Chullin 131 – Good Morning Raboisai

Matanos Kehunah – Can a Kohen Demand Payment?

1️⃣ If the Matanos Were Eaten

👉 We continue yesterday's discussion of Zero'a, Lechayayim and Keivah.

If a Yisrael:

- Should have given the Matanos to a Kohen
- But ate or destroyed them first

does he have to pay their value?

One reason to exempt him is:

- Mamon she'ein lo tov'im.

No particular Kohen can claim:

- "Those Matanos were mine."

The owner could have chosen:

- Any Kohen.

Therefore no individual Kohen can sue him in Beis Din.

Terumah and Maaser

2️⃣ A Quick Review

👉 The Gemara compares this to Terumos and Maasros.

From produce:

- Terumah goes to a Kohen.
- Maaser Rishon goes to a Levi.
- The Levi separates Terumas Maaser from his Maaser and gives it to a Kohen.
- In years three and six, Maaser Ani is given instead of Maaser Sheni.

Before these gifts are properly separated:

- The produce is Tevel.

3️⃣ What If the Owner Ate the Tevel?

👉 A Beraisa discusses someone who:

- Ate produce before separating its required gifts.

The Gemara examines whether he must:

- Compensate the Kohen.

This appears relevant to our question:

If the Kohen has no specific claim because of Mamon she'ein lo tov'im:

- Why should payment ever be required?

4️⃣ The Kohen Took It Himself

👉 The Gemara answers with a case similar to yesterday.

The owner had produce:

- In the possession of a Kohen.

The Kohen went ahead and:

- Separated or took the portion intended for Kehunah.

Since the gift was already destined to be given:

- His taking can create a stronger claim.

This again relates to the concept that gifts awaiting separation can sometimes be treated:

- As though they have already been separated.

The King Took the Produce

5️⃣ Did the Owner Owe the King Money?

👉 Another Beraisa discusses:

- Government or royal officials taking a person's produce.

The ruling depends on why they took it.

If the king simply confiscated it:

- The owner does not have to replace the Terumos and Maasros.

But if the produce was taken:

- To pay the owner's personal debt or tax obligation

then:

- He must separate replacement Maasros.

6️⃣ Why?

👉 If the owner owed the money:

- He benefited from the produce being taken.

Part of the produce that should have gone to:

- The Kohen or Levi

was effectively used:

- To pay his personal debt.

Therefore:

- His own obligation to separate the gifts remains.

This does not prove that a particular Kohen:

- Could have sued him.

Rather:

- The owner himself remains obligated to fulfil the Mitzvah.

Selling Meat to a Kohen

7️⃣ The Keivah Is Included

👉 Suppose a Kohen purchases:

- An entire section of the animal

and the Keivah is included.

If he agreed to purchase:

- The entire section as-is

the seller can charge:

- The agreed price.

But if he buys a quantity of meat and part of what he receives is:

- The Keivah that already belongs among the Matanos

the seller must:

- Give him the Keivah
- And deduct its value from the price.

8️⃣ Why Must He Give It?

👉 Doesn't Mamon she'ein lo tov'im mean:

- No Kohen can demand it?

The answer is:

- The actual Keivah is still present.

Mamon she'ein lo tov'im helps when:

- The gift has already been consumed or destroyed
- And a Kohen wants monetary compensation.

But when the actual Matanah is:

- Still in front of us

the owner must:

- Give the Matanah itself.

The Gifts of Kehunah

9️⃣ Examples of Matnos Kehunah

👉 The Gemara lists various gifts received by Kohanim, including:

- Terumah
- Terumas Maaser
- Challah
- Reishis HaGez
- Zero'a, Lechayayim and Keivah
- The relevant portion of Demai

- Bikkurim
- Gezel HaGer and its Chomesh.

These different gifts do not all have:

- Identical monetary rules.

Demai

🔟 What Is Demai?

👉 Demai is produce purchased from:

- An Am Ha'aretz

where there is uncertainty whether:

- The necessary Maasros were properly separated.

The main concern in our discussion is:

- Terumas Maaser

which ultimately belongs to:

- The Kohen.

Therefore the appropriate portion must:

- Be separated.

Gezel HaGer

1️⃣1️⃣ Stolen Money With No Heirs

👉 If someone:

- Stole from a Ger
- Denied it and swore falsely
- And the Ger subsequently died without heirs

the repayment ultimately goes to:

- The Kohanim.

The Gemara describes it as:

- Nichsei Kohen – the Kohen's property.

1️⃣2️⃣ What Does “His Property” Teach?

👉 This does not necessarily mean:

- A particular Kohen can sue before acquiring it.

Rather, once the Kohen receives it:

- It becomes fully his property.

Unlike certain sacred gifts with restrictions:

- He can use it for ordinary personal purposes.

He can even:

- Pay debts with it
- Use it toward a Kesubah
- Or purchase ordinary property with it.

The Levi Who Grabbed Matanos

1️⃣3️⃣ A Levi Was Taking Zero’a, Lechayayim V’Keivah

👉 The Gemara tells of a Levi who would:

- Grab the Matanos intended for Kohanim.

Rav strongly criticized him:

- It is enough that we do not take Matanos from him.
- He should certainly not be grabbing the Kohanim's Matanos!

This introduces the major question:

Does a Levi himself have to give:

- Zero’a, Lechayayim V’Keivah?

Is a Levi Included in “Ha’Am”?

1️⃣4️⃣ The Pasuk Says “Me’eis Ha’Am”

👉 The Torah says:

- Zeh mishpat hakohanim me’eis ha’am.

The Kohanim receive the Matanos from:

- “Ha’Am” – the nation.

Certainly:

- A Yisrael is included.

The question is:

- Is a Levi included in “Ha’Am”?

If yes:

- A Levi must give Matanos.

If no:

- He is exempt.

1️⃣5️⃣ Rav Was Unsure

👉 Rav's unusual language now makes sense.

Why say to the Levi:

- “It is enough that we don't take Matanos from you”?

If a Levi is definitely exempt:

- There is nothing special about not taking them.

If he is definitely obligated:

- We should force him to give them.

The answer:

- Misapka lei – Rav was unsure.

He had a Safek whether:

- Levi is included in “Ha’Am.”

Therefore:

- We cannot take the Matanos from him because of the Safek.

But the Levi certainly should not:

- Grab the Kohen's gifts for himself.

Four Gifts From a Vineyard

1️⃣6️⃣ Matnos Aniyim

👉 The Gemara brings a Beraisa listing gifts to the poor.

A vineyard has four:

- Peret – individual grapes that fall during harvesting
- Olelos – deficient grape clusters
- Shikchah – produce forgotten during harvesting
- Peah – the corner left for the poor.

1️⃣7️⃣ Other Produce

👉 Other types of produce have fewer of these gifts because:

- Some of these laws are unique to vineyards.

For example:

- Ordinary produce can have Leket, Shikchah and Peah.
- Trees can have Shikchah and Peah.

The exact gifts depend on:

- The type of produce.

The Owner Cannot Choose the Ani

1️⃣8️⃣ "Ta'azov" – Leave It

👉 With gifts such as:

- Leket
- Shikchah
- Peah
- Peret
- Olelos

the owner cannot decide:

- Which poor person should receive them.

He must:

- Leave them.

Whoever is entitled can:

- Come and take them.

1️⃣9️⃣ Even an Ani Must Leave Them

👉 If the field owner himself is poor:

- He cannot keep these gifts for himself.

He must still:

- Leave them for other Aniyim.

The Torah's obligation applies:

- Even to an Ani who owns the field.

Maaser Ani Is Different

2️⃣0️⃣ The Owner Chooses the Recipient

👉 Maaser Ani in years:

- Three
- And six

works differently.

The owner separates:

- Ten percent for the poor.

Here:

- He can choose which Ani receives it.

This is because the Torah describes it as:

- Nesinah – giving.

The owner therefore has:

- Tovas Hana’ah, the right to choose the recipient.

2️⃣1️⃣ A Poor Owner Still Gives Maaser Ani

👉 Even if the owner himself is:

- An Ani

he must separate:

- Maaser Ani

and give it:

- To another Ani.

He cannot simply:

- Pay himself.

Back to the Levi

2️⃣2️⃣ “Other Matnos Kehunah”

👉 The Beraisa then discusses:

- Other gifts of Kehunah

and uses the phrase:

- Kegon Zero’a, Lechayayim V’Keivah.

It appears to say:

- A Kohen does not give to another Kohen.
- A Levi does not give to another Levi.

This seems to imply:

- A Levi does give these Matanos to a Kohen.

If so:

- Levi is included in “Ha’Am.”

That would resolve Rav's Safek.

2️⃣3️⃣ The Gemara Rejects the Proof

👉 The Gemara answers that:

- “Kegon Zero’a, Lechayayim V’Keivah”

does not necessarily mean:

- Those actual three gifts.

Rather:

- It refers to another similar type of gift.

The Gemara explores what gift the Beraisa means.

Maybe Maaser Rishon?

2️⃣4️⃣ Maaser Rishon Goes to a Levi

👉 One possibility is:

- Maaser Rishon.

But that immediately raises a problem:

Maaser Rishon normally goes:

- To the Levi!

Why would we describe it as:

- Something taken from a Levi?

2️⃣5️⃣ Rebbe Elazar Ben Azaryah

👉 Rebbe Elazar ben Azaryah holds:

- Maaser Rishon can also be given to a Kohen.

A Kohen is also:

- From Shevet Levi.

So the Gemara considers whether:

- This could explain the Beraisa.

Ezra's Penalty

2️⃣6️⃣ The Levi'im Did Not Come With Ezra

👉 The Gemara recalls that when Ezra returned to Eretz Yisrael:

- He found that the Levi'im had not joined as expected.

Ezra therefore:

- Penalized the Levi'im regarding Maaser Rishon.

The Gemara discusses the nature of this penalty:

- Whether Maaser was redirected to Kohanim
- Or whether Kohanim were added as possible recipients.

2️⃣7️⃣ Still No Proof

👉 Even if Ezra penalized the Levi'im:

- That does not necessarily mean Maaser was forcibly taken from a Levi who already possessed it.

Therefore:

- This still does not resolve whether a Levi is included in "Ha'Am" for Zero'a, Lechayayim V'Keivah.

Maybe Reishis HaGez?

2️⃣8️⃣ Another Possibility

👉 The Gemara therefore suggests that the Beraisa's example might actually refer to:

- Reishis HaGez.

A Levi must give:

- Reishis HaGez to a Kohen.

The wording there does not depend on:

- "Ha'Am."

Therefore:

- It provides no proof regarding our Matanos.

Gifts With Kedushah

2️⃣ 9️⃣ Another Beraisa

👉 A Beraisa distinguishes:

Gifts with inherent Kedushah, such as:

- Terumah
- Terumas Maaser

can be:

- Taken from a Levi when required.

But gifts without this type of Kedushah, such as:

- Zero'a, Lechayayim V'Keivah

are not necessarily:

- Taken from him.

This appears to support:

- The possibility that a Levi is not included in "Ha'Am."

But the Gemara again explains the Beraisa in a way that:

- Does not conclusively resolve Rav's Safek.

Shechting for a Kohen, Non-Jew or Levi

3️⃣ 0️⃣ Another Attempted Proof

👉 The Gemara brings a Beraisa:

If someone shechts an animal belonging to:

- A Kohen
- Or a non-Jew

he is exempt from giving:

- Zero'a, Lechayayim V'Keivah.

The wording appears to imply:

- If he shechts for a Levi, he is obligated.

That would prove:

- Levi is included in “Ha’Am.”

3️⃣ 1️⃣ The Inference Is Rejected

👉 The Gemara answers that the contrast may simply be:

- Kohen or non-Jew – exempt
- Yisrael – obligated.

The Beraisa may not be addressing:

- Levi at all.

Therefore:

- Rav's Safek remains.

A Tannaitic Dispute About “Ha’Am”

3️⃣ 2️⃣ Are Levi’im Part of “Ha’Am”?

👉 The Gemara finally shows that this question is connected to:

- A machlokes Tannaim.

The discussion comes from:

- The Yom Kippur atonement process

and the different groups included in the pesukim.

One opinion understands:

- “Ha’Am” as specifically Yisraelim
- With Levi’im treated separately.

Another understands:

- Levi’im as included together with Yisraelim.

3️⃣ 3️⃣ The Result for Matanos

👉 This creates the exact question we have been discussing.

If Levi'im are included in:

- Ha'Am

then they are obligated in:

- Zero'a, Lechayayim V'Keivah.

If they are not included:

- They are exempt.

Rav was uncertain:

- Which Tannaitic position to follow.

Therefore:

- We cannot forcibly take the Matanos from a Levi.

3️⃣ 4️⃣ Rav's Practical Ruling

👉 Rav therefore treats the case as:

- A Safek.

Since we cannot prove that the Levi has the monetary obligation:

- We do not take the Matanos from him.

This is why Rav said of the Levi who was grabbing the Kohanim's Matanos:

- It is enough that we don't take them from him!

📌 Key Chazarah

- If Zero'a, Lechayayim V'Keivah were already eaten or destroyed, a particular Kohen generally cannot demand payment because they are Mamon she'ein lo tov'im.
- If the actual Matanah still exists, it must be given; Mamon she'ein lo tov'im does not permit keeping the gift itself.
- Produce taken to satisfy the owner's personal debt can leave him obligated to replace the required Terumos and Maasros because he benefited from their use.
- The Gemara reviews Terumah, Terumas Maaser, Challah, Reishis HaGez, Matanos, Demai, Bikkurim and Gezel HaGer.

- The major question of the Daf is whether a Levi is included in “Ha’Am” and therefore obligated in Zero’a, Lechayayim V’Keivah.
- Rav had a Safek and therefore would not forcibly take the Matanos from a Levi.
- A vineyard has four Matnos Aniyim: Peret, Olelos, Shikchah and Peah.
- With these gifts the owner cannot choose the recipient; they must be left for eligible Aniyim.
- Even an Ani who owns the field must leave these gifts for others.
- Maaser Ani is different: the owner chooses which Ani receives it, but a poor owner must still give it to another Ani.
- The Gemara attempts to resolve the Levi question from Maaser Rishon, Ezra's penalty, Reishis HaGez and several Beraisos, but the proofs are rejected.
- A machlokes Tannaim exists whether Levi’im are included in “Ha’Am.”
- Rav remains unsure which view to follow, so the Matanos cannot be taken from a Levi because of the Safek.

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