Bechoros 56 – Good Morning Raboisai

1️⃣ The Four Rivers and Nahar Pras

The Daf continues the discussion of Nahar Pras – the Euphrates.

The Torah describes one river flowing from Gan Eden and then dividing into four:

👉 Pishon
👉 Gichon
👉 Chidekel
👉 Pras

The Gemara asks:

If the other rivers ultimately come from Pras, why does the Torah list Pras as though it is simply the fourth river?

The answer comes from the wording:

👉 "V'Hanahar HaRevi'i Hu Pras."

"Hu Pras" indicates:

👉 This is the river referred to earlier as flowing from Eden.

Pras is therefore treated as the fundamental source.

2️⃣ Pras Is Also Called Yuval

Rebbe Meir teaches:

👉 Pras is also called Yuval.

The Daf connects this to the Pasuk describing a tree:

👉 Sending its roots toward the Yuval.

This leads into a major practical discussion:

👉 Where does the water in a river actually come from?

That question has significant consequences for Hilchos Mikvaos.

River Water and Mikvah

3️⃣ Mayan vs Rainwater

There is an important distinction between:

👉 A Mayan – spring water emerging naturally from the ground.

and:

👉 Rainwater collected as a Mikvah.

A Mayan has special Halachos:

👉 Its water may flow – Zochalin.

Rainwater used for a Mikvah:

👉 Must generally be gathered and stationary.

Therefore, if a river contains a large amount of rainwater:

👉 Its status can become a serious Halachic issue.

4️⃣ Rain in Eretz Yisrael and the Pras

The Daf discusses the relationship between:

👉 Rainfall

and:

👉 The rising waters of the Pras.

When there is substantial rainfall:

👉 The river can rise considerably.

The question becomes:

Is the increased water primarily:

👉 Natural spring water from the river's source?

or:

👉 Rainwater entering the river?

That distinction affects whether one may immerse in the flowing river.

Shmuel's Father and the Mikvah

5️⃣ A Mikvah for His Daughters

The Gemara relates that:

👉 Shmuel's father prepared a Mikvah for his daughters during Nissan.

Why not simply allow them to immerse in the river?

Because during that period:

👉 There was concern that the river contained a majority of rainwater.

If the majority is rainwater:

👉 Flowing water cannot simply be treated as a Mayan.

Therefore:

👉 He arranged a proper stationary Mikvah.

6️⃣ Mats During Tishrei

During Tishrei there was a different practical problem.

With less water in the river:

👉 Mud and sediment accumulated at the bottom.

This could interfere with proper immersion.

Therefore:

👉 Mats were placed down.

The goal was to avoid a possible:

👉 Chatzitzah between the person and the water.

The Daf therefore gives us two different concerns:

👉 Nissan – too much rainwater.

👉 Tishrei – mud and sediment.

7️⃣ Shmuel and the Pras

The Gemara discusses Shmuel's statement concerning immersion in the Pras.

At certain times:

👉 The river can be relied upon as natural flowing spring water.

But when rainfall substantially increases its volume:

👉 There is concern that the majority may be rainwater.

This creates the central Halachic question:

👉 Is the river still functioning as a Mayan, or has rainwater become dominant?

Back to Ma'aser Behemah

8️⃣ A Purchased Animal

The Daf returns to Ma'aser Behemah.

Suppose a person has:

👉 Nine animals born in his possession.

He then:

👉 Purchases a tenth animal.

Can the purchased animal join the other nine for Ma'aser Behemah?

👉 No.

Likewise, an animal received as a gift does not simply join his own animals for the Ma'aser count.

9️⃣ The Comparison to Bechor

The source comes from the Pasuk connecting:

👉 Bechor of a person

with:

👉 Bechor of cattle and sheep.

The Torah says:

👉 "Kein Ta'aseh..."

But what "doing" is there with a human Bechor?

A firstborn son:

👉 Becomes a Bechor naturally.

The father does not perform an action to make him a Bechor.

Therefore, the words:

👉 “Kein Ta’aseh”

must teach us something about the animals.

The Gemara derives:

👉 Animals purchased from elsewhere are excluded from the normal Ma’aser Behemah count.

Why Apply the Pasuk to Ma’aser Behemah?

🔟 **Perhaps It Refers to a Chatas?**

The Gemara challenges the derivation.

Perhaps “Kein Ta’aseh” teaches a rule regarding:

👉 A Chatas.

Maybe an animal purchased from elsewhere cannot be designated as a Chatas.

The Gemara rejects this.

A Chatas comes:

👉 Because of a Chet.

A human Bechor does not arise because of a Chet.

Therefore:

👉 Chatas is not sufficiently comparable.

1️⃣1️⃣ **What About an Olah or Shelamim?**

Perhaps the comparison refers to:

👉 An Olah

or:

👉 A Shelamim.

These do not necessarily come because of a sin.

But they can be brought as:

👉 A Neder or Nedavah.

That too is unlike a human Bechor, which:

👉 Does not arise through a voluntary pledge.

So these possibilities are also rejected.

1️⃣2️⃣ What About Olas Re'iyah?

The Gemara considers:

👉 Olas Re'iyah.

This is obligatory when going to the Beis HaMikdash on Yom Tov.

It is:

👉 Not brought because of a Chet.

👉 Not a voluntary Neder or Nedavah.

Perhaps "Kein Ta'aseh" refers to this?

The Gemara distinguishes it because:

👉 Olas Re'iyah has a fixed time.

A Bechor:

👉 Has no predetermined time when it must be born.

1️⃣3️⃣ Ma'aser Behemah Is the Best Comparison

After eliminating the alternatives:

👉 Ma'aser Behemah remains the appropriate comparison.

Like Bechor:

👉 It is not caused by a Chet.

👉 It is not a Neder or Nedavah.

👉 It does not depend upon a fixed festival date.

Therefore the Pasuk teaches:

👉 A purchased animal is excluded from Ma'aser Behemah.

Buying an Unborn Animal

1️⃣4️⃣ What if It Was Purchased Before Birth?

The Gemara now asks a fascinating question.

Suppose the person purchases:

👉 An unborn animal while it is still inside its mother.

Afterwards:

👉 It is born in his possession.

Does it count for Ma’aser Behemah?

The Daf distinguishes between:

👉 Buying an animal once it is already fit for the Mitzvah

and:

👉 Acquiring it before it has reached that stage.

An unborn animal:

👉 Is not yet capable of entering the Ma’aser pen.

Therefore:

👉 It can later be included after birth.

1️⃣5️⃣ Ten Fetuses

The Gemara gives the case:

👉 A person purchases ten unborn animals.

They are subsequently:

👉 All born in his possession.

These animals can enter:

👉 The Ma’aser Behemah count.

Why?

Because at the time they were purchased:

👉 They were not yet fit for the Mitzvah of Ma’aser Behemah.

What About an Animal Less Than Eight Days Old?

1️⃣6️⃣ Mechusar Zman

This raises the next question.

A Korban normally cannot be brought until:

👉 The eighth day of its life.

During its first seven days it is:

👉 Mechusar Zman.

So perhaps an animal purchased when it is only:

👉 Three or four days old

should also be allowed into the Ma’aser count.

After all:

👉 It is not yet fit to be brought as a Korban.

1️⃣7️⃣ Rebbi Elazar’s Dream

Rebbi Elazar says:

👉 He saw Rebbi Yochanan in a dream.

This indicated to him that:

👉 He would have a good explanation of the Sugya.

The discussion focuses on whether:

👉 The exclusion of a purchased animal applies even when it is Mechusar Zman.

1️⃣8️⃣ Rebbi Shimon – It Can Already Enter the Pen

The Gemara brings the view of Rebbi Shimon.

According to Rebbi Shimon:

👉 An animal less than eight days old may already be included in the Ma’aser Behemah count.

Although it cannot yet be offered as a Korban:

👉 It can already become Ma’aser.

Therefore, once the animal is born:

👉 It is already considered fit for the Ma’aser process.

If it is purchased after birth:

👉 The exclusion of Lakuach applies.

1️⃣9️⃣ The Critical Difference

We therefore have a clear distinction:

Before birth:

👉 The animal cannot yet enter the Ma’aser pen.

👉 Purchasing it does not disqualify it later.

After birth:

👉 It can already participate in Ma’aser Behemah according to Rebbi Shimon.

👉 Purchasing it can disqualify it from the count.

So the key question is not simply:

👉 Can it already be brought as a Korban?

Rather:

👉 Is it already fit for the Mitzvah of Ma’aser Behemah?

Esnan and Ma’aser Behemah

2️⃣0️⃣ An Animal Given as Payment

The Daf introduces another unusual case:

👉 An animal given to a Zonah as payment.

Such an animal can have the status of:

👉 Esnan Zonah.

An Esnan is prohibited from being brought as:

👉 A Korban.

The Gemara discusses what happens if the animal is later reacquired and becomes involved in:

👉 Ma’aser Behemah.

2️⃣1️⃣ But It Was Purchased Back!

The obvious problem is:

👉 If the man buys the animal back, it is now a purchased animal.

A Lakuach:

👉 Is excluded from Ma’aser Behemah!

How, then, can the case work?

Rebbi Yochanan explains:

👉 The transaction occurred while the animal was still a fetus.

He gave her rights to:

👉 An unborn animal

and later reacquired those rights:

👉 Before birth.

Since the animal was purchased while still in the womb:

👉 It was not yet fit for Ma’aser Behemah.

Therefore, the normal exclusion of Lakuach does not apply.

A Zonah Nochris

2️⃣2️⃣ Why Is the Woman a Non-Jew?

The Gemara asks why the case is specifically:

👉 A Zonah Nochris.

Why not discuss:

👉 A Jewish Zonah?

The answer reveals an important Chiddush concerning the Torah prohibition of:

👉 Esnan Zonah.

2️⃣ 3️⃣ Which Esnan Is Prohibited?

The Daf teaches that the Torah's category of Esnan Zonah applies in the case where:

👉 The relationship is one in which Kiddushin cannot take effect.

The Gemara derives this through a comparison to:

👉 Arayos.

Just as with Arayos:

👉 Kiddushin does not take effect,

so too the relevant definition of Zonah here involves:

👉 A relationship where Kiddushin cannot take effect.

Therefore, the Gemara distinguishes:

👉 A Zonah Nochris

from:

👉 The Jewish case being discussed.

📌 Key Chazarah

- The Daf begins with Nahar Pras and the four rivers flowing from Gan Eden.
- “Hu Pras” identifies Pras with the river described as flowing from Eden.
- Pras is also called Yuval.
- The Daf discusses the crucial difference between Mayan water and rainwater for Mikvah.
- A Mayan can remain valid while flowing; collected rainwater generally must be stationary.

- Shmuel's father prepared a Mikvah during Nissan because of concern that rainwater had become the majority of the river.
- During Tishrei, mats were used because mud and sediment could interfere with immersion.
- The Daf then returns to Ma’aser Behemah.
- An animal purchased or received as a gift after it is fit for Ma’aser Behemah is excluded from the count.
- This is learned through the Torah's comparison with Bechor.
- The Gemara considers and rejects applying the Pasuk to Chatas, Olah, Shelamim and Olas Re’iyah.
- An unborn animal purchased while still in its mother's womb can later be included in Ma’aser Behemah.
- Ten purchased fetuses that are subsequently born can therefore be tithed.
- According to Rebbi Shimon, even an animal less than eight days old can already enter the Ma’aser Behemah count.
- Therefore, once it is born, purchasing it can create the problem of Lakuach even though it cannot yet be brought as a Korban.
- The key distinction is whether the animal was fit for the Ma’aser process when purchased.
- The Daf discusses an Esnan Zonah that was transferred and reacquired while still a fetus.
- The discussion concludes with the definition of the Torah's Esnan Zonah and its connection to whether Kiddushin can take effect.

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