Bekhorot 52

Daf Yomi · Monday, November 9, 2026 · כ"ט חשון תשפ"ז · Covers 52a (daughters' support) through 52b (end of chapter)

Summary

Bekhorot 52 completes the chapter *Yesh Bekhor*. It continues the Gemara on the Mishnah of 51b: the firstborn's double portion, a widow's *ketubah*, daughters' support and the levir's share are all limited to what the deceased held at his death, without later increases or property that was only expected. Daughters' support follows the *ketubah*, since terms imposed by the court are treated like the *ketubah* itself. The levir is limited because the Torah calls him a "firstborn." Abaye and Rava dispute whether he shares in increases between his levirate marriage and the division of the estate. The Mishnah's repetition is explained as adding increases that came by themselves, such as grain ripening or dates forming, and property of a living grandfather that was certain to come.

The second Mishnah asks which transfers of land do not return to their original owners in the Jubilee year. R. Meir lists the firstborn's extra share, a husband's inheritance from his wife, a levir's inheritance from his brother, and a gift. The Sages say a gift returns like a sale; R. Elazar says all of them return; and R. Yochanan ben Beroka says a husband who inherits his wife returns the land to her family for payment. The Gemara traces each view to how it classifies these transfers, as gifts or as inheritance. The Sages derive that a gift returns from the extra word "you shall return," and that the firstborn's share is inheritance because "double" compares it to the ordinary share.

R. Assi rules in R. Yochanan's name that brothers who divided an estate are purchasers who must re-divide at the Jubilee. When challenged from the firstborn's share, R. Elazar explains that "it does not return" means the firstborn never loses his double share. Rav Sheshet's objection is answered by Ravin's tradition, prompting Rav Chama's remark that sharp reasoning is best combined with a store of traditions. Finally, R. Yochanan ben Beroka's ruling is explained as a case where the wife left her husband a family burial plot: so as not to shame the family, the Sages had him sell it back to them, less the value of his wife's own grave. With this the chapter ends.

Detailed Summary

1. Background: the Mishnah on the double portion 51b–52a

The Mishnah on 51b (summary of Bekhorot 51) taught that the firstborn takes a double portion of his father's estate but not of his mother's, and that he does not share doubly in increases in value after the father's death (*shevach*) or in property that was only expected rather than held (*ra'uy* versus *muchzak*). The same limits apply to a wife's *ketubah*, to daughters' support and to the levir, and the Mishnah repeats: "and all of them do not take from the increase, nor from expected property as from held property." The Gemara has explained the firstborn's limits from the verses, and R. Abba called the *ketubah*'s limit "a leniency of the *ketubah*."

Tosafot – ד"ה והאמר שמואל בעל חוב גובה את השבח מקולי כתובה שנו כאן

CLARIFICATION. The Mishnah speaks of collecting from orphans, like the daughters' support, since a wife's and daughters' support cannot be collected from sold property (Ketubot 101b). Rashi explains "daughters" as a stepdaughter whose support a man undertook, but on that reading there is no proof, since the case could concern increases made by purchasers. And "daughters" in the plural refers to the court-imposed support of a man's own daughters (Ketubot 52b), not to a stepdaughter.

WHY THIS MATTERS. Tosafot define both cases: collection from heirs, and the daughters' support that the court's stipulation guarantees.

2. Daughters' support and the levir 52a

DAUGHTERS. "Nor the daughters for their support": why? תנאי כתובה ככתובה דמי, "the stipulations of the *ketubah* are like the *ketubah*." Since the daughters' support is one of the terms the court attaches to every *ketubah*, it shares the *ketubah*'s leniency.

THE LEVIR. "Nor the levir": why? בכור קרייה רחמנא, "the Torah called him a firstborn."

Rashi – ד"ה יקום על שם אחיו · ד"ה בכור קרייה רחמנא

THE ISSUE. Where is the levir called a firstborn, and what follows?

RASHI'S EXPLANATION. "And the firstborn whom she bears" (Devarim 25:6) is read in Yevamot 24a as referring to the levir, teaching that the mitzvah of levirate marriage falls on the eldest brother. "Shall arise in the name of his brother" refers to inheritance: the levir takes his dead brother's share. Since the Torah calls him a "firstborn," his law is like a firstborn's, and he does not take increases or expected property that arose between his brother's death and the levirate marriage.

WHY IT MATTERS. The comparison to a firstborn brings with it the firstborn's limits.

ABAYE. This applies only to increases that arose between the death and the levirate marriage. Increases between the levirate marriage and the division of the estate he does take, since the Torah said "he shall arise in the name of his dead brother," and he has arisen (Rashi: from the moment he married his brother's wife, his brother's share is in his possession, and what increases in his possession, increases for him).

RAVA. Even increases between the levirate marriage and the division he does not take, since he is like a firstborn: just as a firstborn has nothing (extra) before the division, so a levir has nothing before the division.

3. Why repeat "all of them"? 52a–52b

"THEY DO NOT TAKE FROM THE INCREASE." This repetition comes to include increase that comes by itself: green grain that became ears of grain, and blossoms that became dates.

Rashi – ד"ה כגון חפורה והוו שובלי · ד"ה שבחא דממילא

THE ISSUE. What does this add to the first clause?

RASHI'S EXPLANATION. Increase "by itself" is growth in which the brothers invested no effort: the grain was green fodder when the father died and has since become ears; the blossoms became ripe dates. From the first clause alone, one might have thought the firstborn is denied only increases the brothers worked for, such as fertilizing, hoeing and tilling. The repetition teaches that even natural growth is valued as of the death; the firstborn takes his double share only of that value.

WHY IT MATTERS. The fixed date of valuation applies regardless of whether anyone invested effort in the increase.

Tosafot – ד"ה לאיתויי שבחא דממילא חפורה והוו שובלי כו'

NOTE. The Mishnah follows the Sages, who disagree with Rebbi about whether the firstborn takes from increases. In Bava Batra the Gemara concludes that they disagree precisely about natural growth like this, and Rava rules there that one may not follow Rebbi.

WHY THIS MATTERS. Tosafot place the Mishnah within a known Tannaitic dispute and its practical ruling.

"NOR EXPECTED PROPERTY AS HELD." This repetition comes to include the property of the grandfather.

Rashi – ד"ה נכסי דאבי אבא

THE ISSUE. Why is a grandfather's property "expected"?

RASHI'S EXPLANATION. If the grandfather was alive when the father died, his property was due to fall to these grandsons at his death, and certainly would, even if he had only one son: they would take their father's share. One might think such certain property counts as held. The repetition teaches that it is still only expected. From the first clause alone one might have thought "expec-

ted" covered only uncertain cases, such as an uncle who had sons when the father died, whose estate fell to these brothers only after his sons died.

WHY IT MATTERS. Even certain future inheritance is excluded; only what the father actually held counts.

4. Mishnah: what does not return in the Jubilee 52b

Background: in the Jubilee year, land that was sold returns to its original family (Vayikra 25:13). The Mishnah asks which other transfers of land are permanent.

MISHNAH (BEKHOROT 52b)

ואלו שאין חוזרין ביובל: הבכורה, והיורש את אשתו, והמייבם את אשת אחיו, והמתנה, דברי ר"מ. וחכמים אומרים המתנה כמכר. רבי אלעזר אומר כולם חוזרין ביובל. רבי יוחנן בן ברוקה אומר אף היורש את אשתו יחזיר לבני משפחה וינכה מהן את הדמים.

These do not return in the Jubilee: the firstborn's share, a husband who inherits his wife, one who marries his brother's widow (and inherits his share; Rashi: a full inheritance), and a gift: so says R. Meir. The Sages say a gift is like a sale (Rashi: it goes out in the Jubilee). R. Elazar says all of them return in the Jubilee. R. Yochanan ben Beroka says one who inherits his wife returns the land to her family members and deducts the money from them (Rashi: he returns the land for its value, as the Gemara explains).

R. MEIR'S REASON. The Torah said that a sale returns in the Jubilee, not a gift or an inheritance; and these are inheritance or gift. The firstborn: "to give him a double portion" (Devarim 21:17); the Torah called it a gift. A husband who inherits his wife: the husband's inheritance is Torah law (Rashi: derived in Bava Batra 111b from "to his kinsman who is near to him"). The levir: the Torah called him a firstborn.

THE SAGES' REASON. "You shall return" (Vayikra 25:13) includes a gift (Rashi: it is superfluous, since "each man shall return to his holding" was already said in 25:10). These others are all inheritance: for the firstborn, "to give him a double portion" compares the firstborn's share to the ordinary share; just as the ordinary share is inheritance, so is the firstborn's (Rashi: "on the day he gives his sons an inheritance"). And the husband's inheritance is Torah law, and the levir is called a firstborn.

R. ELAZAR. He agrees with the Sages that "you shall return" includes a gift, and holds that these are all gifts: the firstborn, since the Torah called it a gift; a husband who inherits his wife, since he holds the husband's inheritance is rabbinic; the levir, since the Torah called him a firstborn.

Tosafot – ד"ה בכור לתת לו פי שנים מתנה קרייה רחמנא

QUESTION. In Yevamot 24b the Gemara asks what the Torah's calling the levir a "firstborn" teaches, and answers that it is a disadvantage: he does not take expected property. Why not an advantage: that his share does not return in the Jubilee?

ANSWER. Because R. Elazar disagrees here and says that all of them return in the Jubilee.

WHY THIS MATTERS. Only the disadvantage is accepted by all the Tannaim, so the Gemara there cites only it.

5. Brothers who divided: "they return to nothing" 52b

R. ASSI CITING R. YOCHANAN. האחין שחלקו לקוחות הן ומחזירין זה לזה ביובל: "Brothers who divided are purchasers, and they return (their shares) to each other in the Jubilee" (Rashi: and divide again).

R. HOSHAYA'S CHALLENGE. "These do not return in the Jubilee: the firstborn's share"! If dividing is a purchase, the firstborn's share should return.

R. ELAZAR'S ANSWER. What does "do not return" mean? It does not return to nothing.

Rashi – ד"ה אין חוזרין לבטלה

THE ISSUE. What does "does not return to nothing" mean?

RASHI'S EXPLANATION. The firstborn does not lose his firstborn's share. The brothers do return their shares and divide again, but he takes a double portion as he did the first time.

WHY IT MATTERS. This reconciles R. Yochanan's re-division with the Mishnah: the land is re-divided, but the firstborn's right is permanent.

RAV SHESHET'S OBJECTION. By implication, does the one who says "they return" (R. Elazar the Tanna, "all of them return") mean that they return to nothing? (Rashi: is that conceivable?)

RAV CHAMA'S COMMENT. Rav Chama applied to Rav Sheshet the verse טובה חכמה עם נחלה, "wisdom is good with an inheritance" (Kohelet 7:11). He had not heard that when Ravin came, he said in R. Yochanan's name (some say R. Elazar in the name of R. Elazar ben Shamua): what does "they return" mean? They return to nothing. (So R. Elazar the Tanna indeed means that the firstborn's share is lost.)

Tosafot – ד"ה קרי רב חמא עליה דרב ששת טובה חכמה עם נחלה

CLARIFICATION. Rav Sheshet was a master of baraitot, as Eruvin 67a says that Rav Chisda's lips trembled at Rav Sheshet's baraitot. The verse means: good is the "wisdom" of Ravin's statement in R. Yochanan's name, together with an "inheritance" of the many traditions that Rav Sheshet held in baraitot.

WHY THIS MATTERS. Rav Chama's remark is not a rebuke of Rav Sheshet's learning but a point that his large store of traditions needed this one more tradition.

Rashi – ד"ה טובה חכמה עם נחלה

THE ISSUE. How does Rashi read the verse?

RASHI'S EXPLANATION. Sharp reasoning is good together with an "inheritance" of baraitot, and Rav Sheshet was a master of baraitot. Had he heard this tradition of his teacher, he would not have objected at all.

WHY IT MATTERS. Rashi and Tosafot agree on the point: reasoning must be joined with received traditions.

6. R. Yochanan ben Beroka: the family burial plot 52b

QUESTION. What does R. Yochanan ben Beroka hold? If the husband's inheritance is Torah law, why must he return the land to her family? If it is rabbinic, what is the payment for?

ANSWER. He holds that the husband's inheritance is Torah law, and the case is where his wife left him a burial ground. Because of the family's disgrace, the Sages said he should take its value and return it.

SUPPORTING BARAITA. One who sold his grave, the path to his grave, his standing place (Rashi: where mourners stand in the seven rows of comfort), or his eulogy place: the family members come and bury him there against the buyer's will (Rashi), because of the family's disgrace. And what does "he deducts the money" mean? The value of his wife's grave (Rashi: since he is obligated to bury her, Ketubot 47b).

Tosafot – ד"ה באין בני המשפחה וקוברין אותו בעל כרחו משום פגם משפחה

QUESTION. Sanhedrin 46b asks whether burial is required to avoid disgrace or as atonement; the difference arises if one said "do not bury me." Can this baraita resolve that question?

ANSWER. No. Here the man did not say not to bury him at all; poverty forced him to sell his grave. Likewise in Ketubot 48a, one who says "do not bury me from my property" is not heeded, because he means to impose his burial on the community and enrich his sons.

WHY THIS MATTERS. The baraita concerns the family's honor, not the reason for the mitzvah of burial.

With this the chapter *Yesh Bekhor* ends (הדרן עלך יש בכור). The next chapter, on the animal tithe (*ma'aser behemah*), begins on 53a and is covered in the summary of Bekhorot 53.

The full picture in plain language

The daf finishes the Mishnah on what a firstborn and others share from an estate. Daughters' support follows the *ketubah* because it is one of its stipulations, and the levir's share follows the firstborn's because the Torah calls him a firstborn. Abaye and Rava dispute how far that comparison reaches. The Mishnah's repetition extends the limits to increases that came by themselves and to a grandfather's property that was certain to come.

The Jubilee Mishnah asks which transfers of land are permanent. Each Tanna's answer follows from whether he classifies the firstborn's share, the husband's inheritance and the levir's share as gifts or as inheritance, and from whether a gift returns like a sale. R. Yochanan's view that dividing brothers are purchasers is reconciled with the Mishnah: re-division at the Jubilee leaves the firstborn's double share in place. R. Yochanan ben Beroka's apparent contradiction is resolved by a sensitive case: a wife's family burial ground, which her husband returns for payment, less her own grave, so that the family is not shamed. The chapter ends here.

Glossary

Hebrew	Transliteration	Meaning in this sugya
תנאי כתובה	*tena'ei ketubah*	Terms the court attaches to every *ketubah*, such as daughters' support; treated like the *ketubah* itself.
מזונות	*mezonot*	Support (maintenance) owed to a widow or daughters from the estate.
יבם	*yavam*	The levir, who marries his childless brother's widow and inherits his share.
שבח	*shevach*	Increase in value of an estate after the death.
ראוי, מוחזק	*ra'uy, muchzak*	Property expected to come, versus property held at the time of death.
יובל	*yovel*	The Jubilee year, when sold land returns to its original family.
מתנה	*matanah*	A gift. The Sages say it returns in the Jubilee like a sale; R. Meir says it does not.
ירושת הבעל	*yerushat ha-ba'al*	A husband's inheritance from his wife; Torah law or rabbinic, depending on the Tanna.
תשובו	*tashuvu*	"You shall return": the extra word from which the Sages include gifts in the Jubilee.
חלק פשוט	*chelek pashut*	The ordinary share of a non-firstborn heir.
לקוחות	*lekuchot*	Purchasers. R. Yochanan treats dividing brothers as purchasers of each other's shares.
חוזרין לבטלה	*chozrin le-vatalah*	"Return to nothing": the firstborn losing his extra share at the Jubilee.
בית הקברות	*beit ha-kevarot*	A burial ground, here a family plot inherited by a husband.
פגם משפחה	*pegam mishpachah*	A family's disgrace, which justifies forcing the return of a family grave.

Sources: Gemara with relevant Rashi and Tosafot.