

The Weekly Daf



by Rav Mendel Weinbach - Dean, Ohr Somayach Institutions

Bechoros 39-45

Week of 10-16 Adar 1 5757 / 17-23 February 1997
Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud
studied in the course of the worldwide Daf Yomi cycle

Happy Birthhour

When does one become one year old?

A baby's birthday is traditionally calculated according to the day in the month in which it was born without regard to the exact hour of birth.

What about the animal which the Torah says must be less than a year old in order to qualify as a Pesach sacrifice?

The Paschal lamb, rules the Talmud, must be less than a year old, not only when it is slaughtered but also when its blood is applied to the altar.

Why is it necessary, ask our Sages, to spell out that this age cutoff pertains even to the application of the blood which immediately follows the slaughter? Is it possible for an animal to be less than a year old when it is slaughtered and a year old when its blood reaches the altar?

Yes, answers the Sage Rava. Hours, he points out, can disqualify a sacrifice. If the lamb chosen for the Pesach sacrifice was born at two o'clock in the afternoon of 14th Nissan it is qualified the next year to be a sacrifice only if it is slaughtered and its blood applied to the altar before three o'clock. Once an entire hour has passed beyond the exact year from its birth the animal is considered as having entered the second year of its life and is disqualified.

Bechoros 39b

Bloody Handed Blessor

Among the things, listed in the Mishnah, which disqualify an animal from being offered as a sacrifice but do not disqualify a *kohen* from performing sacred service in the Sanctuary is "the slaying of a man." According to this text, which is not accepted by all the commentaries, and therefore appears in parentheses, a *kohen* who has murdered is not disqualified from service. Those commentaries who omit this from the Mishnah are of the opinion that a *kohen* who has murdered, even unintentionally, is indeed disqualified, and that this disqualification is common to both man and animal.

To comprehend the basis for these two conflicting views we must refer to a ruling of Rabbi Yochanan (*Berachos* 32b) that a *kohen* who is guilty even of unintentional murder is disqualified from raising his hands to bless the congregation, as is incumbent on every other *kohen*. *Tosefos Yom Tov* on our Mishnah takes the position that if murder disqualifies him from raising his hands in blessing it certainly disqualifies him from performing service in the Sanctuary. An opposing view is expressed by *Tosefos* (*Yevamos 7a* and *Sanhedrin 35b*) who contends that a *kohen* "with blood on his hands" is disqualified only from blessing the congregation, because it requires him to lift those hands in the act of blessing, and it is improper for the "prosecutor to act as the defender," an aspect which is not present in service performed in the Sanctuary.

It is interesting to note that there is a dispute amongst the leading halachic authorities (*Shulchan Aruch Orach Chaim* 128:35) as to whether a *kohen* with blood on his hands is reinstated as a blessor if he repents his sin. There is a virtual consensus that if the murder was unintentional, then such repentance achieves reinstatement, but there are some authorities who rule that in regard to an intentional murder (where there was insufficient evidence to convict him in either a religious or secular court) repentance does not remove the obstacle of bloody hands switching roles from prosecutor to defender.

Bechoros 44b

Prepared by Ohr Somayach in Jerusalem, Israel

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Production Design: Lev Seltzer

Issue #158 - Bechoros 39-45

For the week of 10-16 Adar 1 5757 / 17-23 February 1997 (Parshas Tetzaveh)