Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Bechoros Daf Mem Zayin

- If a goy had children and then converted, **R' Yochanan** says the firstborn son he has as a Yid will not be a bechor for purposes of inheritance, because it is not his "reishis ono", and **Reish Lakish** says it will be a bechor for inheritance, because a convert is considered a newborn baby, and any previous children are no longer considered to be his children.
    - They each follow their view of elsewhere. We have learned, if a goy had children and then converted, **R' Yochanan** said he has fulfilled his obligation of "pru urivu" with those children and is not obligated to have more, because he has fulfilled the pasuk of "lo sohu bira'ah lasheves yitzara". **Reish Lakish** said he not fulfilled the mitzvah with those children, because a convert is considered a newborn baby and any previous children are no longer considered to be his children.
        - It is necessary for them to argue in both of these cases. If they would only argue in the case of bechor for inheritance we would say that **Reish Lakish** holds that way there, because a convert's children born prior to his conversion do not inherit him. However, with regard to pru urivu we would say that he agrees with **R' Yochanan** that the children born before the conversion fulfil the pasuk of "lo sohu bira'ah lasheves yitzara" since he has brought inhabitants into the world. And, if we only had the machlokes in the case of pru urivu we would have said that **R' Yochanan** only holds that way in that case for that reason, but in the case of bechor for inheritance we would say that he agrees with **Reish Lakish**. That is why both arguments are needed.
    - **Q:** The Mishna said, if a man who never had children married a woman who had already given birth, or a woman who gave birth while she was a maidservant and was then freed, or if she gave birth while she was a goy and then converted, and then had this man's son after being freed or after having converted, the son that is born is a bechor for inheritance but not a bechor for the Kohen. Now, who did the goy or maidservant have this child (that the Mishna says is a bechor for inheritance) from? It can't be from a Yid who had not previously had any children, because then there is no reason for the Mishna to give the case of the goy or the maidservant and could have instead given the case of a Jewish woman who had already had children!? Rather, the case must be referring to a woman who had children with her husband when they were both goyim, they both then converted together and then had a son. It is this son that the Mishna refers to and we see that the son is a bechor for inheritance, contrary to **R' Yochanan**!? **A:** The Mishna is referring to a Yid that had not previously had children, and the reason the Mishna gave the case of the goy is to say that the first son she has as a Yid is not a bechor for a Kohen, which excludes the view of **R' Yose Haglili** who says that it would be a bechor for the Kohen.
    - **Q:** A Braisa says, if a man had children while he was a goy and then converted, he can have a bechor for purposes of inheritance. This refutes **R' Yochanan**!? **A: Ravina** (or **R' Acha**) said, this Braisa follows **R' Yose Haglili** who learns from the pasuk that a woman goy who converts, her first son born as a Yid is considered to be a bechor for the Kohen. He then learns a male convert from the female convert and learns that the male convert's first son would similarly be a bechor for purposes of inheritance.
- **R' Ada bar Ahava** said, if the daughter of a Levi has a firstborn son, the son would not have to be redeemed from the Kohen.
    - **Q:** Who is the father of the child? It can't be where the father is a Kohen or a Levi, because in that case even if the woman is a Yisraelis the bechor would be patur from redemption. It also can't be that the father is a Yisrael, because the pasuk of

"l'mishpichosam l'beis avosam" teaches that we follow the father to decide what shevet the child belongs to, and as such this child is a Yisrael and should be subject to redemption!? **A: R' Pappa** said, the case is where the father was a goy, and even according to the view that says that this child is a mamzer, it would be a mamzer that is a Levi (there is no Jewish father to follow, so he belongs to the shevet of the mother) and would therefore be patur from redemption. **A2: Mar the son of R' Yosef in the name of Rava** said, the case is that the father was a Yisrael. However, the pasuk says that redemption is dependent on whose womb was opened ("peter rechem") and therefore, when the woman is a Levi her son is patur.

- **Q:** Our Mishna said, if a man had children and married a woman who never gave birth and they have a son, or if a woman converts to becoming a Yid along with her husband while she is pregnant, or if she was a maidservant and was freed together with her husband while she was pregnant, or if a Yisraelis and a Kohenes both had firstborn sons and they became mixed up, or if a Yisraelis and a Leviyah both had firstborn sons and they became mixed up, or if a Yisraelis had a firstborn and another Yisraelis that already had children both gave birth and the newborn sons became mixed up, and similarly a woman who remarried less than 3 months after a previous marriage and has a firstborn son and we don't know if this is a 9 month baby from the first husband or a 7 month baby from the second husband, in all these cases the baby is a bechor for the Kohen, but not for inheritance. Now, the case of the mixing up of the babies suggests that the son of a Kohenes and of a Leviya are patur from redemption. Who is the husband? It can't be where the father is a Kohen or a Levi, because in that case even if the woman is a Yisraelis the bechor would be patur from redemption! Rather, you will say that the case is where the father was a goy? In that case the son of the Kohenes would not be patur, because **R' Pappa** said that **Rabbah** would test us and say that the son of a Kohenes from a goy would be chayuv in redemption and is different from the case of the son of a Leviya and a goy, because a Kohenes who is mezaneh with a goy becomes passul as loses her kedusha, whereas a Leviya would not! Now, according to **R' Pappa** who said that the case is that the father was a goy, how can he explain the Mishna!? **A:** The Mishna is referring to a case where the father was a Kohen and the mother was a Yisraelis and the reason the Mishna calls her a Kohenes is because she has a son who is a Kohen.

- If a Kohen died and left a son who was a chalal (who does not have the status of a Kohen), **R' Chisda** says the son would have to redeem himself, and **Rabbah bar R' Huna** says he would not have to do so. The Gemara says, if the father died after the son was 30 days old all would agree that the son would not have to redeem himself, because the father had the rights to the redemption money when he was alive (the father is a Kohen, and would therefore have to separate money to redeem his son, but would then keep the money for himself) and he inherits that right from his father. The machlokes is where the father died before the son was 30 days old – **R' Chisda** says he is chayuv because the father never got the rights to the money (the obligation to redeem only begins at 30 days old) and **Rabbah bar R' Huna** holds that he does not have to redeem himself, because he can tell the Kohen "I come from the power of someone that you would not be able to litigate against".
    - **Q:** Our Mishna said, if a woman converted while pregnant, the son is a bechor for the Kohen. According to **Rabbah bar R' Huna** he should be able to say, "I come from the power of someone that you would not be able to litigate against"!? **A:** The case of the goy is different, because the son is not considered to be related to the father and therefore doesn't come with his power.
    - **R' Shimon ben Yasina in the name of Reish Lakish** said like **R' Chisda**.

V'CHEIN MI SHELO SHAHASA ACHAREI BAALAH…

- **Q:** The Mishna suggests that this questionable son does not get the special portion of a bechor, but would get a regular inheritance. Why is that so? The other children of each husband can push him away and say that he does not share their father!? **A: R' Yirmiya** said, the Mishna means to say that the one who is born *after* him is not a bechor for inheritance.

- **Q:** Why can't this son and the one that comes after him team up and write a power of attorney from one to the other that would then allow them to come as a bechor with certainty!? We find that a later Mishna refers to a case of where such a method is used, so this Mishna can be discussing the same as well!? **A:** We must say that our Mishna supports **R' Yannai** who says that if the father knew which was his bechor and then the bechor got mixed up, the power of attorney plan can work. However, if the father never knew with certainty, this plan can't work.

MISHNA

- What is the case of a bechor for inheritance and for the Kohen? If a woman miscarries an embryo full of water, or full of blood, or full of different colored substances, or has a miscarriage of something that looks like fish, grasshoppers, shekatzim, or remasim, or if she miscarries on the 40th day from conception, then the son born after them is a bechor for inheritance and for the Kohen.
- A firstborn son born via Caesarian section and the son born after him are not a bechor for inheritance or for the Kohen. **R' Shimon** says the first one is a bechor for inheritance and the second is a bechor for the Kohen.

GEMARA

- The **T"K** holds that the first one is not a bechor for inheritance, because the pasuk says that bechor has to be "v'yaldu lo", which refers to a natural birth. He is also not a bechor for the Kohen, because he is not the "peter rechem". The second son is not a bechor for inheritance, because he is not the "reishis ono" and is not the bechor for the Kohen, because he holds that a bechor can't be a bechor for the Kohen unless he is the "peter rechem" and is also the oldest child. **R' Shimon** says the first one is a bechor for inheritance, because he says the pasuk of "teileid" comes to include a bechor born via Caesarian section, and he holds that the second one is a bechor for the Kohen, because he holds that if a son is the "peter rechem", even if he is not the oldest child, he is a bechor for the Kohen.