

דף יומי • בכורות • דף ט"ז

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THE SUGYA

We begin the daf by continuing our discussion of the halachos of disqualified consecrated animals (kodashim she'nichlelu) and their offspring. The Gemara is medayek on a Baraisa to see if we can find a kasha on Rav Huna, who holds that the offspring of these disqualified animals can never be redeemed and must be left to die. We also look into the halachah of whether one who slaughters these animals outside the Beis HaMikdash is chayav karet, bringing in Rabbi Akiva's shitta regarding minor blemishes like cataracts.

Next, the Gemara transitions into a deep discussion regarding the substitute (temurah) of a disqualified consecrated animal that was produced after the mother's redemption. Rav Nachman, quoting Rabba bar Avuh, rules that this temurah must die because it cannot be offered on the Mizbe'ach, yet its kedushah is not strong enough to be redeemed onto money. We analyze this ruling, comparing it to the temurah of a firstborn (bechor) or animal tithe (ma'aser behemah), and seek the source for this halachah in the pesukim and Halachah LeMoshe MiSinai.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עמוד א' DAF 16A

EXPLANATION

לאתוויי חלבו.

The verse **serves to include its milk** in the prohibition, teaching that the milk of a redeemed, disqualified consecrated animal is also forbidden.

STATEMENT

אמר ר' אבהו: אין נפדין תמימין, ואין מתפיסין לכל זבח שירצה.

The Master said above in the Baraisa: With regard to the offspring of disqualified consecrated animals whose consecration preceded their blemish, **they may not be redeemed** while they are **unblemished**, and **one may not designate them for any offering he desires**.

INFERENCE

תמימים הוא דלא מיפדקי, הא בעלי מומין — מיפדקי.

The Gemara infers: It is only while they are **unblemished that they may not be redeemed**, but if they are **blemished**, they **may be redeemed**.

INFERENCE

לכל שירצה הוא דאין מתפיסין, הא לאותו זבח — מתפיסין.

And similarly, it is only for any offering he desires that he may not designate them, but for that same offering as the mother, he may designate them.

ANSWER

היכי משפחת לה? דמתפיסן לאותו זבח, ונפדין במומן.

The Gemara asks: **How do you find** a case where both of these inferences apply? The Gemara answers: It is a case **where he designates them for that same offering** as the mother, **and they are redeemed when they are blemished**.

QUESTION

נימא תיהוי תיובתא דרב הונא?

Shall we say **this is a refutation of Rav Huna**, who says that the offspring of disqualified consecrated animals can never be redeemed and must be left to die?

ANSWER

אמר לה רב הונא: הוא הדין דאפילו בעלי מומין אין נפדין,

Rav Huna could say to you: The same law applies that even blemished offspring may not be redeemed, and the inference is not correct.

EXPLANATION

ואידי דתנא רישא "נפדין תמימים" — תנא נמי סיפא "אין נפדין תמימים",

And since the first clause taught regarding the mother that "they may be redeemed unblemished," because she was consecrated after her blemish, the latter clause also taught regarding the offspring "they may not be redeemed unblemished," just to match the style.

EXPLANATION

ואידי דתנא רישא "לכל זבח שירצה" — תנא נמי סיפא "לכל זבח שירצה".

And since the first clause taught "for any offering he desires," the latter clause also taught "for any offering he desires," but no inferences should be drawn.

STATEMENT

והשוחטן בחוץ פטור.

The Baraisa continues: **And one who slaughters them outside** the Beis HaMikdash **is exempt** from karet.

EXPLANATION

רב הונא מתני חייב, ומוקים לה בדוקין שבצעין, ואליבא דרבנן דאמר: אם עלו לא ירדו.

But Rav Huna taught the text as saying he is liable, and he establishes it as referring to cataracts in the eye, which is a minor blemish, and this is according to Rabbi Akiva who says: If they ascended the altar, they shall not descend. Since it is fit to be offered post facto, slaughtering it outside carries karet.

STATEMENT

בין לפני פדיונו בין לאחר פדיונו עושה תמורה.

The Baraisa taught: **Whether before its redemption or after its redemption**, a disqualified consecrated animal **makes a substitute**.

STATEMENT

אמר רב נחמן אמר רבה בר אבוח: ותמורתו לאחר פדיונו מתה.

Rav Nachman said that Rabba bar Avuh said: And its substitute that was produced after its redemption must die.

QUESTION

מאי טעמא? היכי לי עביד?

What is the reason? How should we act with it?

EXPLANATION

ליקרביה — מפני קדושה דחוייה קאתיא,

Shall we sacrifice it? It comes from the power of a rejected sanctity, since the mother was already redeemed and unfit for the Mizbe'ach, so the substitute cannot be offered.

EXPLANATION

ליפרקה — לא אלימא למיתפס פדיונה, הלכך מתה.

Shall we redeem it? Its sanctity is not strong enough to transfer its redemption onto money. Therefore, it must die.

OBJECTION

מתקיף לה רב עמרם: ותיתכיל במומה לבעלים!

Rav Amram challenged this: But let it be eaten in its blemished state by the owners without redemption!

QUESTION

וכי מה בין זו לתמורת בכור ומעשר?

And what is the difference between this substitute and the substitute of a firstborn or animal tithe?

PROOF

דתנן: תמורת בכור ומעשר, הן וילדו וילד וילדו עד סוף כל העולם — הרי הן בכור ומעשר,
ויאכלו במומן לבעלים!

As we learned in a Mishnah: The substitute of a firstborn and animal tithe, they and their offspring and the offspring of their offspring forever, are like a firstborn and animal tithe, and they are eaten in their blemished state by the owners without redemption!

ANSWER

אמר ליה אביי: זה שם אמו עליו וזה שם אמו עליו,

Abaye said to him: This one has the name of its mother upon it, and that one has the name of its mother upon it.

EXPLANATION

זו כולו תמורת בכור ומעשר מיקרנא, מה בכור ומעשר במומן מיתאכלן לפעלים, אף תמורתן מיתאכלא.

This animal is entirely called "the substitute of a firstborn or tithe"; just as a firstborn and tithe are eaten in their blemished state by the owners without redemption, so too their substitute is eaten.

EXPLANATION

וזו שם אמו עליו, תמורת קדשים מיקרנא, מה קדשים לא מיתכלי אלא בפדיון — אף תמורתן נמי לא מיתכלי אלא בפדיון, והא לא אלימא למיתפס פדיונה.

But this other one has the name of its mother upon it, and is called "the substitute of consecrated animals"; just as consecrated animals are not eaten except through redemption, so too their substitute is also not eaten except through redemption, and yet this substitute is not strong enough to transfer its redemption onto money. Therefore, it cannot be eaten and must die.

PROOF

תנא כוותיה דרב נחמן: מנין לתמורת פסולי המוקדשין שמתה? תלמוד לומר: "ממעלי הגרה... טמא",

It is taught in a Baraisa in accordance with Rav Nachman: From where is it derived that the substitute of disqualified consecrated animals must die? The Torah states: "Of those that chew the cud... it is impure to you," which includes this case.

QUESTION

האי מיבעי ליה לחמש חטאות מתות!

The Gemara asks: **But this** verse is needed for the five sin offerings that are left to die, to teach that they may not be eaten!

ANSWER

ההוא מ"מפריסי הפרסה טמא" נפקא.

The Gemara answers: **That** law of the five sin offerings is derived from "of those that have a split hoof... is impure."

PROOF

תנא נמי הכי: מנין לחמש חטאות מתות? תלמוד לומר: "ממפריסי הפרסה... טמא".

It is also taught in a Baraisa like this: From where is it derived that the five sin offerings must die? The Torah states: "Of those that have a split hoof... is impure to you."

OBJECTION

חמש חטאות מתות, הילכתא גמירי לה, אלא כי אתא קרא לתמורת אשם.

The Gemara objects: But the rule of the five sin offerings that are left to die is a Halachah LeMoshe MiSinai that we learned! Rather, when the verse came, it came to teach about the substitute of a guilt offering, that it may not be eaten.

OBJECTION

תמורת אשם נמי הילכתא היא, כל שבחטאת מתה — באשם רועה!

The Gemara objects: The substitute of a guilt offering is also a Halachah LeMoshe MiSinai, which states: Any situation where in a sin offering it is left to die, in a guilt offering it is sent to graze until it gets a blemish! Why would we need a verse?

RESOLUTION

אַלֵּא, לְעוֹלָם חֶמֶשׁ חַטָּאוֹת מֵתוֹת, וְאַצְטְרִיךְ קָרָא וְאַצְטְרִיךְ הִילְכָתָא,

Rather, actually the verse refers to the five sin offerings that are left to die, and both the verse was needed and the Halachah was needed.

EXPLANATION

דְּאִי מִקְרָא הָוָה אָמִינָא לְרַעְיָהּ, קָא מִשְׁמַע לֹן הִילְכָתָא לְמִיתָהּ.

For if we only had it from the verse, I would have said they are sent to graze; therefore, the Halachah comes to teach us that they must die.

EXPLANATION

וְאִי מִהִילְכָתָא הָוָה אָמִינָא: הֵיכָא דְעָבַד אִיקְרִי וְאָכַל מִהֵנִי חֶמֶשׁ חַטָּאוֹת — אִיסּוּרָא אֵיכָא, לָאוּ לֵיכָא, קָמִשְׁמַע לֹן דְּאֵיכָא לָאוּ.

And if we only had it from the Halachah, I would have said: If one went ahead and accidentally ate from these five sin offerings, there is a prohibition, but there is no negative commandment carrying lashes; therefore, the verse comes to teach us that there is a negative commandment.

RESOLUTION

וְאֵיכָצִית אֵימָא: לְאַקוּשִׁי דְבָרָא הָבָא מִמַּעַלִּי גֵרָה לְדָבָר הָבָא "מִמַּפְרִיסֵי הַפְּרָסָה", מָה לְהֵלֵן בְּמִיתָה — אֵף כָּאֵן בְּמִיתָה.

And if you want, I can say: The verse comes to compare a matter that comes from "those that chew the cud" to a matter that comes "from those that have a split hoof"; just as there, by the five sin offerings, it is by death, so too here, by the substitute of disqualified consecrated animals, it is by death.

מִשְׁנָה MISHNAH

MISHNAH

מִתְנִי' הַמִּקְבֵּל צֹאן בְּרֶזֶל מִן הַגּוֹי —

MISHNAH: One who receives "iron sheep" flock from a non-Jew under an agreement where the receiver takes the profits and losses but the principal remains guaranteed to the owner—

עמוד ב' DAF 16B

MISHNAH

וְלִדְוִתִּיהֶן פְּטוּרִין, וְלִדְוִי וְלִדְוִתִּיהֶן חֵיבִין.

The Mishnah teaches regarding sheep accepted as a guaranteed investment from a non-Jew: **Their direct offspring are exempt** from the mitzva of the firstborn, **but the offspring of their direct offspring are obligated** in the mitzva of the firstborn.

MISHNAH

הַעֲמִיד וּלְדוֹתֶיךָ תַּחַת אֲמוֹתֶיךָ — וְלִדְי וּלְדוֹת פְּטוּרֶיךָ, וְלִדְי וּלְדוֹת חַיִּיבֶיךָ.

If the Jew established their offspring in place of their mothers to serve as the principal of the investment in case the mothers die, then even the offspring of their direct offspring are exempt, but the offspring of the offspring of their direct offspring are obligated.

MISHNAH

רָבִן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: אֶפְיָלוּ עַד עֲשָׂרָה פְּטוּרִים, שְׁאֲחֲרִייתָן לְנִכְרִי.

Rabban Shimon ben Gamliel says: Even until ten generations, the offspring are exempt, as their guarantee is to the non-Jew, because the non-Jew can collect his debt from any generation of offspring.

MISHNAH

רַחֵל שִׁילְדָה מִיַּן עֵז, וְעֵז שִׁילְדָה מִיַּן רַחֵל — פְּטוּרָה מִן הַכֹּכָרָה, וְאִם יֵשׁ בּוֹ מְקַצֵּת סִימָנִין — חַיִּיב.

A ewe that gave birth to a goat of sorts, and a goat that gave birth to a ewe of sorts, is exempt from the mitzva of the firstborn; but if it has some of the characteristics of its mother, it is obligated.

גמרא GEMARA

QUESTION

גַּמְ' לַמִּימָרָא, דְּכִיּוֹן דְּלֹא נִקֵּט מֵרָא זִוְי' — בְּרִשּׁוֹתָא דְּמֵרָא קִימָא?

GEMARA: Is this to say that since the owner did not take the money for the investment, the animal stands in the possession of the owner, meaning the non-Jew still owns it?

OBJECTION

וְרַמְיָנָהּ: אֵין מִקְבֵּלִין צֵאן בְּרִזָּל מִיִּשְׂרָאֵל מִפְּנֵי שֶׁהוּא רַבִּית, אֲלֵמָּא בְּרִשׁוּתָּא דְּמִקְבֵּל קָיִמָּא!

And the Gemara raises a contradiction from a Mishnah in Bava Metzia: **One may not accept sheep as a guaranteed investment from a Jew because it is a form of ribbis** (interest). **Consequently**, we see that the investment **stands in the possession of the recipient**, which is why it is treated like a loan!

RESOLUTION

אמר אפי': לא קשיא, הא דקפיל עליה אונסא וזולא, והא דלא קפיל עליה אונסא וזולא.

Abaye said: This is not difficult. This case, our Mishnah, is where the owner **accepted upon himself** the responsibility for **unavoidable accidents and depreciation** in market value, so it remains in his possession; **and that** case, the Mishnah in Bava Metzia, is where the owner **did not accept upon himself** responsibility for **unavoidable accidents and depreciation**, so it is in the recipient's possession.

OBJECTION

אמר ליה רבא: דקפיל עליה אונסא וזולא, "צאן פרזל" קרית ליה?

Rava said to Abaye: If the owner **accepted upon himself** responsibility for **unavoidable accidents and depreciation**, can you call it a **guaranteed investment** (tzoan barzel)? That is a standard partnership, not a guaranteed investment!

OBJECTION

ועוד, מאי פסקא?

And furthermore, why was it stated **without qualification** in both Mishnayos, if the term refers to two completely different arrangements?

OBJECTION

ועוד, אדתני סיפא אבל מקבלין צאן ברזל מן הגוי — ליפלוג וליתני בדידה: במה דברים אמורים? דלא קביל עליה אונסא וזולא, אבל קביל עליה אונסא וזולא — שפיר דמי!

And furthermore, instead of teaching in the latter clause of the Mishnah in Bava Metzia: "But one may accept a guaranteed investment from a non-Jew," let him distinguish and teach within the case itself of a Jew: "In what case are these words said? When the owner **did not accept upon himself** responsibility for **unavoidable accidents and depreciation**; but if the owner **accepted upon himself** responsibility for **unavoidable accidents and depreciation**, it is well and permitted!"

ANSWER

אלא אמר רבא: אידי ואידי דלא קביל עליה אונסא וזולא,

Rather, Rava said: Both this case and that case are discussing a situation **where** the owner **did not accept upon himself** responsibility for **unavoidable accidents and depreciation**, meaning the investment is in the recipient's possession.

EXPLANATION

והכא גבי בכורה היינו טעמא, דאילו אתי גוי בעי זוזי ולא יהיב ליה — תפיס לה לבהמה, ואי לא משכח לה לבהמה — תפיס ולדות דידה,

And here, regarding the firstborn, this is the reason for the exemption: Because if the non-Jew comes and wants his money and the Jew does not give it to him, the non-Jew will seize the animal, and if he does not find the animal, he will seize its offspring.

EXPLANATION

והרי יד גוי באמצע, וכל יד גוי באמצע — פטורה מן הבכורה.

And behold, the hand of the non-Jew is in the middle (he has a claim on the animal's body), and any animal where the hand of a non-Jew is in the middle is exempt from the mitzva of the firstborn.

STATEMENT

העמיד ולדותיהן תחת אמותיהן — ולדי ולדות פטורים.

The Gemara analyzes the next clause of the Mishnah: If he established their offspring in place of their mothers, the offspring of their offspring are exempt.

STATEMENT

אמר רב הונא: ולדות פטורין, וולדי (ולדותיהן) [ולדות] תיבין.

The Gemara cites a dispute where he did not establish them: Rav Huna says: The direct offspring are exempt, but the offspring of the offspring are obligated.

STATEMENT

ורב יהודה אומר: ולדי ולדות נמי פטורין, וולדי ולדי ולדות חייבין.

And Rav Yehuda says: The offspring of the offspring are also exempt, and only the offspring of the offspring of the offspring are obligated.

OBJECTION

תנן: העמיד ולדות תחת אמותיהן — ולדי ולדות פטורין.

The Gemara objects: We learned in the Mishnah: If he established the offspring in place of their mothers, the offspring of the offspring are exempt.

REFUTATION

טעמא דהעמיד, הא לא העמיד — לא. תיובתא דרב יהודה!

The reason is that he established them; consequently, if he did not establish them, they are not exempt! This is a conclusive refutation of Rav Yehuda!

RESOLUTION

אמר לך רב יהודה: הוא הדין, אף על גב דלא העמיד, והא קא משמע לך: אפילו העמיד נמי.

The Gemara answers: Rav Yehuda could say to you: The same law applies even though he did not establish them, and this is what the Mishnah comes to teach us: that even if he established them, also only these generations are exempt.

EXPLANATION

דאורחיה דגוי למיתפס בנה, והוי כמי דלא העמיד — ולדי ולדות פטורין, וולדי ולדי ולדות חייבין.

For it is the way of a non-Jew to seize her offspring, and therefore even when he established them, it is like one who did not establish them, so that only the offspring of the offspring are exempt, but the offspring of the offspring of the offspring are obligated.

STATEMENT

תנן: רבן שמעון בן גמליאל אומר: אפילו עד עשרה דורות פטורין, שאחריותן לנכרי.

We learned in the Mishnah: Rabban Shimon ben Gamliel says: Even until ten generations they are exempt, as their guarantee is to the non-Jew.

EXPLANATION

בשלמא לרב יהודה דאמר: נחית תנא קמא לדרי —

The Gemara analyzes this: Granted according to Rav Yehuda, who says that the Tanna Kamma descends through the generations to exempt the second generation even without establishing them, so Rabban Shimon ben Gamliel argues and extends this further—

SUMMARY

In this daf, the Gemara clarifies the status of the offspring and substitutes of disqualified consecrated animals. We establish that according to Rav Huna, the offspring of these animals cannot be redeemed even if they are blemished, and we resolve a potential refutation of his view from a Baraisa. We then learn that a temurah of a disqualified consecrated animal produced after redemption must die, as it lacks the strength to transfer its kedushah to money but cannot be eaten without redemption. The Gemara supports this with a Baraisa and analyzes the relationship between the pesukim and the Halachah LeMoshe MiSinai regarding the five sin offerings that are left to die, before transitioning to a new Mishnah regarding 'iron sheep' flocks received from a non-Jew.

למעשה WHAT TO TAKE HOME

The Gemara is bothered by a deep contradiction in the status of a substitute animal (temurah) that was born after its mother was already redeemed. On one hand, it has a holy status that prevents it from being eaten like a regular animal. On the other hand, its holiness is too weak to be transferred onto money through redemption. It is caught in a spiritual limbo, unable to move forward to the Mizbe'ach and unable to go back to the mundane world. Mimeila, the halachah is that it must die.

This is a powerful picture of what happens when a Yid tries to live in two worlds at once. Sometimes we want the best of both worlds: we want the elevated feeling of a holy life, but we also want to hold onto our worldly desires without any boundaries. We try to keep one foot in the bais medrash and one foot in the street. But the Torah is teaching us a deep sevara about the neshama: a state of spiritual compromise cannot survive. If you try to live in a spiritual limbo, you lose the sweetness of both worlds.

To truly thrive in your avodas Hashem, you must be clear about where you stand. You cannot live as a "temurah" of a redeemed animal, caught in the middle. When you learn, be completely there. When you daven, put your whole heart into it. Do not let your spiritual life become a weak compromise.

Today, choose one area of your avodah, whether it is your morning davening or a set shiur, and commit to being fully present, without any outside distractions or compromises.