

דף יומי • חזקוני • דף קלי"א

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

THE SUGYA

We start off on our daf continuing the shakla v'tarya on Rav Chisda's chiddush that one who damages or eats priestly gifts is exempt from paying. The Gemara brings several kashas against Rav Chisda, including a baraita about the king's household seizing a threshing floor, our Mishnah's halachah regarding a buyer who purchases innards from a butcher, and a list of nine things that are considered the property of a kohen.

We then move into a fascinating discussion regarding the status of Levites. The Gemara tells a story of a Levite who was snatching gifts, leading to a discussion of Rav's doubt whether Levites are halachically excluded from the obligation of giving the foreleg, jaws, and maw. This leads into a detailed baraita analyzing the various gifts of the poor in a vineyard, grain field, and orchard, and the source pesukim for each.

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

עמוד א' DAF 131A

EXPLANATION

דָּאָתוּ לִידֵּיהּ בְּטִבְלֵיהּ,

The baraita is talking about a case **where they came into his hand**, meaning the priest seized the gifts, **while they were still untitled**,

EXPLANATION

וְקִסְבֵּר הָאִי תַנָּא: מִתְּנֹת שֶׁלֹּא הוּרְמוּ – כְּמִי שֶׁהוּרְמוּ דְּמִיָּין.

and this Tanna holds that **gifts that have not yet been separated are considered as though they have been separated**, so the priest acquired a real right to them when he grabbed them.

QUESTION

תָּא שְׁמַע: הָרִי שֶׁאֲנָסוּ בֵּית הַמֶּלֶךְ גִּרְנוֹ, אִם בְּחוּבוֹ – חֵיִיב לְעֹשֶׂר, אִם בְּאִנְפוּרוֹת – פֶּטוּר מִלְּעֹשֶׂר.

Come and hear a kasha against Rav Chisda from a baraita: If **the household of the king seized his threshing floor by force**, if they took it **for his debt** to the king, **he is obligated to tithe** other grain to make up for it; but if they took it **by way of outright robbery** without any claim of debt, **he is exempt from tithing**. This implies that a debt of tithes is a monetary obligation that can be claimed, which contradicts Rav Chisda!

ANSWER

שְׂאֵנִי הֵתָם, דְּקָא מִשְׁתַּרְשִׁי לִיהּ.

The Gemara answers: **It is different there, because he is gaining a direct benefit** from the seizure, since it pays off his debt. Therefore, the Rabbis obligated him to tithe, not because the gifts are a claimable debt in court.

QUESTION

תא שמע, אמר לו: מכור לי בְּנֵי מַעֲיָה שֶׁל פָּרָה, וְהָיָה בָּהֶן מִתְּנוּת כְּהוֹנָה – נוֹתֵנָן לַפֹּהֵן, וְאֵינוּ מִנְּכָה לוֹ מִן הַדָּמִים.

Come and hear another kasha from our Mishnah: If an Israelite said to a butcher, "Sell me the innards of this cow," and there were priestly gifts in them, namely the maw, the buyer must give them to the priest, and he does not deduct their value for him from the money he pays the butcher.

QUESTION

לָקַח הַיָּמֵנוּ בְּמִשְׁקָל – נוֹתֵנָן לַפֹּהֵן, וּמִנְּכָה לוֹ מִן הַדָּמִים.

But if he bought them from him by weight, he must give them to the priest, and he deducts their value for him from the money.

QUESTION

אֲמַאי? לִיהוֹי כְּמוֹזִיק מִתְּנוּת כְּהוֹנָה אוֹ שְׂאֵכָלָן!

But why is the buyer obligated to give them? Let it be like one who damages priestly gifts or eats them, where Rav Chisda says he is exempt from paying!

ANSWER

שְׂאֵנֵי הֵתָם, דְּאִיתְּנָהוּ בְּעִינְיָהּ.

The Gemara answers: It is different there, because they are still physically intact and recognizable, so the priest can claim his actual property. Rav Chisda only spoke where the gifts were already consumed or lost.

QUESTION

תא שמע: תשעה נכסי כהן – תרומה, ותרומת מעשר, וחלה, ראשית הגז, ומתנות, והדמאי, והבכורים, והקטרן, והחומש.

Come and hear another kasha: Nine things are the property of a priest: terumah, and terumah of the tithe, and challah, the first of the shearing, and the priestly gifts, and demai, and the first fruits, and the principal of a convert's stolen property, and the fifth added to it.

QUESTION

למאי, לאו להוציאן בדיינין?

For what halachic purpose are they called "the property of a priest"? Is it not to extract them through judges in court, which would contradict Rav Chisda?

ANSWER

לא, לכדתנו: למה אמרו נכסי כהן? שקונה בהן עבדים וקרקעות ובהמה טמאה, ובעל חוב נוטלן בחובו, ואשה בכתובתה, וספר תורה.

The Gemara answers: No, it is for that which we learned in a Mishnah: Why did they say these are the property of a priest? Because he can buy with them slaves, and land, and non-kosher animals; and a creditor can take them for his debt; and a wife for her ketubah; and he can buy a Sefer Torah with them.

STATEMENT

הָהוּא לִיּוֹאֵה דְּהוּהָ חֵטֵף מִתְּנָתָא, אֲתוּ אֲמְרוּ לֵיהּ לָרַב, אָמַר לָהּ: לֹא מִסְתַּיִיחַ דְּלֹא שָׁקְלִינָן מִיַּיְיחַ, אֲלֵא מִיחֵטֵף נָמִי חֵטִיף?!

The Gemara relates: There was a certain Levite who would snatch priestly gifts from children who were bringing them. They came and told Rav. He said to them: Is it not enough for him that we do not take gifts from him when he slaughters his own animals, but he must also go and snatch gifts from others?!

QUESTION

וְרַב, אִי אִיקְרוּ "עַם" – מִשְׁקָל נָמִי לְשָׁקוֹל מִיַּיְיחַ. אִי לֹא אִיקְרוּ "עַם" – רַחֲמָנָא פְּטְרִינְהוּ!

The Gemara asks: And as for Rav, if Levites are called "people," then we should also take gifts from them when they slaughter! And if they are not called "people," then the Merciful One has exempted them entirely, so why did Rav sound like he was doing them a favor?

ANSWER

מִסְפָּקָא לִיהּ אִי אִיקְרוּ "עַם" אִי לֹא אִיקְרוּ "עַם".

The Gemara answers: He was in doubt whether they are called "people" or whether they are not called "people." Therefore, we cannot extract the gifts from them because of the rule that the burden of proof is on the claimant.

STATEMENT

יְתִיב רַב פָּפָא וְקָאָמַר לֵהּ לְהָא שְׂמַעְתָּא, אִיתִיבִיהּ רַב אִידִי בַר אָבִין לָרַב פָּפָא:

Rav Pappa sat and was saying this halachah of Rav's doubt. Rav Idi bar Avin raised an objection to Rav Pappa from a baraita:

OBJECTION

אַרְבַּע מִתְּנוֹת עֲנִיִּים שְׂכַפָּרִם – הַפֶּרֶט, וְהָעוֹלָלוֹת, וְהַשְׁכָּחָה, וְהַפָּאָה;

Four gifts of the poor in a vineyard are: the fallen grapes, and the underdeveloped clusters, and the forgotten grapes, and the corner-pe'ah;

OBJECTION

וּשְׁלֹשׁ שְׂבֵתבוֹאָה – הַלֶּקֶט, וְהַשְׁכָּחָה, וְהַפָּאָה;

and three in grain are: the gleanings, and the forgotten sheaves, and the corner-pe'ah;

OBJECTION

שְׁנַיִם שְׂכַאֲלֵן – הַשְׁכָּחָה וְהַפָּאָה.

two in a tree are: the forgotten fruit and the corner-pe'ah.

OBJECTION

כּוֹלֵן אֵין בָּהֶם טּוֹכֵת הִנָּחָה לְבַעֲלִים, וְאִפִּילוּ עֲנִי שְׂכַיִשְׂרָאֵל מוֹצִיאִין מִיָּדוֹ.

In all of them, the owner has no right of discretion to choose which poor person gets them, and even if a poor person of Israel owns the field, we extract them from his hand for other poor people.

OBJECTION

מַעֲשֵׂר עֲנִי הַמֵּתַחֵלֵק בְּתוֹךְ בֵּיתוֹ – יֵשׁ בּוֹ טוֹבַת הַנָּאָה לְבָעָלִים, וְאַפִּילוּ עֲנִי שֶׁבְּיִשְׂרָאֵל מוֹצִיָּאִין אוֹתוֹ מִיָּדוֹ,

The poor man's tithe which is distributed inside his house has a right of discretion for the owner, and yet even if a poor person of Israel owns the field, we extract it from his hand to give to others.

OBJECTION

וּשְׂאֵר מִתְּנוֹת כְּהוֹנָה, כְּגוֹן הַזֵּרוֹעַ וְהַלְחִיִּים וְהַקֶּבֶה – אֵין מוֹצִיָּאִין אוֹתָן מִיָּדוֹ, לֹא מִכֶּהֱן לְכַהֵן וְלֹא מִלֵּוִי לְלֵוִי.

But other priestly gifts, such as the foreleg, the jaws, and the maw, we do not extract them from his hand—neither from a priest to a priest, nor from a Levite to a Levite. This explicitly states that we do not take gifts from a Levite, which shows they are definitely exempt, not out of doubt!

EXPLANATION

אַרְבַּע מִתְּנוֹת שְׂפָכָרִם: הַפֶּרֶט, וְהָעוֹלָלוֹת, וְהַשְּׂכָחָה, וְהַפֶּאֱה, דְּכָתִיב: "וְכִרְמָךְ לֹא תַעֲזוֹלֵל וּפֶרֶט כִּרְמָךְ לֹא תִלְקֹט".

The Gemara now analyzes the baraita: The four gifts in a vineyard are: the fallen grapes, and the underdeveloped clusters, and the forgotten grapes, and the corner-pe'ah, as it is written: "And you shall not glean your vineyard, and the fallen grapes of your vineyard you shall not gather."

EXPLANATION

וְכָתִיב: "כִּי תִבְצֹר כִּרְמָךְ לֹא תַעֲזוֹלֵל אַחֲרֶיךָ", אָמַר רַבִּי לֵוִי: "אַחֲרֶיךָ" – זֶה שְׂכָחָה.

And it is written: "When you harvest your vineyard, you shall not glean after you." Rabbi Levi said: "After you" refers to forgotten grapes.

EXPLANATION

פֶּאֱה – גָּמַר "אַחֲרֶיךָ" "אַחֲרֶיךָ" מִזֵּית, דְּכָתִיב: "כִּי תַחֲבֹט זֵיתְךָ לֹא תַפְאֵר אַחֲרֶיךָ",

And pe'ah in a vineyard is derived by a gezerah shavah of "after you" from the olive tree, as it is written: "When you beat your olive tree, you shall not go over the boughs after you,"

EXPLANATION

וְתָנָא דְּבִי רַבִּי יִשְׁמָעֵאל: שְׁלֹא תִטּוֹל תִּפְאָרְתּוֹ מִמֶּנּוּ.

and the school of Rabbi Yishmael taught: This means you shall not take its glory from it, which refers to pe'ah.

EXPLANATION

שְׁלֹשָׁה שְׂפָתִיבּוּאָה: הַלֶּקֶט,

The three gifts in grain are: the gleanings,

STATEMENT

השכחה, והפאה,

The baraita continues listing the gifts left to the poor from a field: **the forgotten sheaves, and the pe'a.**

PROOF

דְּכַתִּיב: "וּבְקַצְרְכֶם אֶת קְצִיר אֲרֻצְכֶם לֹא תִכְלֶה פֶּאֶת שְׂדֶה בְּקַצְרָהּ וְלִקֵּט קְצִירָהּ וְגו'". "כִּי תִקְצֹר קְצִירָהּ בְּשָׂדֶה וְשָׁכַחְתָּ עֹמֶר בְּשָׂדֶה".

As it is written regarding pe'a: "And when you reap the harvest of your land, you shall not wholly reap the corner of your field when you reap, and the gleanings of your harvest etc." And regarding forgotten sheaves, it is written: "When you reap your harvest in your field and have forgotten a sheaf in the field, you shall not go back to fetch it."

STATEMENT

שְׁנַיִם שְׂפָאִילָן: הַשְּׁכָחָה וְהַפָּאָה,

The baraita taught further: There are **two** gifts **that** are left to the poor **from** the produce of a **tree**: **the forgotten fruits and the pe'a.**

PROOF

דְּכַתִּיב "כִּי תַחֲבֹט זֵיתָךְ לֹא תִפָּאֵר אַחֲרֶיהָ",

As it is written: "When you beat your olive tree, you shall not go over the boughs after you; it shall be for the stranger, for the fatherless, and for the widow."

EXPLANATION

וְתָנָא דְּבִי רַבִּי יִשְׁמַעְאֵל: שְׁלֹא תִטּוּל תְּפֹאֲרֶתוֹ מִמֶּנּוּ,

And the Tanna of the school of Rabbi Yishmael taught: This means **that you should not take its splendor from it**, meaning you must leave some olives on the branches as pe'a.

EXPLANATION

"אַחֲרֶיהָ" – זֶה שְׁכָחָה.

And when the verse says "**after you**" — **this is** a reference to **forgotten** fruits.

STATEMENT

וְכוּלָּן אֵין בָּהֶן טוֹבַת הַנָּאָה לְבָעָלִים,

The baraita continues: **And** with regard to **all of them**, i.e., these gifts left to the poor, **there is no benefit of discretion for the owner** to decide which poor person gets them.

QUESTION

מַאי טַעְמָא? "עֲזִיבָה" כְּתִיבָא בָּהּ.

What is the reason for this? It is because the term "**leaving**" is **written regarding them**, meaning the owner must simply leave them in the field for any poor person to take.

STATEMENT

וּאֶפִּילוּ עֲנִי שְׂכִינְיָאֵל מוֹצִיאִין אוֹתוֹ מִיָּדוֹ,

And even if the owner is a poor person of Israel who has his own field, if he fails to leave these gifts, the court removes them from his possession.

PROOF

דְּכַתִּיב: "וְלֹקֵט קְצִירָהּ לֹא תִלְקֹט לְעַנִּי וְלִגֵּר תַּעֲזֹב אֹתָם", לְהַזְהִיר עֲנִי עַל שְׁלוֹ.

As it is written: "Neither the gleaning of your harvest shall you gather; for the poor and for the stranger you shall leave them." The juxtaposition of "the poor" to the command to leave them is to warn a poor person that he must leave these gifts from his own produce.

STATEMENT

וּמַעֲשֵׂר עֲנִי הַמֵּתַחֲלָק בְּתוֹךְ הַבַּיִת יֵשׁ בּוֹ טוֹבַת הַנָּאָה לְבַעֲלִים,

But with regard to poor man's tithe that is distributed from within the house, there is the benefit of discretion for the owner.

QUESTION

מֵאִי טַעְמָא? "נָתַתָּה" כְּתִיבָא בִּיהּ.

What is the reason? It is because the term "giving" is written regarding it, as the verse says "and you shall give it to the Levite, to the stranger..."

STATEMENT

וּאֶפִּילוּ עֲנִי שְׂכִינְיָאֵל מוֹצִיאִין אוֹתוֹ מִיָּדוֹ,

And even in the case of a poor person of Israel, if he fails to separate the poor man's tithe, the court removes it from his possession.

EXPLANATION

דְּאָמַר רַבִּי אֵילְעָא: גָּמַר "לִגֵּר" "לִגֵּר" מִהֶתֶם, מָה לְהֵלֵן מוֹזֶהֶר עֲנִי עַל שְׁלוֹ, אִף כָּאן מוֹזֶהֶר עֲנִי עַל שְׁלוֹ.

As Rabbi Ile'a said: He derives this by a gezerah shavah of the word "to the stranger" written by poor man's tithe from the word "to the stranger" from there, by the gifts of the field. Just as there, a poor person is warned to leave gifts from his own field, so too here, a poor person is warned to separate poor man's tithe from his own field.

STATEMENT

וּשְׂאָר מִתְּנּוֹת כְּהוֹנָה, כְּגוֹן הַזֵּרוֹעַ וְהַלְחָיִים וְהַקֶּבֶה, אֵין מוֹצִיאִין אוֹתָן לֹא מִכֹּהֵן לְכֹהֵן וְלֹא מִלֵּוִי לְלֵוִי.

The baraita continues: And with regard to other gifts of the priesthood, such as the foreleg, and the jaw, and the maw, we do not remove them, neither from a priest to give to another priest, nor from a Levite to give to another Levite.

OBJECTION

הָא מִלֵּוִי לְכֹהֵן מוֹצִיאִין, אֵלְמָא אִיקְרוּ "עַם".

Rav Idi bar Avin infers: **But** we may deduce that **from a Levite to a priest, we do remove** them! **Consequently**, we see that Levites **are called "people"**, and are therefore obligated in these gifts. If so, why was Rav in doubt about this?

RESOLUTION

כגון הזרוע ולא זרוע, ומאי ניהו – מעשר ראשון.

The Gemara answers: The baraita is referring to a gift that is **like the foreleg but is not** the actual foreleg. And what is this? It is **the first tithe**.

QUESTION

מעשר ראשון דלוי הוא?

The Gemara asks: But **is first tithe** not the rightful share **of the Levite**? Why would the court take it from him?

ANSWER

כרבי אלעזר בן עזריה, דתנא: תרומה לפהו, מעשר ראשון ללוי, דברי רבי עקיבא. רבי אלעזר בן עזריה אומר: אף לפהו.

The Gemara answers: This is **according to Rabbi Elazar ben Azarya**, as it is **taught** in a baraita: **Teruma goes to the priest, and first tithe goes to the Levite**; these are the words of Rabbi Akiva. But Rabbi Elazar ben Azarya says: First tithe may be given **even to the priest**.

OBJECTION

אימר דאמר רבי אלעזר בן עזריה אף לפהו, לפהו ולא ללוי מי אמר?

The Gemara objects: **Say that Rabbi Elazar ben Azarya said** it may be given **even to the priest**, but did he say it goes exclusively **to the priest and not to the Levite**, such that we would take it away from a Levite?

RESOLUTION

אין, לבתר דקנסיהו עזרא.

The Gemara answers: **Yes**, this is **after Ezra penalized them**, the Levites, for not ascending to Eretz Yisrael, and decreed that first tithe should go only to the priests.

OBJECTION

אימר דקנסיהו עזרא – דלא יהבינן להו משקל מיניהו מי אמר?!

The Gemara objects: **Say that Ezra penalized them so that we do not give** first tithe **to them**, but did he say that we take it **away from them** if they already took possession of it?!

RESOLUTION

אלא, כגון זרוע ולא זרוע, ומאי ניהו – ראשית הגז.

Rather, the baraita is referring to a gift **like the foreleg but not** the actual foreleg. And what is this? It is the first of the **sheared wool**, which Levites must give to the priest.

PROOF

תא שמע, זה הכלל: כל דבר שהוא בקדושה, כגון תרומה ותרומת מעשר וחלה – מוציאין אותו מידם,

Come and hear a proof from a baraita: This is the general rule: Any item that is of sanctity, such as teruma, and teruma of the tithe, and challah — we remove them from their possession, i.e., from the Levites, to give to the priests.

PROOF

וכל דבר שאינו בקדושה, כגון הזרוע והלחיים והקבה – אין מוציאין אותו מידם.

And any item that is not of sanctity, such as the foreleg, and the jaw, and the maw — we do not remove it from their possession. This proves that Levites are exempt from these gifts!

RESOLUTION

כגון זרוע ולא זרוע, ומאי ניהו – מעשר ראשון, ולבתר דקנסיהו עזרא.

The Gemara answers: This baraita too can be explained as referring to a gift like the foreleg but not the actual foreleg. And what is this? It is the first tithe, and this is after Ezra penalized them.

PROOF

תא שמע: השוחט לכהן ולגוי – פטור מן המתנות, הא ללוי ול ישראל – חייב?

Come and hear another proof: A Mishnah states: One who slaughters an animal belonging to a priest or to a non-Jew is exempt from the gifts. We may infer: But if he slaughters for a Levite or for an Israelite, is he obligated? This implies a Levite is obligated!

RESOLUTION

לא תימא הא ללוי ול ישראל חייב, אלא אימא: הא לישראל – חייב.

The Gemara rejects this: Do not say that the inference is: But for a Levite and for an Israelite he is obligated. Rather, say the inference is: But for an Israelite he is obligated.

EXPLANATION

אבל ללוי מאי פטור?

But if he slaughters for a Levite, what is the halacha? He is indeed exempt.

QUESTION

אי הכי, ליתני "השוחט ללוי ולגוי פטור מן המתנות".

The Gemara asks: If so, let the Mishnah teach: "One who slaughters for a Levite or for a non-Jew is exempt from the gifts", which would teach us the status of a Levite directly!

OBJECTION

ועוד, הא תניא: השוחט לכהן ולגוי – פטור מן המתנות, ללוי ול ישראל – חייב!

And furthermore, is it not taught explicitly in a baraita: One who slaughters for a priest or for a non-Jew is exempt from the gifts, but if he slaughters for a Levite or for an Israelite, he is obligated!

REFUTATION

This is indeed a **refutation of Rav**, who was in doubt about this.

RESOLUTION

אָמַר לָהּ רַב: תִּנָּאִי הִיא, דְּתַנָּיָא: "וְכִפֹּר אֶת מִקְדָּשׁ הַקֹּדֶשׁ" – זֶה לְפָנַי וְלִפְנֵיכֶם.

The Gemara suggests: **Rav** could **say to you** that this issue is a dispute between **Tannaim**, as it is taught in a baraita regarding Yom Kippur: "And he shall make atonement for the holy sanctuary" — this refers to the innermost chamber, the Kodesh HaKodashim.

EXPLANATION

"אֶהְיֶה מוֹעֵד" – זֶה הֵיכָל, "מִזְבֵּחַ" – כְּמִשְׁמְעוֹ, "וְכִפֹּר" – אֱלֹהֵי עֲזָרוֹת.

"The Tent of Meeting" — this refers to the Heichal; "the Altar" — according to its literal meaning; "he shall make atonement" — these are the courtyards of the Beis HaMikdash;

EXPLANATION

"כֹּהֲנִים" – כְּמִשְׁמְעוֹ, "עַם הַקָּהָל" – אֱלֹהֵי יִשְׂרָאֵל, "וְכִפֹּר" – אֱלֹהֵי הַלְוִיִּם.

"the priests" — according to its literal meaning; "the people of the congregation" — these are the Israelites; "he shall make atonement" — these are the Levites.

EXPLANATION

וְתַנָּיָא אִידָּהּ: "וְכִפֹּר" – אֱלֹהֵי עֲבָדִים.

And it is taught in another baraita: "He shall make atonement" — these are the Canaanite servants.

EXPLANATION

מַאי לָאוּ בָּהּ קָמִיפְלָגִי, דְּמַר סֹבֵר אִיקְרוּ "עַם", וּמַר סֹבֵר לֹא אִיקְרוּ "עַם".

What, is it not about this that they disagree? That one Master, the second Tanna, holds that Levites are called "people", and are therefore included in "the people of the congregation", leaving the extra word "atonement" to include servants; and one Master, the first Tanna, holds they are not called "people", and therefore need a special word to include them.

QUESTION

וְרַב, אִי סְבִירָא לֵיהּ כְּהַאי תַּנָּא – לֵימָא, וְאִי סְבִירָא לֵיהּ כְּהַאי תַּנָּא – לֵימָא!

The Gemara asks: And Rav, if he holds like this Tanna, let him say so, and if he holds like that Tanna, let him say so! Why was he in doubt?

ANSWER

מִסְפָּקָא לֵיהּ אִי כְּהַאי תַּנָּא אִי כְּהַאי תַּנָּא.

The Gemara answers: He was in doubt whether the halacha is like this Tanna or like that Tanna.

RULING

דְּרֵשׁ מְרִימָר: הִלְכְּתָא כְּוֹתִיבָהּ דְּרַב, וְהִלְכְּתָא כְּוֹתִיבָהּ דְּרַב חֲסִידָא.

Marimar expounded: The halacha is like Rav that Levites are exempt from the gifts, and the halacha is like Rav Chisda that the gifts may not be eaten by a non-priest.

STATEMENT

עולא הוה יתיב מתנתא לכהנתא, איתיביה רבא לעולא:

The Gemara relates: **Ulla would give the priestly gifts to a priestess**, the daughter of a priest. **Rava challenged Ulla** from a Mishnah:

OBJECTION

מנחת כהנת – נאכלת, מנחת כהן – אינה נאכלת.

The meal-offering of a priestess is eaten, but the meal-offering of a priest is not eaten, but rather completely burned.

OBJECTION

ואי אמרת "כהן" ואפילו כהנת, והכתיב: "וכל מנחת כהן כליל תהיה לא תאכל!"

And if you say that the term "priest" in the Torah includes even a priestess, but is it not written: "And every meal-offering of a priest shall be wholly burned; it shall not be eaten"? This shows that "priest" does not include a priestess!

ANSWER

אמר ליה: רבי,

Ulla said to him: My teacher,

SUMMARY

The Gemara resolves the kashas against Rav Chisda by distinguishing between cases where the owner derives direct monetary benefit from the seizure, and cases where the priestly gifts are still physically intact and recognizable. We then learn that while we do not extract the priestly gifts from a Levite who slaughters his own animal, this is due to a halachic doubt as to whether Levites are excluded from the obligation, meaning the kohen cannot extract them due to the rule of hamotzi mechavero alav hara'ayah. Finally, the Gemara analyzes a baraita detailing the specific gifts left to the poor—four in a vineyard, three in grain, and two in trees—and expounds the pesukim and gezerah shavahs that serve as the sources for these halachos.

The Gemara is bothered by the status of a Levite who was snatching priestly gifts, which leads into a deep shakla v'tarya about whether Levites are halachically called "people" (am) and are thus obligated in these gifts, or if they are exempt. Rav was in doubt about this, and because of this doubt, we cannot extract the gifts from them. The underlying yesod here is that when there is a doubt in halachah, we cannot force someone to give up what is in their possession.

This teaches us a massive lesson in our daily avodah. How often do we find ourselves in a doubt regarding our interpersonal relationships, where we feel we are absolutely right and the other person owes us an apology, some money, or at least some respect? The natural yetzer hara reaction is to go and "snatch" what we think is ours, to demand it, or to hold a grudge. But the Torah's way is different. If there is a doubt, we do not force the other party. We must have the greatness of mind to step back and say, "If it is not clearly mine to demand, I will not grab it."

True yiras Shamayim means knowing when to hold back. Just as we are careful with doubts in kashrus, we must be even more careful with doubts in how we treat our fellow Yid. If you are not absolutely sure you are in the right, do not push your claim. Let it go, and trust that Hashem will make sure you receive exactly what you are meant to have.

Today, if you find yourself in a disagreement or a doubtful situation where you feel someone owes you something, consciously choose to step back and let it go instead of demanding your way.