
ביכורים

TIME 4 MISHNA

mikra

ביכורים

וְהָיָה כִּי־תָבֹא אֶל־הָאָרֶץ אֲשֶׁר ה' אֱלֹקֶיךָ נָתַן לְךָ נַחֲלָה וּיְרַשְׁתָּהּ וַיִּשְׁבַּת בָּהּ:
וּלְקַחַת מִרְאשִׁית כָּל־פְּרֵי הָאֲדָמָה אֲשֶׁר תָּבִיא מֵאֶרֶץ אֲשֶׁר ה' אֱלֹקֶיךָ נָתַן לְךָ
וּשְׂמַת בְּטֶנְא וְהִלַּכְתָּ אֶל־הַמָּקוֹם אֲשֶׁר יִבְחַר ה' אֱלֹקֶיךָ לְשָׁכֵן שְׁמוֹ שָׁם:
וּבָאת אֶל־הַכֹּהֵן אֲשֶׁר יִהְיֶה בַיָּמִים הָהֵם וְאָמַרְתָּ אֵלָיו הִגְדַּתִּי הַיּוֹם לַה' אֱלֹקֶיךָ כִּי־
בָאתִי אֶל־הָאָרֶץ אֲשֶׁר נִשְׁבַּע ה' לְאֲבוֹתֵינוּ לָתֵת לָנוּ:
וּלְקַח הַכֹּהֵן הַטֶּנָּא מִיָּדְךָ וְהִנִּיחוֹ לִפְנֵי מִזְבֵּחַ ה' אֱלֹקֶיךָ:
וְעָנִיתָ וְאָמַרְתָּ לִפְנֵי ה' אֱלֹקֶיךָ אֲרָמִי אֲבִד אֲבִי וַיֵּרֶד מִצְרַיִם וַיִּגַּר שָׁם בְּמֹתֵי מֶעַט
וַיְהִי־שָׁם לְגוֹי גָדוֹל עָצוּם וְרַב:
וַיִּרְעוּ אֹתָנוּ הַמִּצְרַיִם וַיַּעֲנוּנוּ וַיִּתְּנוּ עָלֵינוּ עֲבֹדָה קָשָׁה:
וַנִּצְעַק אֶל־ה' אֱלֹקֵי אֲבוֹתֵינוּ וַיִּשְׁמַע ה' אֶת־קִלְנוּ וַיֵּרָא אֶת־עֲנֵינוּ וְאֶת־עֲמַלְנוּ וְאֶת־
לַחֲצֵנוּ:
וַיִּוצְאֵנוּ ה' מִמִּצְרַיִם בְּיַד חֲזָקָה וּבְזֹרַע נְטוּיָה וּבְמִרְא גָדֹל וּבְבָאֹתוֹת וּבְמִפְתִּיִם:
וַיָּבֵאֵנוּ אֶל־הַמָּקוֹם הַזֶּה וַיִּתְּנוּ־לָנוּ אֶת־הָאָרֶץ הַזֹּאת אֶרֶץ זָבַת חֶלֶב וּדְבָשׁ:
וְעַתָּה הִנֵּה הִבֵּאתִי אֶת־רְאשִׁית פְּרֵי הָאֲדָמָה אֲשֶׁר־נָתַתָּה לִּי ה' וְהִנְחִיתוּ לִפְנֵי ה'
אֱלֹקֶיךָ וְהִשְׁתַּחֲוִיתָ לִפְנֵי ה' אֱלֹקֶיךָ:
וּשְׂמַחַת בְּכֻל־הַטּוֹב אֲשֶׁר נָתַן־לְךָ ה' אֱלֹקֶיךָ וּלְבֵיתְךָ אֹתָהּ וְהִלּוִי וְהִגַּר אֲשֶׁר בְּקִרְבְּךָ:
(דברים כו:א-יא)

“It will be when you will come to the land that Hashem your G-d is giving to you as an inheritance, you will inherit it and you will settle in it. Take from the first of all fruit of the ground which you will bring from your land which Hashem is giving to you and place it in a basket, and go to the place which Hashem your G-d will choose to reside his name over there. Come to the Kohen who will be in those days and say to him: I have told Hashem your G-d today that I have come to the land that Hashem swore to our forefathers to give to us. The Kohen will take the basket from your hand and he will place it in front of the מִזְבֵּחַ of Hashem your G-d. Call out and say in front of Hashem your G-d: ‘An Aramean caused my father to wander and he went down towards Egypt, and he lived there with a small number, and there he became a great, strong and large nation. The Egyptians were bad towards us and afflicted us, and they placed difficult labour upon us.

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We cried out to Hashem the G-d of our forefathers, and He heard our voices and saw our affliction, hard work and persecution.

He took us out of Egypt with a strong hand and an outstretched arm, and with great awe, signs and wonders.

He brought us to this place and gave this land to us – a land flowing with milk and honey.

And now behold I have brought the first part of the fruit of the ground that Hashem has given me.’ Place it in front of Hashem your G-d and bow down in front of Hashem your G-d.

Rejoice in all the food that Hashem has given to you and your household – you, the Levi and the convert who is in your midst.”

Overview

בְּפוֹרִים

When בְּפוֹרִים
and מִקְרָא
בְּפוֹרִים apply

(1)

- ✓ Which species are obligated
- ✓ When during the year does it apply
- ✓ Needs to be “your land”
 - Excludes thief, renter, messenger

Comparisons
between
different
things

(2)

- ✓ בְּפוֹרִים and מַעֲשֵׂר שְׁנִי, תְּרוּמָה
- ✓ תְּרוּמַת מַעֲשֵׂר
- ✓ אֶתְרוּג tree
- ✓ Human blood
- ✓ פּוּי

Designating &
bringing
בְּפוֹרִים to the
בֵּית הַמִּקְדָּשׁ

(3)

- ✓ When to designate it
- ✓ The מַעֲמֵד's procession to the בֵּית הַמִּקְדָּשׁ
- ✓ Service in the בֵּית הַמִּקְדָּשׁ
 - Waving the בְּפוֹרִים
 - Reading the מִקְרָא בְּפוֹרִים
- ✓ Decorating the בְּפוֹרִים

Laws of an
אֲנָדְרוּגִינוֹס

(4)

- ✓ Laws which he shares with men, women, both or none
- ✓ Whether he is a doubtful man/woman, or different creation

Summaries

בְּכוֹרִים

Rules:

סְפִיקָא דְאֹרִייתָא לְחֻמְרָא - A Torah law is ruled stringently in a case of doubt

Concepts and Terms:

הַבְּרָכָה - Bending the tip of a branch into the ground and bringing it back up at a different spot in the field as a new tree

שִׁבְעַת הַמִּינִים - 7 species by which אֶרֶץ יִשְׂרָאֵל is praised

מְקָרָא בְּכוֹרִים - Reciting פְּסוּקִים in the בֵּית הַמִּקְדָּשׁ upon bringing בְּכוֹרִים, thanking Hashem for land and produce

- **אֲנָדְרוּגִינוֹס** - One who has both male and female organs
- **טוֹמְטוֹם** - One who has neither male nor female organs

אֲפוֹטְרוֹפוֹס - One who is appointed to take care of young orphans' property

קָרוֹן וְחֻמֶּשׁ - The value plus $\frac{1}{4}$ (which is $\frac{1}{5}$ of the total amount of $1\frac{1}{4}$ times its value)

מִיתָה בְּיַדֵּי שָׁמַיִם - Death by the hands of Hashem

מִמּוֹן הַדְּיוֹט - Possession of the owner/receiver, who therefore has the right to sell it

שְׁנֵי לְטוֹמְאָה - Second-degree טוֹמְאָה, usually because it came into contact with a ראשון לטוֹמְאָה

אוֹנָן - One whose close relative died that day

דָּבָר שֶׁיֵּשׁ לוֹ מִתִּירִין - Something which can become permitted in the future; בִּיטוּל doesn't work on such an item

תְּנוּפָה - When a כֹּהֵן waves an offering in all directions together with the owner

חֲנֻטָה - When the bud of a fruit begins to form

שֶׁרֶץ - 8 small animals which the תּוֹרָה lists as having a high level of טוֹמְאָה when dead

כּוֹי - A creature for which it's a doubt whether it's a חֲזִיָּה (wild animal) or בהמה (domesticated animal)

כִּיסוּי הַדָּם - The obligation to cover the blood of an animal which spills when it's slaughtered

פְּטוּר חֲמוֹר - When a firstborn donkey is redeemed by giving a sheep/goat to a כֹּהֵן

Key Terms

בְּכוֹרִים

מַעֲמֹד - 1 of 24 groups of יִשְׂרָאֵלִים who contributed to the בֵּית הַמִּקְדָּשׁ service by fasting and praying each day for 1 week at a time

תּוֹסֶפֶת הַבְּכוֹרִים - Produce which isn't the first to ripen but which one adds to his בְּכוֹרִים

חֶבֶר - One who is particular with purity laws and is trustworthy with regards to tithing

מִצְוֹת עֲשֵׂה שֶׁהִזְמִן גְּרָמָא - Positive מִצְוָה bound to a specific time

עֵרֶךְ - The value fixed by the תּוֹרָה for somebody who wishes to pay his value to the בֵּית הַמִּקְדָּשׁ

Summaries

בְּכוֹרִים

- When the obligations of **בְּכוֹרִים** and **'מִקְרָא בְּכוֹרִים'** – reciting **פְּסוּקִים** in the **בֵּית הַמִּקְדָּשׁ** thanking Hashem for land and produce – apply:
 - If one does **'הַבְּרָכָה'** – bending the tip of a branch into the ground and bringing it back up at a different spot in the field as a new tree – in a way that **one of the 2 trees isn't in his property**, both are **exempt from בְּכוֹרִים** since they gain nourishment from each other, and the **תּוֹרָה** only obligates the first fruit of "your land".
 - **חֲכָמִים**: If the **part which is underground is below a pathway** which doesn't belong to him, the trees are **exempt** since they gain nourishment from there.
 - ר' יְהוּדָה**: It's still **obligated**, since he's allowed to have his branch there so it's considered "your land". However, he **doesn't say the בְּכוֹרִים מִקְרָא** since one of those **פְּסוּקִים** praises Hashem for "the land which you gave me", and he isn't the owner of that land.
 - Anybody who **doesn't own the land** is **exempt** from **בְּכוֹרִים**, e.g. one who rents and works the field, and a thief.
 - Only **good quality 'שְׁבַעַת הַמִּינִים'** – **7 species** by which **אֶרֶץ יִשְׂרָאֵל** is praised – are **obligated**.
 - One may only bring **בְּכוֹרִים** **after שְׁבוּעוֹת**, since the **תּוֹרָה** states that the first produce brought into the **בֵּית הַמִּקְדָּשׁ** needs to be the **שְׁתֵּי הַלֶּחֶם** (2 loaves brought on **שְׁבוּעוֹת**).
 - **חֲכָמִים**: One may bring **בְּכוֹרִים** **until חֲנוּכָה** since produce remains in the fields until then, however one doesn't say **בְּכוֹרִים מִקְרָא** **past סוּכוֹת** since one may only say it in a time of rejoicing over the harvest.
 - ר' יְהוּדָה בֶּן בִּתְרִיא**: One says **בְּכוֹרִים מִקְרָא** **until חֲנוּכָה**.
 - A **convert** is **obligated to bring בְּכוֹרִים** **but not to say בְּכוֹרִים מִקְרָא**, since he isn't able to thank Hashem for "the land which you swore to our ancestors to give to us", as his ancestors weren't Jewish and a convert has no inheritance in **אֶרֶץ יִשְׂרָאֵל**.
 - A **Jew whose father isn't Jewish** **does say בְּכוֹרִים מִקְרָא**, even though inheritance is passed down from the father's side, since he has Jewish ancestors.
 - A convert should say "the G-d of the Jews' ancestors" instead of "our ancestors" at the **beginning of עֲשָׂרָה עֶשְׂרֵה יְמֵי הַחֹמֶשׁ**, and if he's the **חֹזֵן** then he should say "your ancestors". This doesn't apply to a Jew whose father isn't Jewish.
 - **ר' אֱלִיעֶזֶר בֶּן יַעֲקֹב**: A **כֹּהֵן** **may not marry a woman descended from 2 converts who married** each other.
 - A **woman** or **slave** who owns land is **obligated in בְּכוֹרִים** **but not בְּכוֹרִים מִקְרָא**, since they didn't inherit **אֶרֶץ יִשְׂרָאֵל**.
 - An **'אֲנָדְרוּגִינוֹס'** – one who has both male and female organs, and **'טַמְטוֹם'** – one who has neither male nor female organs, **don't say בְּכוֹרִים מִקְרָא**.
 - An **'אֲפוּטְרוֹפוֹס'** – one who is appointed to take care of young orphans' property – and **messenger** sent to bring **בְּכוֹרִים** are **exempt from the בְּכוֹרִים מִקְרָא**.
 - Therefore, one **may not appoint a messenger** to take his **בְּכוֹרִים** unless this was his intention when he designated the fruit.

Summaries

בְּבוֹרִים

- חֲכָמִים**: If one buys 1 tree, it's understood that the land beneath it isn't part of the sale so he's **exempt from בְּבוֹרִים**; if he buys 2 trees, it's a doubt so he's **obligated in בְּבוֹרִים but not מְקָרָא בְּבוֹרִים**; if he buys 3 trees, he's **obligated in both**.

מֵאִיר: If he buys 1 tree, it's a **doubt**; if he buys 2 trees, he's **obligated in both**.

→ If he **specifies** that he's buying the land too, he's **obligated in both**.
- If the **tree from which the fruit came isn't alive** when he brings the **בְּבוֹרִים** to the **בֵּית הַמְקֻדָּשׁ**, he **doesn't say מְקָרָא בְּבוֹרִים** since it's considered as if he no longer has land.
- חֲכָמִים**: If one **sells his field** before bringing the **בְּבוֹרִים** to the **בֵּית הַמְקֻדָּשׁ**, he **doesn't say מְקָרָא בְּבוֹרִים**, and the buyer must bring **בְּבוֹרִים** and say **מְקָרָא בְּבוֹרִים** for **any produce which the seller didn't take**.

ר' יְהוּדָה: The buyer must do so **even for the produce which the seller already took**.

→ If one brings **בְּבוֹרִים** for **different species on 2 separate occasions**, he **reads מְקָרָא בְּבוֹרִים** both times.
- If the fruit which one designated as **בְּבוֹרִים** can't be brought to the **בֵּית הַמְקֻדָּשׁ**, e.g. they were **stolen** or **became טָמֵא**, he must replace them but doesn't read **מְקָרָא בְּבוֹרִים**, since the replacement fruit didn't ripen first.

→ If a **non-כהן** eats the replacement **בְּבוֹרִים**, he **isn't obligated to pay 'קָרוֹ וְחֹמֶשׁ'** - the value plus $\frac{1}{4}$ (which is $\frac{1}{5}$ of the total amount of $1\frac{1}{4}$ times its value) - to a **כהן**.

→ If one's **בְּבוֹרִים** become **טָמֵא** in the **בֵּית הַמְקֻדָּשׁ**, he is **exempt from מְקָרָא בְּבוֹרִים and from replacing them**, since the **תּוֹרָה** commands that they be brought "to the house of Hashem".
- חֲכָמִים**: Fruit which grows in **עֵבֶר הַיַּרְדֵּן** (east side of the **יַרְדֵּן**, which $2\frac{1}{2}$ tribes inherited instead of **אֶרֶץ יִשְׂרָאֵל** itself) is **obligated in בְּבוֹרִים and מְקָרָא בְּבוֹרִים**, since it's included in "the land which you gave me".

ר' יוֹסֵי הַגְּלִילִי: They are **exempt**, since the **מְקָרָא בְּבוֹרִים** talks of "the land flowing with milk and honey", a reference to **אֶרֶץ יִשְׂרָאֵל**.
- One who **owns the right be an חוֹכֵר / אָרִיס** (one who rents and works a field in return for a portion of the annual crop) in a certain field is obligated in **בְּבוֹרִים and מְקָרָא בְּבוֹרִים**.

Summaries

בכורים

- **Comparisons between different things:**

1) Laws which apply to תרומה and בכורים but not to מעשר שני:

- A non-כהן who eats it **intentionally** is **liable to** 'מיתה בידי שמים' – **death** by the hands of Hashem; if he eats it **unintentionally** then he **must pay קרן וחומש**.
- It's considered 'ממון הדיוט' – the **property of the כהן** who receives it – and he may sell it.
- It's **nullified** in 100 times more חולין.
- One **must wash his hands** before eating it, to remove the 'שני לטומאה' – second-degree טומאה – which can make these types of food טמא.
- After a כהן has purified himself in a מקוה, he **must wait until nightfall to eat it**.

2) Laws which apply to מעשר שני and בכורים but not to תרומה:

- It **must be brought up** to ירושלים / the בית המקדש, and this is **accompanied by a declaration**.
- **חכמים**: An 'אונן' - one whose close relative died that day – **may not eat it**, as the תורה says regarding מעשר שני, and since בכורים must be eaten in a state of rejoicing.
ר' שמעון: He **may eat בכורים**.
- **חכמים**: If one still has it by פסח of the 4th and 7th year of the שמיטה cycle, it **must be burnt** ('ביעור').
ר' שמעון: בכורים should be **given to a כהן** and not burnt.
- If any amount of it is mixed with חולין whilst in ירושלים, it **isn't nullified** since it's a 'דבר שיש לו מתירין' – something which can be permitted in another way other than nullification, i.e. eating it within ירושלים.
 - o **חכמים**: So too, if the mixture is planted, **that which grows from it has the same status as it**.
ר' שמעון: It is **considered חולין**.

3) Laws which apply to תרומה and מעשר שני but not to בכורים:

- It's **forbidden to eat one's produce before separating it**.
- They **have a fixed amount** which is hinted to in the תורה.
- It **applies even to produce other than the שבטת המינים**.
- It **applies even without a בית המקדש**.
- **Even somebody who doesn't own the land** on which the produce grew, e.g. a thief, is obligated to separate it.

4) Laws which apply to בכורים but not to תרומה and מעשר שני:

- It's designated and **becomes כהן's property whilst it is still attached to the ground**.
- One **can designate all of his produce** as בכורים, as the תורה adds the word "all" when talking about the obligation.
- If it gets lost after it's been designated (and before it's been brought to the בית המקדש), one **must replace it**.

בְּכוֹרִים

- It's **accompanied by 4 מצוות**: (1) A **קֶרְבַּן שְׁלָמִים** is offered up; (2) the **לוּיִים** sing; (3) **'תְּנוּפָה'** – the **כֹּהֵן** waves it in all directions together with the owner; (4) one must **sleep in יְרוּשָׁלַיִם** the night after bringing it to the **בֵּית הַמִּקְדָּשׁ**.
 - **'תְּרוּמַת מַעֲשֵׂר'** – 1/10 of the **רֶאשִׁוֹן** which a **לוּי** receives that must be given to a **כֹּהֵן** – is similar to **בְּכוֹרִים** in that one **may designate טְהוֹר produce as תְּרוּמַת מַעֲשֵׂר on behalf of טָמֵא produce**, since the 2 piles of produce don't need to be **'מִן הַמִּקָּו'** – next to each other – when separating from one on behalf of the other. It's similar to **תְּרוּמָה** in that (a) it's **forbidden to eat the rest of the produce until it's been separated**, and (b) it **has a fixed amount** which is hinted to in the **תּוֹרָה**.
 - An **אֶתְרוּג tree** has the status of a **regular tree**, i.e. its critical stage of growth is **'חֲנֻטָּה'** – when the fruit begins to form – with regards to the laws of (a) **'עֵרְלָה'** – a tree in its **first 3 years of growth** when it's forbidden to benefit from its fruit, (b) **'נִטְעַר רִבְעִי'** – a tree in its **4th year** when its fruit must be eaten in **יְרוּשָׁלַיִם**, and (c) **שְׂמִיטָה**.
רֶבֶן גְּמֻלִיאל: It has the status of **vegetables**, i.e. its critical stage is when it's harvested, with regards to determining during which year it grew for **tithing laws**. This is because it cannot survive on rainwater alone, just like vegetables.
רַבִּי אֱלִיעֶזֶר: It has the status of a **tree** for this too, just like the **תּוֹרָה** shows regarding **עֵרְלָה**.
 - **Human blood** is similar to **animal blood** in that if food comes into contact with it then the **food gains the ability to become טָמֵא**; it's similar to the **blood of a 'שָׂרֵץ'** – 8 small animals which the **תּוֹרָה** lists as having a high level of **טוּמְאָה** when dead – in that one **isn't חַיִּיב כִּרְת** for eating it.
- 1) Stringencies which a **'כוֹי'** – creature for which it's a doubt whether it's a **חַיָּה** (wild animal) or **בְּהֵמָה** (domesticated animal) – shares with a **חַיָּה**:
- One **must cover its blood** with earth after slaughtering it (**'כִּיסוּי הַדָּם'**), and it's **forbidden to slaughter it on יוֹם טוֹב** since when **יוֹם טוֹב** begins he only has the intention to use the ashes of his oven to cover blood which is definitely obligated in **כִּיסוּי הַדָּם**, so the ashes are **מוֹקְצָה** for a **כוֹי** and he won't be able to cover the blood.
 - If it dies without being slaughtered, some of its **fats are טָמֵא**.
 → If he enters the **בֵּית הַמִּקְדָּשׁ** after becoming **טָמֵא** from its fats, he **isn't liable to the punishment of כִּרְת**, since it's only a doubtful **טוּמְאָה**.
 - It **can't be used to redeem a firstborn donkey ('פֶּטֶר חֲמוֹר')**, since only a sheep or goat may be used.
- 2) Laws which a **כוֹי** shares with a **בְּהֵמָה**:
- It's **forbidden to eat some of its fats** even when slaughtered correctly.
 → If he does so, he **isn't liable to כִּרְת** since it's only forbidden out of doubt.
 - It **may not be bought with שְׂנֵי מַעֲשֵׂר money** in **יְרוּשָׁלַיִם**, since a **בְּהֵמָה** which is bought must be offered up as a **קֶרְבַּן שְׁלָמִים** but this can't be offered up in case it isn't a **בְּהֵמָה**.
 - **חֲכָמִים**: When it's slaughtered for oneself, **certain parts of it must be given to a כֹּהֵן**.

Summaries

בְּפוּרִים

רַבִּי אֱלִיעֶזֶר: He's **exempt** from giving these, since 'הַמוֹצִיא מִחֵבְרוֹ עָלָיו הִרְאָהָ' – one may only take something from somebody else if they prove that they're entitled to it.

- 3) Laws in which a כּוֹי is different to both a חֲזִיה and בְּהֵמָה:
- It's **forbidden to work or breed it together with a חֲזִיה or a בְּהֵמָה**.
 - One who writes in a document that he is giving all of his חַיִּוֹת and בְּהֵמוֹת to somebody, a כּוֹי isn't included.
- 1) Laws in which a כּוֹי is the same as both a חֲזִיה and בְּהֵמָה:
- It **requires slaughtering**.
 - If it **dies without being slaughtered correctly**, it becomes טָמֵא.
 - A **limb which is separated from it** whilst it's still alive is טָמֵא.
- If one **declares that he is becoming a נְזִיר** on condition that a כּוֹי is either a חֲזִיה, בְּהֵמָה, both or none, he is considered a נְזִיר since 'סְפִיקָא דְאִוּרֵי תָא לְחֻמְרָא' – a doubtful case is ruled stringently in a case of a Biblical law.

Summaries

בְּכוֹרִים

- **The process of designating and bringing up the בְּכוֹרִים to the בֵּית הַמִּקְדָּשׁ:**
 - 1) **חֲכָמִים**: As soon as the first fruit **begins to ripen** on a tree, the owner should **tie a soft reed around the fruit and designate it as בְּכוֹרִים**.
ר' שמעון: He must designate them as בְּכוֹרִים again **after they've been detached** from the ground, since the תּוֹרָה implies that it must be considered a 'fruit' when it's declared as בְּכוֹרִים.
 - 2) All members of a 'מַעֲמָד' – 1 of 24 groups of יִשְׂרָאֵלִים who contributed to the בֵּית הַמִּקְדָּשׁ service by fasting and praying each day for 1 week at a time – travel to the city of the head of their מַעֲמָד and **sleep in the city square**, to avoid the chance of becoming טָמֵא by being under the same roof as a dead body, which would prevent one from entering the בֵּית הַמִּקְדָּשׁ.
 → One who brings his בְּכוֹרִים from **far away from יְרוּשָׁלַיִם** should **bring fruit which last longer** and won't rot before arrival, e.g. raisins.
 - 3) An **ox walks in front of the procession**, and his horns are covered in gold and an olive branch, and somebody plays a flute at the front too.
 - 4) They send messengers to inform the people of יְרוּשָׁלַיִם that they are approaching, and **leaders of כַּהֲנִים and לוֹיִים** and the **treasurers of the בֵּית הַמִּקְדָּשׁ come out to greet them**; more would come for a larger group.
 → **Workers in יְרוּשָׁלַיִם** pause to greet them, to give honour and glory to the מִצְוָה.
 - 5) Once they reach הַר הַבַּיִת, the owner himself must **carry the basket** of בְּכוֹרִים.
 - 6) If doves were used to adorn the baskets, they are **offered up as קֶרְבָּנוֹת עוֹלָה**.
 - 7) **חֲכָמִים**: He **reads the entire בְּכוֹרִים מִקְרָא**, then **does תְּנוּפָה with the כַּהֵן**.
ר' יהודה: He **does תְּנוּפָה in the middle of the בְּכוֹרִים מִקְרָא**, as that's where it's written in the תּוֹרָה.
 → If the one bringing the בְּכוֹרִים **doesn't know how to read the בְּכוֹרִים מִקְרָא**, a כַּהֵן **tells him what to say**, phrase by phrase.
 - When the חֲכָמִים saw that some people who weren't able to read stopped bringing בְּכוֹרִים because of the embarrassment, they instituted that a כַּהֵן **should do this for everyone** who brings בְּכוֹרִים.
 - 8) He **places the בְּכוֹרִים on the side of the מִזְבֵּחַ**, bows down fully and exits.
- **Wealthy people** should bring their בְּכוֹרִים in **gold** and **silver** baskets, and **poor people** should bring them in woven **עֲרֻבָה** baskets.
 → Only a **poor person's basket is kept by the כַּהֵן** together with the fruit.
- **רבי שמעון בן גמלי**: One may decorate בְּכוֹרִים with **produce which is exempt** from בְּכוֹרִים.
ר' עקיבא: One may only decorate it with **שְׂבֻעַת הַמִּינִים** which come from **יִשְׂרָאֵל**, so that people don't incorrectly conclude that בְּכוֹרִים can come from other produce.
- **ר' שמעון**: 'תּוֹסֶפֶת הַבְּכוֹרִים' – produce which isn't the first to ripen but which one **adds to his בְּכוֹרִים** – **has the same status as the בְּכוֹרִים fruit themselves**, if it's the same species.

Summaries

בְּכוֹרִים

- Therefore, it **must be eaten in a state of purity**.
- If a כֹּהֵן receives it from an עַם הָאָרֶץ, he **doesn't need to tithe it** out of concern that the עַם הָאָרֶץ didn't do so, since it's exempt from tithes.
- Even according to the opinion that עֵבֶר הַיַּרְדֵּן produce from is obligated in בְּכוֹרִים, it **can't become תּוֹסֵפֶת הַבְּכוֹרִים**.

- **תַּנָּא קַמָּא**: Since בְּכוֹרִים is considered the property of the כֹּהֵן who receives it, it **may be sold** and used to pay off a debt, but it retains its status even after given away.
- ר' יְהוּדָה**: One may only give בְּכוֹרִים away to another כֹּהֵן **who is a 'חֹבֵר'** – one who is particular to eat even unsanctified food in a state of purity – and he **must not take anything in exchange for it**.
- חֲכָמִים**: One gives his בְּכוֹרִים to the כֹּהֲנִים working in the בַּיִת הַמְּקֹדֵשׁ at that time, and they split it among themselves, **including the כֹּהֲנִים who aren't considered חֹבְרִים**, since they purify themselves before serving in the בַּיִת הַמְּקֹדֵשׁ so will remain pure to eat the בְּכוֹרִים too, just as they do for קֶרֶבְנֹת.

Summaries

בְּפוֹרִים

- The status of an 'אֲנַדְרוֹגִינוֹס' – one who has both male and female features:

Stringencies which an אֲנַדְרוֹגִינוֹס shares with men:

- He becomes טָמֵא if a whitish substance flows from his body.
- He may not be alone with a woman.
- He may not get married, but if he illegally marries a woman and he is a כֹּהֵן, she may eat תְּרוּמָה מִדֶּרֶבֶן as a result of the marriage, since סְפִיקָא דְאוּרִיטָא לְחוּמְרָא. However, if he isn't a כֹּהֵן and marries a male כֹּהֵן, he may not eat תְּרוּמָה as a result of the marriage, since the prohibition of a man marrying a man is more severe than a woman marrying a woman.
→ He should dress like a man so that he doesn't come to marry a man.
- If there isn't enough inheritance for both the dead man's sons to inherit and daughters to be supported, then only the daughters are supported but the sons and אֲנַדְרוֹגִינוֹס don't receive any inheritance.
- He is obligated even in מִצְוֹת which apply to males only, i.e. having פְּאוֹת, using a razor, a כֹּהֵן becoming טָמֵא from a dead body and a 'מִצְוַת עֵשֶׂה שֶׁהִזְמִן גְּרָמָא' - positive מצוה bound to a specific time.

Stringencies which an אֲנַדְרוֹגִינוֹס shares with women:

- He becomes טָמֵא if blood flows from his body.
- He may not be alone with a woman.
- He doesn't create an obligation of לְבוּם if he is the only brother of the dead man.
- If there is a large inheritance, such that the daughters of the dead man receive just enough to support themselves and the sons split the rest, the אֲנַדְרוֹגִינוֹס only receives enough to support himself.
- He's an invalid witness.
- If he's a כֹּהֵן and has illegal relations with a male relative, he may no longer eat תְּרוּמָה.

Laws which an אֲנַדְרוֹגִינוֹס shares with both men and women:

- One who injures him must pay him for the damage.
- One who curses him is liable to the punishment of מִלְקוֹת (lashes).
- One who kills him unintentionally is exiled and one who kills him intentionally is killed.
- One who gives birth to an אֲנַדְרוֹגִינוֹס must bring 2 קֶרֶבָּנוֹת after 80 days have passed since the birth.
- If he's a כֹּהֵן, he may eat sanctified food which is eaten in the entire אֶרֶץ יִשְׂרָאֵל, e.g. תְּרוּמָה.
- If he's the only child of a dead man, he receives the entire inheritance.

Summaries

בְּפוֹרִים

Laws in which an אַנְדְרוֹגִינוֹס is different to both men and women:

- If a whitish substance or blood flows from his body and then he touches תְּרוּמָה, it isn't burnt since this is a doubtful טוּמְאָה.
- If he enters the בֵּית הַמִּקְדָּשׁ when טָמֵא, he isn't liable to the punishment of כְּרֵת since the תּוֹרָה specifies that this applies only to a definite male or female.
- He can't be sold as a slave, since males and females have different laws regarding this.
- He hasn't got an 'עֵרֶךְ' – value fixed by the תּוֹרָה for somebody who wishes to pay his value to the בֵּית הַמִּקְדָּשׁ.
- If one declares that he is becoming a נָזִיר on condition that an אַנְדְרוֹגִינוֹס is neither a male nor a female, he is considered a נָזִיר since an אַנְדְרוֹגִינוֹס has some laws which apply to neither a male nor a female.
- The blood which flows from one who gives birth to a male between 8 and 40 days after the birth is considered טָהוֹר, and if she gives birth to a female then it's טָהוֹר between 15 and 80 days after the birth. If she gives birth to an אַנְדְרוֹגִינוֹס, then it's טָהוֹר between 15 and 40 days after the birth.
- חֻקִּים: It's a doubt whether an אַנְדְרוֹגִינוֹס is considered a man or woman, so all the aforementioned stringencies apply.
- ר' יוֹסֵי: It's a different type of creation which is neither male nor female, so not all of the stringencies of both men and women are applied to him.
 - A 'טוּמְטוֹם' – one whose male and female features are covered by skin – is considered a doubtful male or female, so all the stringencies do apply.

TIME 4 MISHNA TEST

מסכת בכורים

1. List 3 conditions for produce to be obligated in בכורים.
2. What is the ideal time period for בכורים to be brought to the בית המקדש, and why?
3. Why doesn't a convert recite the מקרא בכורים?
4. Why may one ideally not send a messenger to bring his בכורים to the בית המקדש?
5. a. List 2 laws which applies to בכורים and תרומה but not to מעשר שני.
b. List 2 laws which applies to מעשר שני and תרומה but not to בכורים.
6. Name 2 of the 4 מצוות which accompany the bringing of בכורים.
7. a. List 2 stringencies which a כוי has which is common with a בהמה.
b. List 2 stringencies which a כוי has which is common with a חיה.
8. What is the name of the group with whom one would bring בכורים, and what else did this group do together?
9. Why was it instituted that a כהן would tell the person bringing בכורים what to say, phrase by phrase?
10. What is the difference between an אנדרוגינוס and a טמטום, and according to יוסי ר' why does a טמטום have many stringencies which an אנדרוגינוס doesn't?