughtered before

redemption.

QUESTION

אָלע לָמַדן דאָס זיי באלל העמדה והערך, מאי איבא למימר?

But according to the one who says they were included in the requirement of standing and valuation, what is there to say to explain our Mishnah?

RESOLUTION

אָלע לעולם לאחר פדיון,

Rather, we must say that the Mishnah is **actually** talking about a case **after redemption**,

RESOLUTION

ומאי הנאתו להקדש? אדמעיכרא.

and what is the meaning of "their benefit belongs to the Temple treasury"? It refers to the **initial** redemption payment.

EXPLANATION

דכיון דשרי להו מר, נמכרין באיטליז ונשחטין באיטליז ונשקלין בליטרא, טפי ופריק מעיקרא.

Because since the Master permits them to be sold in the butchers' market, and slaughtered in the butchers' market, and weighed by the litra, the owner is willing to pay **more** and **redeem** it for a higher price **initially**, which directly benefits the Temple treasury.

STATEMENT

חוץ מן הבכור ומן המעשר שהנתינתן לבעלים.

The Mishnah stated: **Except for the firstborn and the tithe**, whose benefit belongs to the owner, and therefore they may only be sold in the owner's house.

QUESTION

בשלמא בכור — באיטליז הוא דלא מיזדבן, הא בביתיה מיזדבן,

The Gemara asks: **Granted**, regarding a firstborn, it is only in the butchers' market that it may not be sold, but in his house it may be sold.

QUESTION

אָלע מעשר — בביתיה מי מיזדבן?

But regarding the animal tithe, may it be sold in his house?

OBJECTION

והתנא: בבכור נאמר "לא תפדה" ונמכר חי, במעשר נאמר "לא יגאל" ואינו נמכר, לא חי ולא שחוט, לא תם ולא בעל מום.

But isn't it taught in a braisa: Regarding a firstborn it is said, "You shall not redeem," but it may be sold alive; whereas regarding the animal tithe it is said, "It shall not be redeemed," and it may not be sold at all, neither alive nor

slaughtered, neither unblemished nor blemished! This contradicts our Mishnah which implies a blemished tithe animal can be sold in the house.

EXPLANATION

הָא מִיִּלְתָּא אִיקְשָׁא לִיה לְרַב שֵׁשֶׁת בְּאוֹרְתָא, וְשִׁנְיָה בְּקִדְמוּתָא מִבְּרִייתָא,

The Gemara relates: This matter was difficult for Rav Sheshet in the evening, and he resolved it in the morning from a braisa:

RESOLUTION

בְּמַעֲשֵׂר בְּהֶמָּה שֶׁל יְתוּמִים עֲסָקִינוּ, וּמַשּׁוּם הִשָּׁבַת אֲבִידָה נִגְעוּ בָּהּ.

We are dealing here with the animal tithe of orphans, and because of the mitzvah of returning a lost object to save them from financial loss, the Sages touched upon it and permitted them to sell it.

STATEMENT

רַבִּי אִידִי סִרְסִיָּה דְּרַב שֵׁשֶׁת הָוָה שְׁמָעָה מִיֵּינָה, אֲזַל אָמְרָה בִּי מִדְּרָשָׁא וְלֹא אָמְרָה מִשְׁמִיָּה,

The Gemara relates: Rav Idi, the attendant of Rav Sheshet, heard this teretz from him. He went and said it in the study hall, but did not say it in his master's name.

STATEMENT

שָׁמַע רַב שֵׁשֶׁת אִיקְפַּד, אָמַר: מֵאֵן דְּעָקִיץ לִיעֲקָצִיהָ עֲקָרְבָּא,

Rav Sheshet heard about this and was annoyed. He said: The one who stung me, let a scorpion sting him!

QUESTION

וְרַב שֵׁשֶׁת מָאי נִפְקָא לִיה מֵינָה?

The Gemara asks: And as for Rav Sheshet, what difference does it make to him whether his name was mentioned?

ANSWER

דָּאָמַר רַב יְהוּדָה אָמַר רַב: מָאי דְּכָתִיב "אֶגְוֶרָה בְּאֶהְלָךְ עוֹלָמִים"?

It is as Rav Yehuda said in the name of Rav: What is the meaning of that which is written, "I will dwell in Your tent forever [olamim]"?

QUESTION

וְכִי אִיפְשָׁר לְאָדָם לְגוֹר בְּשְׁנֵי עוֹלָמִים?

Is it possible for a person to dwell in two worlds simultaneously?

EXPLANATION

אָלָא אָמַר דָּוִד: רַבּוֹנוֹ שֶׁל עוֹלָם, יֹאמְרוּ דְּבַר שְׁמוּעָה מִפִּי בְּעוֹלָם הַזֶּה.

Rather, David said before Hashem: Master of the Universe, let them say a matter of halakha in my name in this world after my passing.

PROOF

דאָמַר רַבִּי יוֹחָנָן מִשּׁוֹם רַבִּי שִׁמּוֹן בֶּן יוֹחַי: כָּל תַּלְמִיד חָכָם שְׂאוֹמְרִים דְּבַר שְׁמוּעָה מִפִּי בְּעוֹלָם
הַזֶּה — שִׁפְתוֹתָיו דּוֹכְבוֹת בְּקָבָר.

As Rabbi Yochanan said in the name of Rabbi Shimon ben Yochai: Any Torah scholar in whose name a matter of halakha is said in this world, his lips move in the grave as if he is speaking.

PROOF

וְאָמַר רַבִּי יִצְחָק בַּר זְעִירִי: מַאי קָרָא — "וְחִכָּה כִּיִּין הַטּוֹב הוֹלֵךְ לְדוֹדֵי לְמִישְׁרִים דּוֹכֵב שִׁפְתָּי
יָשָׁנִים",

And Rabbi Yitzchak bar Ze'eiri said: What is the verse for this? "And the roof of your mouth is like the best wine, that glides down smoothly for my beloved, moving gently the lips of those who are asleep."

EXPLANATION

כְּכוֹמֶר שֶׁל עֲנָבִים, מָה כּוֹמֶר שֶׁל עֲנָבִים כִּיִּין דְּאָדָם נוֹגֵעַ בוֹ – דּוֹכֵב, אֵף תַּלְמִידֵי חֲכָמִים, כִּיִּין שְׂאָדָם
אוֹמֵר דְּבַר שְׁמוּעָה מִפִּי – דּוֹכְבוֹת שִׁפְתָּיו בְּקָבָר.

This is like a heap of grapes: just as with a heap of grapes, once a person touches it, it drips wine, so too with Torah scholars, once a person says a matter of halakha in their name, their lips move in the grave.

QUESTION

מַאי בְּרִיתָא?

The Gemara asks: **What is the braisa** that Rav Sheshet relied on?

BRAISA

דִּתְנִינָא: מַעֲשֵׂר בְּהֶמָּה שֶׁל יְתוֹמִים — מוֹכְרִין אוֹתוֹ, וּמַעֲשֵׂר בְּהֶמָּה שֶׁשְּׁחָטוּ — מְכַלְיעוּ בְּעוֹרוֹ, בְּחֶלְפוֹ,
וּבְגִידוֹ, וּבְקֶרְנָיו.

As it is taught in a braisa: The animal tithe of orphans, we may sell it. And an animal tithe that was slaughtered, whose meat may not be sold, **one may include** the cost of the meat in its hide, its fat, its sinew, and its horns when selling those parts.

QUESTION

מַאי קָאָמַר?

The Gemara asks: **What is the braisa saying?** The two clauses seem to contradict.

ANSWER

אָמַר אַבְיִי: הֵכִי קָאָמַר — מַעֲשֵׂר בְּהֶמָּה שֶׁל יְתוֹמִים מוֹכְרִין אוֹתוֹ בְּהֶבְלָעָה.

Abaye said: This is what it is saying: The animal tithe of orphans, we may sell it only by including its price in other items.

INFERENCE

מְכַלְל דְּגָדוּל בְּהֶבְלָעָה לֹא?

The Gemara asks: **Does this imply that for an adult**, even by including the price, **no**, he may not sell it?

OBJECTION

מאי שנא מהא דתנא: הלוקח לולב מחבירו בשביעית — נותן לו אתרוג במתנה, לפי שאינו רשאי ללוקחו בשביעית.

How is this different from that which is taught in a braisa: One who buys a lulav from his fellow in the Shemittah year, the seller gives him an esrog as a gift, because he is not permitted to purchase it in the Shemittah year since Shemittah produce cannot be sold.

OBJECTION

והוינו בה: לא רצה ליתן לו במתנה מאי?

And we discussed this: If the seller does not want to give it to him as a gift, what is the halacha?

OBJECTION

ואמר רב הונא: מבליע לו דמי אתרוג בלולב!

And Rav Huna said: He includes the price of the esrog in the lulav! This shows that inclusion is permitted for anyone, not just orphans.

RESOLUTION

התם לא מוכחא מילתא, הכא מוכחא מילתא.

The Gemara answers: **There**, with the lulav, **the matter is not obvious** that he is paying for the esrog, but **here**, with the meat, **the matter is obvious** and looks like a direct sale.

OBJECTION

אמר רבא: אם כן, "מעשר בהמה" תרי זמני למא לי?

Raba said: If so, why do I need the words "animal tithe" twice in the braisa?

RESOLUTION

אלא אמר רבא: הכי קאמר, מעשר בהמה של יתומים מוכרין אותו כדרכו, ומעשר בהמה דגדול ששחטו מבליעו בעורו בחלבו בגידו ובקרקריו.

Rather, Raba said: This is what it is saying: The animal tithe of orphans, we may sell it in the normal way. And the animal tithe of an adult that was slaughtered, he may not sell the meat normally, but he may include it in its hide, its fat, its sinew, and its horns.

QUESTION

אמר רבא: מנא אמינא לה?

Raba said: From where do I say this distinction that the prohibition of selling a tithe animal only applies while it is alive?

PROOF

דכתיב: "והיה הוא ותמורתו יהיה קדש לא יגאל".

As it is written: "Then it and its substitute shall be holy; it shall not be redeemed."

INFERENCE

אִמְתִּי עוֹשֶׂה תְּמוּנָה — מִחַיִּים, אִמְתִּי אֵינוֹ נִגְאָל — מִחַיִּים, הֵא לְאַחֵר שְׁחִיטָה — נִגְאָל,

When does it make a substitute? While alive. When is it not redeemed? While alive. This implies that after slaughtering, it can be redeemed and sold.

EXPLANATION

וְרַבָּנן (ההוא) [הוא] דְּגִזְרוּ לְאַחֵר שְׁחִיטָה, אֹטוֹ לְפָנֵי שְׁחִיטָה.

And it is the Rabbis who decreed a prohibition after slaughtering, on account of the prohibition before slaughtering.

STATEMENT

דָּבָר הַנִּישּׂוּם מִחַיִּים — גִּזְרוּ רַבָּנן לְאַחֵר שְׁחִיטָה אֹטוֹ לְפָנֵי שְׁחִיטָה,

Therefore, for something that is valued while alive, the Rabbis decreed a prohibition after slaughtering on account of before slaughtering.

SUMMARY

In summary, the daf establishes that according to the halacha, we follow Rabbi Shimon and Rabbi Yehoshua ben Korcha that a backslidden chaver who repents is always accepted back. We also pasken that a tax collector who resigns is accepted back, which Rabba acted upon practically in the case of Rav Huna bar Chiyya. Regarding blemishes, the Gemara clarifies that a single expert is trusted to rule on others' firstborns but not his own; however, he may rule on his own consecrated animals, tithes, and pure foods because he has no motive to lie. Finally, the new Mishnah teaches that redeemed consecrated animals are sold in the public market to maximize the profit for the Temple treasury, whereas a blemished firstborn and animal tithe are not sold in this degrading manner because their benefit goes to the owners rather than Hekdesh.

The Gemara brings down a beautiful and powerful yesod about the power of teshuvah. We learn in the braisa that if an am ha'aretz accepted the stringencies of a chaver and then backslid, Rabbi Shimon and Rabbi Yehoshua ben Korcha say that we always accept him back, because the pasuk says, "Return, backsliding children, I will heal your backslidings." The Gemara rules that the halacha is like this pair. Even when someone fell so low that he became a tax collector, which in those days meant he was completely untrusted, once he says "I have repented," we accept him back.

Lichoira, we have to ask ourselves: how can we trust someone who has already proven he can slip away? The answer is that Hashem's mercy is not based on a cold calculation of probability. When a Yid sincerely says "I want to come back," Hashem opens the door wide, and we must do the same. There is no such thing as a Yid who is too far gone, and there is no past failure that can block the path of teshuvah.

This is a tremendous chizuk for our own avodas Hashem. Sometimes the yetzer hara whispers to a person, "Look how many times you tried to improve in your davening or your learning, and you fell back. Who are you fooling?" The sugya is telling us: "Return, backsliding children!" Hashem wants you back right now, regardless of yesterday's slip-ups.

Today, when you feel a small pull to do teshuvah or to improve in a certain mitzvah, don't let past failures hold you back. Take one small, concrete step forward right now, with the absolute emunah that Hashem is waiting to accept you back with open arms.