

דף יומי • בכורות • דף ל"ד

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THE SUGYA

We begin this daf by looking into the source for the prohibition of causing an indirect blemish (grama) to a firstborn animal, such as placing dough on its ear so a dog will bite it off. The Gemara then returns to the dispute between Rabbi Eliezer and Rabbi Yehoshua regarding safeguarding doubtful terumah, analyzing whether their machlokes is based on whether we follow the vocalization or the spelling of the Torah, or if it hinges on whether doubtful terumah is considered "fit for you" in anticipation of Eliyahu Hanavi coming to declare it pure.

Following this, the Gemara discusses the halacha of bloodletting for a firstborn animal, clarifying Shmuel's ruling in accordance with Rabbi Shimon. We then learn a new Mishnah regarding one who intentionally blemishes a firstborn. Rabbi Eliezer holds that as a penalty, the owner may never slaughter the animal, while the Sages rule that if a second blemish develops on its own, he may slaughter it. The Gemara immediately raises a kasha on Rabbi Eliezer from a Mishnah in Nega'im, where he seemingly does not impose a permanent penalty on someone who intentionally cut off his tzara'as.

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

עמוד א' DAF 34A

QUESTION

אֵלָא שְׁלֵא יִתֵּן בּוֹ מוֹם, מִנֵּין שְׁלֵא יָבִיא דְּבִילָה וּבְצֶק וְיִנְיָחָנָה עַל הָאוֹזֵן כִּדִּי שְׂיֵבֵא כָּלֵב וַיֹּאכֶלֶנָּה?

The Torah only explicitly wrote the prohibition that one may not directly place a blemish on a korban. But **except** for that, **that one may not place a blemish in it** indirectly, **from where** do we derive **that one may not bring** a pressed fig or dough and **place it on the ear** of a firstborn animal **so that a dog will come and eat it**, and in doing so bite off the ear and blemish the animal?

ANSWER

תלמוד לומר "כל מום" — אֶחָד מוֹם וְאֶחָד כָּל מוֹם.

The verse states: "Any blemish" (Vayikra 22:21) — which includes both a direct blemish and also any indirect blemish.

EXPLANATION

הָכָא בְּקֶרְאִי פְּלִיגִי, דְּאָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל, וְכֵן אָמַר רִישׁ לָקִישׁ, וְכֵן אָמַר רַב נַחֲמָן אָמַר רַבָּה בַּר אֲבוּהֵי: "וַיֹּאנִי הִנֵּה נֹתֵתִי לָךְ אֶת מִשְׁמֶרֶת תְּרוּמָתִי".

The Gemara now returns to the dispute between Rabbi Eliezer and Rabbi Yehoshua regarding safeguarding a barrel of doubtful terumah. Here, they disagree about the interpretation of verses, as Rav Yehuda says that Shmuel says, and so says Reish Lakish, and so says Rav Nachman that Rabba bar Avuh says: The Torah states, "And I, behold, I have given you the charge of My terumos" (Bamidbar 18:8).

EXPLANATION

רבי אליעזר סבר: בשתי תרומות הכתוב מדבר, אחת תרומה טהורה ואחת תרומה תלויה, ואמר רחמנא: עבד לך שימור.

Rabbi Eliezer holds: The verse is speaking of two types of **terumos**, because the word is written in the plural, "My **terumos**" — **one** is definitely **pure terumah**, and **one** is **suspended terumah** whose status is in doubt. And the Merciful One says: **Make a safeguarding for it**, meaning even the doubtful terumah must be protected from further tumah.

EXPLANATION

ורבי יהושע: "תרומתי" כתיב.

And Rabbi Yehoshua argues that the word is **written** in a way that can be read as "**My terumah**" in the singular. Therefore, the obligation to safeguard applies only to definitely pure terumah.

QUESTION

למימרא דרבי אליעזר סבר יש אם למקרא?

The Gemara asks: Is this to say that Rabbi Eliezer holds that the **vocalization of the Torah** is authoritative, and we follow the pronunciation "terumosai" rather than the spelling which looks like "terumasi"?

OBJECTION

ורמינהי: "בבגדו בה" — כיון שפירס טליתו עליה, שוב אינו רשאי למוכרה, דברי רבי עקיבא.

But raise a contradiction from a braisa regarding a Hebrew maidservant: The verse says, "**seeing that he has dealt deceitfully with her [bevigdo vah]**" (Shemos 21:8). Rabbi Akiva expounds the word based on its vocalization, as if it comes from the word "beged" (garment): **Once he has spread his cloak over her** by designating her as a wife, **he is no longer permitted to sell her** to anyone else. **These are the words of Rabbi Akiva**, who holds that the vocalization is authoritative.

OBJECTION

רבי אליעזר אומר: כיון שבגד בה, שוב אינו רשאי למוכרה!

But Rabbi Eliezer says: **Once the father has dealt deceitfully [bagad] with her** by selling her once, **he is no longer permitted to sell her** again. Rabbi Eliezer expounds the word based on its spelling, which can be read as "bevagdo" (his betrayal). This proves that Rabbi Eliezer holds the spelling of the Torah is authoritative, which contradicts his ruling by terumah!

RESOLUTION

אלא, הכא בהא קמיפלגי: רבי יהושע סבר: הראויה לך שמור, ושאינה ראויה לך לא תשמור,

Rather, here in the case of terumah, they disagree about this instead: The verse says "to you" (Lach). Rabbi Yehoshua holds: Terumah that is fit for you to eat, i.e., pure terumah, you must safeguard; but terumah that is not fit for you, i.e., doubtful terumah, you do not need to safeguard.

RESOLUTION

ורבי אליעזר: הא נמי ראויה היא, שמא יבוא אליהו ויטהרנה.

And Rabbi Eliezer holds: This doubtful terumah is also considered fit for you, lest Eliyahu Hanavi will come and declare it pure, and then you will eat it.

STATEMENT

אמר רב יהודה אמר שמואל: הלכה כרבי שמעון.

The Gemara returns to the topic of letting blood for a firstborn. Rav Yehuda says that Shmuel says: The halacha is in accordance with Rabbi Shimon that one may let blood.

OBJECTION

מתקיר לה רב נחמן בר יצחק: הי רבי שמעון? אילימא רבי שמעון דמתניתין, עד השתא לא
אשמעינן שמואל דבר שאין מתכוין מותר?

Rav Nachman bar Yitzchak objects to this: Which ruling of Rabbi Shimon is Shmuel referring to? If we say he means Rabbi Shimon of our Mishnah, who permits letting blood because he holds an unintentional act is permitted, is that possible? Until now, has Shmuel not let us hear that an unintentional act is permitted? Why would he need to state the halacha here?

OBJECTION

והא רבי חייא בר אשי אמר רב: הלכה כרבי יהודה, ורב חנני בר אשי אמר שמואל: הלכה כרבי
שמעון,

But surely Rav Chiyya bar Ashi says that Rav says: The halacha is like Rabbi Yehuda that an unintentional act is forbidden; and Rav Chanin bar Ashi says that Shmuel says: The halacha is like Rabbi Shimon that it is permitted.

OBJECTION

ורב חייא בר אבין מתני בלא גברי — רב אמר: הלכה כרבי יהודה, ושמואל אמר: הלכה כרבי
שמעון!

And Rav Chiyya bar Avin teaches this dispute without citing those men as intermediaries, but directly: Rav says: The halacha is like Rabbi Yehuda, and Shmuel says: The halacha is like Rabbi Shimon! So Shmuel's view on this is already well known.

ANSWER

אלא רבי שמעון דברייתא, ורב שישא בריה דרב אידי מתני לה בהדיא: אמר רב יהודה אמר
שמואל: הלכה כרבי שמעון דברייתא.

Rather, Shmuel is referring to Rabbi Shimon of the braisa, who permits eating the meat of the firstborn on account of the blemish caused by bloodletting. And Rav Sheisha the son of Rav Idi teaches this explicitly: Rav Yehuda says that Shmuel says: The halacha is like Rabbi Shimon of the braisa.

משנה MISHNAH

MISHNAH

מתני הצורם אוזן בפכור — הרי זה לא ישחוט עולמית, דברי רבי אליעזר.

MISHNAH: One who slits the ear of a firstborn animal to intentionally blemish it — behold, this person may never slaughter the animal, as a penalty. These are the words of Rabbi Eliezer.

MISHNAH

ונחכמים אומרים: נולד בו מום אחר — ישחוט עליו.

And the Sages say: If another blemish develops in it on its own, he may slaughter the animal on account of that second blemish.

QUESTION

גמ' ומי קניס רבי אליעזר לעולם?

GEMARA: But does Rabbi Eliezer penalize a person forever for a transgression?

OBJECTION

ורמינה: מי שהיתה לו בהרת

But raise a contradiction from a Mishnah in Nega'im: One who had a snow-white leprous mark [baheres] on his skin...

עמוד ב' DAF 34B

מishnah MISHNAH

MISHNAH

ונקצצה — טהור,

The Mishnah in Nega'im teaches: If a leprous mark was on a person's body and it was cut off inadvertently, he is pure.

MISHNAH

קצצה מתכוין —

But if he cut it off intentionally to rid himself of the impurity,

MISHNAH

רבי אליעזר אומר: לךשילד לו נגע אחר יטהר הימנו.

Rabbi Eliezer says: When another leprous mark will be born to him, i.e., when he develops a new mark, he will become pure from it, meaning his purification from the first mark is dependent on the purification of this new one.

MISHNAH

וחכמים אומרים: עד שתפרח בכולו, או עד שתמעט בהרתו מפגרים!

And the Sages say: He can never become pure until the leprosy spreads over his entire body, which is a Torah-law sign of purity, or until his bright spot shrinks to less than the size of a split bean before he cut it off, which would mean it was never a valid mark to begin with. Otherwise, he remains impure forever. This shows that Rabbi Eliezer does not impose a permanent penalty on a transgressor, which contradicts his ruling in our Mishnah regarding a firstborn!

ANSWER

רַבָּה וְרַב יוֹסֵף דְּאָמְרֵי תְרוּוִיָּהּ:

Rabba and Rav Yosef both say in resolution of this contradiction:

ANSWER

כִּי קִנִּיּוֹס רַבִּי אֶלִיעֶזֶר בְּמִמּוֹנֹו, בְּגִוּפוֹ לֹא קִנִּיּוֹס.

When Rabbi Eliezer penalizes a transgressor permanently, that is only with regard to his property, such as a firstborn animal; but with regard to his body, such as leprosy, he does not penalize him permanently.

EXPLANATION

מִמּוֹנֹו — אֵיכָא לְמִימַר דְּאֵתִי לְמִיעָבֵד,

The Gemara explains: Regarding his property, there is reason to say that he will come to do the transgression and intentionally cause a blemish, because he loses nothing by doing so since the animal is already forbidden to him. Therefore, a severe, permanent penalty is needed to deter him.

EXPLANATION

גִּוּפוֹ — מִי אֵיכָא לְמִימַר דְּאֵתִי לְמִיעָבֵד?

But regarding his body, is there really reason to say that he will come to do this and cut off the mark? A person is hesitant to mutilate his own flesh, and the temporary penalty of waiting for another mark is deterrent enough, since there is no guarantee another mark will ever appear.

QUESTION

אָמַר רַבָּא: דְּרַבִּי אֶלִיעֶזֶר אֲדַרְבֵּי אֶלִיעֶזֶר קִשְׁיָא, דְּרַבְנֵן אֲדַרְבֵּן לֹא קִשְׁיָא?

Rava said: Is only the ruling of Rabbi Eliezer here difficult against the ruling of Rabbi Eliezer there, while the ruling of the Rabbis here against the ruling of the Rabbis there is not difficult? In our Mishnah, the Rabbis only penalize the owner until another blemish occurs, whereas in Nega'im they penalize him permanently! This contradiction also needs to be resolved.

RESOLUTION

אֶלָּא, דְּרַבִּי אֶלִיעֶזֶר אֲדַרְבֵּי אֶלִיעֶזֶר לֹא קִשְׁיָא, בְּדִשְׁנִינֵן.

Rather, we must explain as follows: The ruling of Rabbi Eliezer here against the ruling of Rabbi Eliezer there is not difficult, just as we answered, distinguishing between property and body.

RESOLUTION

רַבְנֵן אֲדַרְבֵּן נָמִי לֹא קִשְׁיָא,

And the ruling of the Rabbis here against the ruling of the Rabbis there is also not difficult,

RESOLUTION

הָכָא בְּמַאי דְּעָבֵד קִנְסוּהָ, הָכָא בְּמַאי דְּעָבֵד קִנְסוּהָ.

because here, in the case of the firstborn, they penalized him in accordance with what he did, and there, in the case of leprosy, they penalized him in accordance with what he did.

EXPLANATION

בְּמַאי אֵיכְוִין לְמִישְׁרֵייהּ בְּהַאי מוּמָא?

The Gemara elaborates: In the case of the firstborn, **with what did he intend to permit** the animal? **With this specific blemish** that he made.

EXPLANATION

בְּהֵאֵי מוּמָא קְנָסוּהָ רַבֵּנָן, דְּבִהְיָא מוּמָא לָא לִישְׁתַּרֵּי לִיהּ.

Therefore, **the Rabbis penalized him specifically with regard to this blemish**, that through this blemish it should not **become permitted to him**. But if another, natural blemish occurs, he may slaughter it.

EXPLANATION

וְהָכָא, בְּמָא דְעֵבֵד קְנָסוּהָ — אִיכְוִין לְטַהוּרֵי נַפְשִׁיהָ בְּהֵאֵי קְצִיצָה, בְּהֵאֵי קְצִיצָה קְנָסוּהָ רַבֵּנָן.

And here, in the case of leprosy, **they penalized him in accordance with what he did**: He intended to purify himself **through this cutting off** of the mark; therefore, **the Rabbis penalized him with regard to this cutting off**, treating it as if the mark is still there, which leaves him permanently impure.

QUESTION

בְּעֵי רַב פָּפָא: "יִטְהַר" תָּנִן, אוּ "וְיִטְהַר" תָּנִן?

Rav Pappa asked: Did we learn in the Mishnah the word 'yit'har' (he shall be pure), or did we learn 'veyit'har' (and he shall be pure)?

QUESTION

לְמָא נִפְקָא מִינָהּ?

The Gemara asks: **What is the practical difference** between these two versions?

ANSWER

לְחֶתֶן שֶׁנִּרְאָה בּוֹ נֶגַע.

The Gemara answers: The difference is in the case of **a bridegroom upon whom a new leprous mark appeared**.

BRAISA

דִּתְנִין: חֶתֶן שֶׁנִּרְאָה בּוֹ נֶגַע — נֹתְנִין לוֹ שִׁבְעָה יָמִים, לוֹ וּלְאַצְטְלִיתוֹ וְלְכִסּוֹתוֹ,

As we learned in a Mishnah: **A bridegroom upon whom a leprous mark appeared**, we give him seven days of grace before examining it, to not disrupt his joy; this applies **to him, to his cloak, and to his garment**.

BRAISA

וְכֹן בְּרֶגֶל — נֹתְנִין לוֹ כָּל יְמֵי הָרֶגֶל.

And similarly, on a Festival, we give him all the days of the Festival as a grace period.

EXPLANATION

אִי אָמַרְתָּ "יִטְהַר" תָּנִן — מְקַמֵּייתָא טַהַר לִיהּ, לְכַתְרֵייתָא נִטְרִין לִיהּ שִׁבְעָה יָמֵי מִשְׁתָּה.

Now, **if you say we learned 'yit'har'**, it means that as soon as the second mark appears, **he is purified from the first mark** immediately. And as **for the second mark**, **we wait for him** during the **seven days of the wedding feast** before inspecting it. Thus, he is completely pure during his wedding week.

EXPLANATION

אֵלֶּא אִי אָמַרְתָּ: "וַיִּטְהַר" תֵּנֶן — סוּף סוּף, כִּי לֹא מִטְמִית לְבִתְרִייתָא, הָא מִיטְמֵא וְקָאִי מִקְמִייתָא.

But if you say we learned 'veyit'har', it means he only becomes pure from the first mark after the second one is declared pure. If so, ultimately, even though you do not declare him impure from the second mark during the seven days, he still stands as impure from the first mark! Thus, the grace period does him no good.

QUESTION

מאי?

The Gemara asks: **What** is the conclusion of this inquiry?

RESOLUTION

תיקו.

The Gemara concludes: The question **shall stand** unresolved.

QUESTION

בְּעֵי מִינִיָּה רַבִּי יִרְמְיָה מְרַבִּי זִירָא: צוּרִם אוֹזֵן בְּכֹכּוֹר וָמֵת, מִהוּ לְקַנּוֹס בְּנוֹ אַחֲרָיו?

Rabbi Yirmeya asked Rabbi Zeira: If one slits the ear of a firstborn animal and then dies, what is the law as to whether to penalize his son after him by forbidding the son from slaughtering and eating the animal?

EXPLANATION

אִם תִּמְצִי לֹאמַר: מוֹכֵר עֶבֶדוֹ לְגוֹיִם וָמֵת — קָנְסוּ בְּנוֹ אַחֲרָיו, דְּכָל יוֹמָא וְיוֹמָא מִפְּקַע לֵיהּ מִמְצוֹת.

He analyzes the sides of the question: If you say that in the case of one who sells his Jewish slave to non-Jews and dies, they penalized his son after him by forcing the son to redeem the slave, that is because every single day the slave remains with the non-Jew, the father's action removes him from mitzvos, so the transgression is ongoing.

EXPLANATION

אִם תִּמְצִי לֹאמַר: כְּיוֹן מְלַאכְתּוֹ בְּמוֹעֵד וָמֵת — לֹא קָנְסוּ בְּנוֹ אַחֲרָיו, מִשּׁוּם דְּלֹא עֲבָדָה לְאִסְוִירָא.

And if you say that in the case of one who intentionally planned his work for Chol HaMoed and died, they did not penalize his son after him, that is because the son himself did not do any prohibition, and the father's forbidden act is already completed.

QUESTION

הָכָא מַאי? לְדִידֵיהּ קָנְסוּ רַבָּנָן, וְהָא לִיתִּיהּ, אוּ דְלָמָּא לְמִמוּנֵיהּ קָנְסוּ רַבָּנָן, וְהָא אִיתִיהּ?

So here, what is the halacha? Did the Rabbis penalize him personally, and since he is no longer alive, the penalty lapses? Or perhaps the Rabbis penalized his property, and since the property is still here, the penalty remains?

ANSWER

אָמַר לֵיהּ: תְּנִיתוּהּ,

Rabbi Zeira said to him: You have already learned it in a Mishnah:

MISHNAH

שדה שנתקוץ בשביעית — תזרע למוצאי שביעית,

A field that was cleared of thorns during the Shemittah year may be sown at the conclusion of Shemittah, because clearing thorns is not a primary agricultural labor.

MISHNAH

בטיבה נידירה — לא תזרע למוצאי שביעית.

But if it was plowed or manured during Shemittah, it may not be sown at the conclusion of Shemittah as a penalty.

גמרא GEMARA

STATEMENT

ואמר רב אסי ברבי חנינא: נקטין, הטיבה ומת — בנו זורעה.

And Rav Assi bar Chanina said: We have a tradition that if he plowed it and died, his son may sow it.

INFERENCE

אלמא לדידיה קנסו רבנן, לבריה לא קנסו רבנן.

Consequently, the Rabbis penalized him personally, but they did not penalize his son. The same should apply to the firstborn animal.

STATEMENT

אמר אביי: נקטין

Abaye said: We have a tradition that...

SUMMARY

The Gemara derives the prohibition of causing an indirect blemish from the verse "Any blemish," and resolves the machlokes between Rabbi Eliezer and Rabbi Yehoshua regarding doubtful terumah by explaining that they argue over whether we say Eliyahu Hanavi will come and declare it pure. After establishing that the halacha follows Rabbi Shimon of the braisa who permits eating a firstborn that was blemished through bloodletting, the Gemara turns to the penalty for intentionally blemishing a firstborn. To resolve the contradiction between Rabbi Eliezer's strict permanent penalty here and his more lenient ruling regarding one who cut off his tzara'as, Rabba and Rav Yosef offer a classic teretz: Rabbi Eliezer only penalizes a person permanently when it comes to his property, but he does not impose a permanent penalty when it affects his own body.

The Mishnah teaches us a powerful yeshivish yesod about how we deal with our mistakes and transgressions. If a person intentionally blemishes a bechor to make it permitted for slaughter, Rabbi Eliezer says he can never slaughter it. The Chachamim, however, are mechadesh that if a new, natural blemish develops later, he can slaughter it on account of that second blemish. The Gemara is bothered: why do the Chachamim let him off? The teretz is that the Chachamim only penalized him on the specific blemish he made. They did not lock the door on him forever; they left a path for the animal to eventually become permitted through natural means.

This is a deep lesson in how Hashem runs His world and how we must look at our own spiritual failures. When we make a mistake, when we blemish our own neshama or mess up a situation through our own willful bad choices, the yetzer hara wants us to believe we are permanently disqualified. He tells us, "You ruined this, you can never fix it, you are penalized forever." But the Torah's way is different. Even when we must face the consequences of what we did, Hashem never shuts the door completely. He always leaves a path open for a new situation to develop, a new opportunity for teshuvah and growth that comes from Shamayim.

We see this yesod clearly in our daily avodah. If you made a mess of a relationship, a business deal, or your own spiritual schedule through your own negligence, do not fall into despair. You might not be able to use the "blemished" path you tried to force, but look out for the new, clean opening Hashem is going to send your way.

Today, if you are feeling stuck or penalized by a past mistake, stop trying to force the old situation. Instead, daven to Hashem for a new opening, and keep your eyes open to recognize the fresh opportunity He is sending you to start over.