Bekhorot 55

Daf Yomi · Thursday, November 12, 2026 · ב' כסלו תשפ"ז · Covers 55b (Mishnah on purchased animals) through 56b (Abaye on a harlot's fee)

Summary

Most of Bekhorot 55 finishes the Gemara on the previous Mishnah, about which animals join for the animal tithe; that material is covered in the summary of Bekhorot 54. This summary begins with the Mishnah at the end of 55b: an animal one bought, or received as a gift, is exempt from the animal tithe. The Gemara derives this from the verse that juxtaposes "the firstborn of your sons" with "so shall you do with your ox and your flock." Just as a son cannot be bought or received as a gift, the tithe applies only to animals born in one's own herd.

The Gemara explains why that verse, which is written about the firstborn, must refer to the animal tithe: the firstborn is holy from the womb and requires no "doing." It then rejects alternative applications to sin and guilt offerings, burnt and peace offerings, and the pilgrimage offering, since each would fail the comparison to "your son." The exemption, however, is not total. R. Yochanan rules that unborn animals bought in their mothers' wombs are tithed, because "you shall do" limits the exemption to animals bought when they could already be tithed. R. Elazar presents this as a teaching R. Yochanan gave the day after appearing to him in a dream. R. Shimon ben Elyakim objects from a teaching that purchase does apply to an animal too young to be tithed. R. Elazar answers that it is not an authoritative Mishnah, or that it follows R. Shimon, for whom such a young animal already enters the pen.

Finally, a baraita recited before Rav defines a harlot's fee that enters the pen to be tithed: one given to her and then bought back from her. That seems impossible, since a purchased animal is exempt. The Gemara answers that the asker had forgotten R. Yochanan's ruling: the fee was given and bought back while still in its mother's womb. Why not have the harlot herself tithe it? Because she is a gentile. Why not an Israelite harlot? Because, as Abaye explains, an Israelite harlot's fee is not forbidden at all, while a gentile harlot's fee is. Abaye also explains why a kohen who has relations with a gentile harlot is not lashed for profaning his offspring.

Detailed Summary

1. Mishnah: purchased animals and gifts 55b

Background: 55a and most of 55b complete the Gemara on the Mishnah about animals in different places joining for the tithe. That discussion, on the Jordan, the Euphrates and rivers as *mikva'ot*, is covered in the summary of Bekhorot 54. The animal tithe takes every tenth newborn animal of the year (Vayikra 27:32). The new Mishnah limits which animals are counted.

MISHNAH (BEKHOROT 55b)

הלוקח או שניתן לו במתנה פטור ממעשר בהמה.

One who buys an animal, or to whom one is given as a gift, is exempt from the animal tithe for it.

2. The source: "the firstborn of your sons ... so shall you do" 55b–56a

RAV KAHANA. The verse says, "the firstborn of your sons you shall give to Me; so shall you do with your ox, with your flock" (Shemot 22:28–29). Just as "your sons" are not purchased or given as gifts (Rashi: they are born to him), so "your flock and your cattle" are not subject to the tithe when purchased or given.

Tosafot – ד"ה ומה בנך אינו בלקוח ומתנה כו'

QUESTION. R. Akiva holds (Menachot 82a) that one does not derive what is possible from what is impossible. A son can never be bought, while an animal can. How then can the son teach about animals?

ANSWER. R. Akiva's principle applies to a *binyan av*, as when deriving the later Pesach from the Pesach in Egypt. Here the verse makes an explicit comparison (*hekesh*), and R. Akiva agrees that a comparison is binding regardless (Niddah 37b).

WHY THIS MATTERS. The derivation rests on a scriptural comparison, which applies even where the cases are not alike in every way.

QUESTION. But this verse is written about the firstborn (Rashi: and a firstborn animal is holy even if bought, since it is holy from birth)! **ANSWER.** The verse says "so shall you *do*." If it does not apply to the firstborn, which involves no "doing," since it is holy from the womb, apply it to the animal tithe.

Tosafot – ד"ה אמר קרא כן תעשה אם אינו ענין לבכור

QUESTION. On 26b this same verse was expounded about the firstborn: "so shall you do" adds another "doing" with your ox.

ANSWER. It was expounded there about the firstborn because it is written about the firstborn. But since the Torah phrased it in the language of "doing," it is also expounded for the tithe, since a firstborn's sanctity does not come through any act.

WHY THIS MATTERS. One verse can teach about both topics: the firstborn by its context, and the tithe by its wording.

ALTERNATIVES. Then apply it to sin and guilt offerings, like "your son": just as your son does not come for a sin, so your flock and ox here must be something that does not come for a sin! (Rashi: purchased animals could not be brought as sin or guilt offerings.) Or apply it to burnt and peace offerings, like "your son": just as a firstborn is not a vow or freewill offering (Rashi: it is an obligation)! Or apply it to the pilgrimage burnt offering, which is an obligation not for a sin: like "your son," whose sanctity has no fixed time (Rashi: it is holy from birth)!

NO EXPLICIT REPLY. The Gemara raises these alternatives without spelling out a reply and moves on to a further question. The thrust of the exchange is that each candidate is tested against a different feature of "your son"; the Gemara's conclusion remains that the verse refers to the animal tithe.

3. Unborn animals: "at the time of doing" 56a

QUESTION. If just as your son is never subject to purchase, your ox and flock are never subject to purchase, why did R. Assi say in R. Yochanan's name: one who bought ten fetuses in their mothers' wombs, they all enter the pen to be tithed?

RAVA. The verse says "you shall do": the Torah excluded only what is purchased at the time of "doing."

Rashi – ד"ה בשעת עשייה

THE ISSUE. What is "the time of doing"?

RASHI'S EXPLANATION. The time when the animals are fit to be tithed. The Torah excluded animals purchased at that stage. In the womb is not the time of doing, so animals bought then are tithed.

WHY IT MATTERS. The exemption is not about ownership at birth, but about ownership when the animal is ready for tithing.

THE RULING ITSELF. R. Assi citing R. Yochanan: one who bought ten fetuses in their mothers' wombs, they all enter the pen to be tithed. But we learned that one who buys is exempt!

R. ELAZAR. R. Yochanan saw something good in a dream: I would say, the verse says "you shall do": the Torah excluded only purchase at the time of doing.

Rashi – ד"ה ר' יוחנן חזאי בחילמא כו'

THE ISSUE. What does R. Elazar mean?

RASHI'S EXPLANATION. Last night R. Yochanan appeared to me in a dream, and since he appeared to me, I know that today I will say something well reasoned.

WHY IT MATTERS. R. Elazar introduces his explanation of his teacher's ruling with a sign of confidence.

Tosafot – ד"ה לקח עשרה עוברין במעי אמן כו'

CLARIFICATION. "In their mothers' wombs" is not precise: the same applies to animals already born but too young to be tithed. Alternatively, the wording was chosen so that the ruling holds even for R. Shimon ben Yehuda, who says an animal too young already enters the pen.

WHY THIS MATTERS. The principle is the stage of fitness for tithing, not birth itself.

R. SHIMON BEN ELYAKIM'S CHALLENGE. A teaching says: purchase applies to an animal "lacking time" (too young). Rashi: if bought within seven days of birth, it no longer enters the pen, though that is not yet the time of doing.

R. ELAZAR'S ANSWER. This is not a Mishnah (not authoritative). And if it is, it is R. Shimon ben Yehuda in the name of R. Shimon, who says an animal lacking time enters the pen to be tithed, and it is like a firstborn: just as a firstborn is holy before its time and offered after its time, so an animal lacking time becomes holy before its time and is offered after its time.

Rashi – ד"ה ואם תימצי לומר משנה ודאי ר' שמעון היא

THE ISSUE. How does R. Shimon's view resolve the challenge?

RASHI'S EXPLANATION. For him, an animal lacking time is already at the time of doing, so purchase applies to it. But he agrees that purchase does not apply to an animal still in its mother's womb.

WHY IT MATTERS. Both views accept "the time of doing"; they differ only on when it begins.

4. A harlot's fee in the pen 56a–56b

Background: an animal given as a harlot's fee (*etnan*) may not be offered on the altar (Devarim 23:19). The Mishnah on 57a says that a harlot's fee enters the pen to be tithed, though it cannot be offered.

THE BARAITA. A Tanna recited before Rav: which harlot's fee enters the pen to be tithed? One given to her and then bought back from her. Rashi: if he has nine others and this one, they are tithed; if a fit animal comes out tenth, good; if the fee comes out tenth, it is eaten by its owners once it is blemished.

OBJECTION. But it is disqualified as purchased! **ANSWER.** The objector overlooked R. Yochanan's ruling about fetuses bought in their mothers' wombs (Rashi: here too, it was given and bought back while still in the womb).

QUESTION. Then let the harlot herself tithe it! (Rashi: since it was given to her in the womb, it is not excluded as a gift, so she need not sell it back.) **ANSWER.** She is a gentile harlot (who is not subject to the tithe).

QUESTION. Let it be set with an Israelite harlot, who would tithe it herself! **ANSWER.** The baraita teaches that an Israelite harlot's fee is not considered a harlot's fee at all (Rashi: it is permitted even for the altar).

Rashi – ד"ה הא קמ"ל

THE ISSUE. What is the baraita's point in setting it with a gentile?

RASHI'S EXPLANATION. A fee that cannot be offered is only a gentile harlot's fee. If the woman were an Israelite harlot, her fee would not be called a harlot's fee and would be permitted even for the altar.

WHY IT MATTERS. The case is constructed so that the animal is both a forbidden fee and subject to the tithe.

5. Abaye: two kinds of harlot 56b

ABAYE. A gentile harlot: her fee is forbidden, and a kohen who has relations with her is not lashed for "he shall not profane his offspring." An Israelite harlot: her fee is permitted, and a kohen who has relations with her is lashed for "he shall not profane his offspring."

THE FEE. A gentile harlot's fee is forbidden: learn "abomination" (Devarim 23:19) from "abomination" with forbidden relations (Vayikra 18:29). Just as betrothal does not take effect with forbidden relations, so the harlot's fee is forbidden only where betrothal does not take effect.

Rashi – ד"ה מה עריות לא תפסי בהו קדושי

THE ISSUE. Why does betrothal matter?

RASHI'S EXPLANATION. Forbidden relations are punished by *karet*, and all agree that betrothal does not take effect with those liable to *karet* (Yevamot 49a). The harlot's fee, linked to them by "abomination," is forbidden only from a woman with whom betrothal does not take effect.

WHY IT MATTERS. An Israelite harlot, with whom betrothal would take effect, does not produce a forbidden fee.

Tosafot – ד"ה זונה ישראלית אתננה מותר וכהן הבא עליה כו'

QUESTION. Rava says (Bava Kamma 70b) that the Torah forbade a harlot's fee even if a man had relations with his own mother, and Temurah teaches that a fee for forbidden relations is forbidden. How can an Israelite harlot's fee be permitted?

ANSWER. Abaye speaks of a woman who is not forbidden to him as a forbidden relation, one with whom betrothal could take effect, which is why her fee is permitted. And the kohen is lashed because she is a harlot for him, such as a convert, a freed maidservant, or a woman who became a harlot through a forbidden relationship with another man.

WHY THIS MATTERS. Tosafot limit Abaye's ruling to a woman with whom betrothal is possible.

THE KOHEN. A kohen who has relations with a gentile harlot is not lashed for "he shall not profane his offspring" (Vayikra 21:15), for the Torah said "his offspring," and this is not his offspring.

Rashi – ד"ה לאו זרעו הוא

THE ISSUE. Why is the child not his offspring?

RASHI'S EXPLANATION. The child follows the gentile mother (Yevamot 23a): your son from an Israelite woman is called your son, but your son from a gentile woman is not called your son, but hers.

WHY IT MATTERS. The prohibition concerns profaning the kohen's own line, which does not include a child who is not legally his.

The next Mishnah, on brothers and partners and the animal tithe, begins on 56b and is covered in the summary of Bekhorot 56.

The full picture in plain language

The animal tithe applies only to animals born in one's own herd. The Torah teaches this by comparing the tithe to "your sons," whom no one acquires by purchase or gift. The Gemara shows why the verse, written about the firstborn, must refer to the tithe: the firstborn becomes holy without any act, while "so shall you do" requires one. It also shows why the other offerings that might have been meant do not fit the comparison.

The exemption is limited by the word "do": only animals acquired when they could be tithed are excluded, so fetuses bought in the womb are tithed, as R. Yochanan ruled and R. Elazar explained. A teaching about young animals is set aside or attributed to R. Shimon. The final case puts these rules together: a harlot's fee that enters the pen must have been given and bought back in the womb, and must be from a gentile harlot, since, as Abaye explains, an Israelite harlot's fee is not forbidden at all.

Glossary

Hebrew	Transliteration	Meaning in this sugya
לוקח	*loke'ach*	A purchased animal, exempt from the animal tithe.
מתנה	*matanah*	An animal received as a gift, likewise exempt.
כן תעשה	*ken ta'aseh*	"So shall you do": the phrase that applies the comparison to the tithe.

שעת עשייה	*she'at asiyah*	"The time of doing": when an animal is fit to be tithed.
עוברין	*ubarin*	Fetuses; if bought in the womb, they are tithed.
מחוסר זמן	*mechusar zeman*	An animal too young (under eight days) to be offered or tithed.
היקש	*hekesh*	A comparison drawn by the Torah between two laws.
עולת ראייה	*olat re'iyah*	The pilgrimage burnt offering.
אתנן	*etnan*	A harlot's fee, which may not be offered on the altar.
דיר	*dir*	The pen from which animals are counted out for the tithe.
תועבה	*to'evah*	"Abomination": the word linking the harlot's fee to forbidden relations.
עריות	*arayot*	Forbidden sexual relations, with which betrothal does not take effect.
לא יחלל זרעו	*lo yechalel zar'o*	"He shall not profane his offspring": a kohen's prohibition.
בחילמא	*be-chilma*	"In a dream": R. Yochanan appeared to R. Elazar.

Sources: Gemara with relevant Rashi and Tosafot.