

## Introduction to Tractate Bekhorot

*Bekhorot* addresses the law with respect to the firstborn. The pertinent verses of the written Torah began with the most general command covering the firstborn whether of man or of beast: it is to be redeemed (Exo. 13: 2). The firstborn of man and of unclean beasts are redeemed with money and the proceeds assigned to the priests. The firstborn of clean beasts is slaughtered in the Temple court and the meat goes to the priest (Num. 18:15–18).

If the firstborn of a clean beast is blemished, it is given to the priest who may eat it anywhere, sell it, or give it away as his own property (Deu. 15:21–22). One must sanctify the firstling of an ox and declare it holy (Deu. 15:10). Firstlings may not be brought to the Land from outside (Deu. 14:23). A firstling must be eaten during its first year, whether blemished or otherwise (Deu. 15:20–22). What renders a firstborn animal unfit for the altar is what also renders a priest unfit for service; this is a sign of the comparability of the firstborn and the priesthood. As to blemishes that disqualify priests for service at the altar, Scripture rejects blemished persons and blemished firstlings (Lev. 21:18–20). The Torah encompasses, also, the tithe of the herds and the flocks (Lev. 27:32–33).

- I. The firstborn of animals: general rules
  - A. The firstborn of an ass
  - B. The first-born of a cow
  - C. The resolution of matters of doubt
  - D. Not shearing the firstling
  - E. The requirement to tend the firstling before handing it over to the priest
- II. Slaughtering a firstling by reason of blemishes
  - A. Examining a firstling to see whether or not it is blemished
  - B. Further rules of slaughtering the firstling
  - C. Blemishes in animals
  - D. Blemishes in priests
- III. The firstborn of man
- IV. Tithe of cattle

In the law of *Bekhorot* God's claim on the fruit of the womb is made as soon as the offspring, human or animal, emerges. Upon its birth the firstling is holy, set aside, belonging to God and hence set aside for the priesthood. In the case of a male child it must be redeemed and in the case of an animal it must be otherwise disposed of. Firstlings derive only from flocks and herds in the Land, while the increase of overseas herds and flocks are supposed to be tithed. Since both firstling of the Land and the tithe of herds from overseas are destined to the priesthood, the difference lies in provenience. The fact that they are owned by Israelites makes them eligible for tithing without regard to where they are raised. When it comes to setting aside the first-born, whether animals or people, what governs is that their derivation is from Israel, not that they are actually located in the Land of Israel.

In contrast to the offerings of the firstfruits, which are obligatory only for Israelite landholders, firstlings must be presented by all Israelites who own herds and flocks wherever they are located. And all Israelite firstborn male children, wherever they are born, must be redeemed. The source of sanctification is personal and therefore utopian, not dependent upon possession of the Land. Here the realm of sanctification derives from genealogy, not from geography. The birth of a male child to an Israelite father and mother (within the qualifications that the law sets forth) imposes the liability of redemption upon the father just as the birth of animals to an Israelite owner imposes the liability to tithe the increase of the herd or flock.

Note the contrast of the offerings of firstlings (firstborn) to the obligation for firstfruits where what is required is the offering of just those species raised in the Land and where who is obligated to make the offering is the Israelite who possesses a share in the Land and who is also of the people, Israel. A more striking contrast would be difficult to locate than the one that differentiates the offering of the firstfruits and the redemption of the firstborn of man and beast, on the one hand, and the obligation to tithe herd and flock, on the other.