

# The Weekly Daf



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Temurah 23-29

Week of 28 Nissan-4 Iyar 5757 / 5-11 May 1997  
Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud  
studied in the course of the worldwide Daf Yomi cycle

## The Blemished Bechor

Rabbi Yehuda stated in the name of the Sage Rav that it is permissible to inflict a blemish on a *bechor* (first born male animal) before it departs its mother's womb. The sanctity of the *bechor* as a sacrificial animal which prevents its being used in regular fashion until it develops a blemish, and forbids a blemish being inflicted, only takes effect when a majority of its head has left the womb.

This ruling is challenged from the Mishna's statement that a man can evade the responsibility of giving away a *bechor* to the *kohen* by declaring before birth that if the first born will be a male it will be consecrated for an *olah* sacrifice. The status of *bechor* which only comes with departure from the womb can thus never take effect and the owner may use the first born male to fulfill his own obligation of offering an *olah*.

The implication is that he may effect this change from *bechor* only because he is upgrading its sanctity to that of an *olah* which is completely consumed on the altar. But if he were to consecrate it for a *shlamim* sacrifice which is not a higher sanctity it would be forbidden to make this change in status. It may therefore be concluded that it is certainly wrong to inflict a blemish before birth which strips the animal of any sacrificial sanctity.

Rabbi Yehuda's response to this challenge is to distinguish between when there was a *Beis Hamikdash* where sacrifices could be offered and when there is none. The Mishna refers to the *Beis Hamikdash* era when it was wrong to reduce the sanctity of a sacrifice. Rabbi Yehuda refers to our own times when there is no loss of sacrifice in any event. If not for his ruling, however, we might have assumed that the Sages decreed not to inflict a prenatal blemish for fear that the owner might slip and inflict this blemish after a majority of the *bechor's* head has protruded, when it is already forbidden. Rabbi Yehuda, therefore, rules that it is still preferable to take this risk in order to avoid a situation in which the owner would have to wait for a blemish to develop on its own before using it and thus expose himself to the danger of illegally shearing or working with a *bechor*.

Our custom, as we pointed out in the Weekly Daf on Bechoros 3b, is based on Tosefos conclusion that the preferable method for avoiding the ban on *bechor* is to sell a part of the mother to a non-Jew, thus exempting the offspring from the status of *bechor*.

Temurah 24b

## Seven Years and Eight Exceptions

When the Children of Israel sinned against Hashem and He delivered them into the hand of Midian for seven years they cried out to Hashem. He chose Gideon as the leader who would deliver them from Midian. An angel was sent to charge Gideon with this mission and to give him a heavenly sign that he had been chosen.

"That very night Hashem said to him: Take your father's young bullock, and the second bullock of seven years old, and throw down the altar of Baal that your father has, and cut down the *Ashera* that is by it. And build an altar to Hashem upon the top of this strong point, on the level place, and take the second bullock and offer a burnt sacrifice with the wood of the *Ashera* which you have cut down." (*Shoftim* 6:25-36)

Eight forbidden practices, point out the Sage Abba bar Cahana, were permitted that night: 1) Slaughter and offering of a sacrifice outside the Sanctuary; 2) sacrificial service at night; 3) service performed by a non-*kohen*; 4) service without sanctified vessels; 5) use of vessels employed for idolatrous *Ashera*; 6) use of wood from the *Ashera* served as an idol; 7) use of an animal set aside as a sacrifice for an idol; 8) use of an animal worshipped as an idol.

Malbim, in his commentary on *Shoftim*, points out that the second bullock belonged to the townspeople rather than his father and it had been fattening for seven years. When the Midianite oppression began seven years earlier these people vowed to offer this special animal to the idol when they would be saved. Gideon was therefore commanded to take this very animal and offer it to Hashem on an altar built for Hashem atop the idolatrous altar and use the wood of the idol as fuel — all this to demonstrate that it is Hashem who will rescue Israel and not the idol. This also provided Gideon with an opportunity to launch his career as a leader by risking his life and defying the townspeople in order to sanctify the Name of Hashem.

Temurah 28b

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