

דף יומי • בכורות • דף ב'

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THE SUGYA

We begin Maseches Bekhoros with the first Mishnah on Daf 2a, which deals with the laws of a Peter Chamor—the firstborn of a donkey that must be redeemed with a lamb. The Mishnah teaches that if a non-Jew has any partnership or ownership share in the mother donkey or the fetus itself, the offspring is completely exempt from the kedushah of a firstborn. This is derived from the pasuk where Hashem says, "I sanctified to Me all the firstborn in Israel," which teaches us that the sanctity of a firstborn only applies when the animal is owned exclusively by a Jew.

The Gemara immediately dives into a detailed shakla v'tarya to understand why the Mishnah needs to list so many different cases of partnership and transactions with a non-Jew. Lichoira, once we know the basic rule that a non-Jew's ownership exempts the animal, the other cases seem redundant. The Gemara explains the specific chiddush of each case, showing how we might have otherwise made a mistake or applied a Rabbinic penalty.

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

עמוד א' DAF 2A

משנה MISHNAH

MISHNAH

מתני' הלוקח עובר חמורו של נכרי,

MISHNAH: One who purchases the fetus of a donkey of a non-Jew,

MISHNAH

והמוכר לו, אף על פי שאינו רשאי,

and one who sells to him the fetus of his donkey, even though he is not permitted to sell a large animal to a non-Jew,

MISHNAH

המשתתף לו, והמקבל הימנו, והנותן לו בקבלה —

one who enters into a partnership with him in ownership of a donkey, and one who receives a donkey from him to care for in exchange for a share in its offspring, and one who gives his donkey to him in receivership—

MISHNAH

פטור מן הבכורה, שנאמר: "בְּיִשְׂרָאֵל", אֲבָל לֹא בְּאֲחֵרִים.

in all these cases, the offspring is **exempt from the law of the firstborn, as it is stated** in the Torah: "I sanctified to Me all the firstborn **in Israel**," which implies that the sanctity applies only to those owned solely by Jews, **but not** to those owned **by others**, meaning non-Jews.

גמרא GEMARA

QUESTION

גמ' קל הני למה לי?

GEMARA: Why do I need all these cases in the Mishnah? Why isn't one example of non-Jewish ownership enough to teach us the rule?

ANSWER

צריכי, דאי תנא לוקח — הנה אמינא משום דקא מייתי לה לקדושה,

The Gemara answers: They are all **necessary, for had the Tanna taught** only the case of the **purchaser** of a fetus from a non-Jew, **I would have said** that the exemption applies there **because he is bringing it into a state of sanctity**, as the Jew is acquiring it and it will now be subject to the mitzvos of a firstborn,

ANSWER

אבל מוכר דקא מפקע לה מקדושה — אימא ליקנסיה, קא משמע לן.

but in the case of the **seller, where he is removing it from a state of sanctity** by selling it to a non-Jew, **I might say that we should penalize him** by declaring the fetus subject to the firstborn laws so that he cannot escape the mitzvah. Therefore, the Mishnah **comes to teach us** that even here, the fetus is exempt.

QUESTION

והמשתתף לו, למה לי?

The Gemara asks: **And** the case of **one who enters into a partnership with him**, why do I need it?

ANSWER

לאפוקי מדרכי יהודה, דאמר: שותפות גוי חייבת בבכורה, קמשמע לן דפטורה מן הבכורה.

The Gemara answers: It is needed **to exclude the opinion of Rabbi Yehuda, who says: Partnership with a non-Jew is obligated in the law of the firstborn**. Therefore, the Mishnah **comes to teach us** that it is **exempt from the law of the firstborn**.

QUESTION

והמקבל, למה לי?

The Gemara asks: **And** the case of **one who receives** a donkey from a non-Jew, **why do I need** it? This is already covered by the rule of partnership!

ANSWER

משום דקא בעי למיתני והנותן לו בקבלה.

The Gemara answers: It is mentioned only **because the Tanna wants to teach** the next case, which is: **And one who gives his donkey to him in receivership.**

QUESTION

וְהִנּוּתָּן לוֹ בְּקַבְלָהּ, לָמָּה לִּי?

The Gemara asks: **And** the case of **one who gives** his donkey **to him in receivership**, why do I need it?

ANSWER

אֵינְטְרִיָּה, סָלָקָא דְעֵתָהּ אָמִינָא: הוּאִיל וְעִיקָר בְּהֵמָה דִּישְׂרָאֵל הִיא, לִיקְנָסִיָּה,

The Gemara answers: It **was necessary**, for it might enter your mind to say: Since the main animal belongs to the Jew, the Sages **should penalize him** by treating the offspring as a firstborn,

ANSWER

דְּלָמָּא אֲתִי לְאִיחְלוּפֵי בְּבֵהֶמָה אַחֲרִיתִי, קִמְשָׁמַע לֹו.

lest he come to confuse it with another animal that the Jew puts in the care of a non-Jew where the non-Jew has no share in the offspring, in which case the offspring is indeed a firstborn. Therefore, the Mishnah **comes to teach us** that we do not penalize him.

STATEMENT

תַּנּוּ הֵתָם: רַבִּי יְהוּדָה מֵתִיר בְּשִׁבּוּרָה, בֶּן בְּתִירָא מֵתִיר בְּסוֹס.

The Gemara cites a related discussion: **We learned in a Mishnah elsewhere** regarding the prohibition of selling large livestock to a non-Jew: **Rabbi Yehuda permits** selling a **damaged animal** that cannot perform labor, and **Ben Beteira permits** selling a **horse** because riding is not a Torah-prohibited labor on Shabbos.

QUESTION

אֵיבָעִיא לְהוֹ: עוֹבֵר מָה לִּי אָמַר רַבִּי יְהוּדָה?

A dilemma was raised before them: What would Rabbi Yehuda say to me regarding selling a **fetus** to a non-Jew?

QUESTION

טַעֲמָא דְרַבִּי יְהוּדָה הֵתָם דְּשָׂרִי, מְשׁוּם דְּשִׁבּוּרָה, עוֹבֵר נִמְי שְׁבוּר הוּא.

Is the reason of Rabbi Yehuda there, where he permits the sale, because it is **damaged** and cannot work, and a **fetus** is also considered **damaged** since it cannot perform labor right now?

QUESTION

אוּ דְלָמָּא: שְׁבוּרָה לָאוּ הֵינּוּ אוֹרְחִיָּה, אֲבָל עוֹבֵר, כִּיּוֹן דְּהֵינּוּ אוֹרְחִיָּה, לָאוּ שְׁבוּר הוּא?

Or perhaps, a **damaged animal** is **not** in its **natural state**, so it is excluded from the prohibition, **but a fetus**, since **this is its natural state** and it will eventually grow up and work, **is not** considered **damaged**, and therefore it is prohibited to sell it?

PROOF

תָּא שָׁמַע: וְהַמּוֹכֵר לוֹ, אָף עַל פִּי שְׂאִינּוּ רִשְׁאִי. וְלֹא פָּלִיג רַבִּי יְהוּדָה.

The Gemara suggests: **Come and hear** a proof from our Mishnah: "**And one who sells to him** the fetus of his donkey, **even though he is not permitted.**" And Rabbi Yehuda **does not disagree** in the Mishnah to say that it is permitted to sell it! This

implies that Rabbi Yehuda agrees that selling a fetus is prohibited.

REFUTATION

וְלִיטְעָמֵיהּ, הַמְשַׁתְתֵּף לוֹ, וְהַמְקַבֵּל מִמֶּנּוּ, וְהַנּוֹתֵן לוֹ בְּקַבְלָהּ, דִּלְאָ קִתְּנֵי — הֲכִי נָמִי דִּלְאָ פְּלִיג?

The Gemara rejects this: **But according to your reasoning**, regarding the other cases of **one who enters into a partnership with him, and one who receives from him, and one who gives to him in receivership**, where the Mishnah does not teach that Rabbi Yehuda disagrees, **is it also true that he does not disagree** in those cases?

REFUTATION

אֵלָּא — פְּלִיג, וְלֹא קִתְּנֵי. הֲכֵא נָמִי — פְּלִיג, וְלֹא קִתְּנֵי.

Rather, he certainly **disagrees** about partnership, **but the Mishnah does not teach** his view here. **Here too**, regarding selling a fetus, **he disagrees, but the Mishnah does not teach** his view.

PROOF

תָּא שְׁמַע: רַבִּי יְהוּדָה אוֹמֵר, הַמְקַבֵּל בְּהֶמָּה מִן הַגּוֹי וְיָלְדָהּ — מַעְלִין אוֹתוֹ בְּשׁוּיּוֹ, וְנוֹתֵן חֲצִי דָמָיו לַכֹּהֵן.

The Gemara suggests: **Come and hear** a proof from a Braisa: **Rabbi Yehuda says, one who receives an animal from a non-Jew to care for and it gave birth to a firstborn, they assess its value, and he gives half of its value to the Kohen** because the Jew's half-share is sanctified.

PROOF

וְהַנּוֹתֵן לוֹ בְּקַבְלָהּ, אִף עַל פִּי שְׂאִינּוּ רִשְׁאִי — קוֹנְסִים אוֹתוֹ עַד עֶשְׂרֶה בְּדָמָיו, וְנוֹתֵן כָּל דָּמָיו לַכֹּהֵן.

And one who gives his animal to him in receivership, even though he is not permitted to do so, we penalize him up to ten times its value, and he must give all of its value to the Kohen.

עמוד ב' DAF 2B

QUESTION

מָאי לָאוּ אַעוּפְרִי?

The Gemara asks: **What, is it not** referring to the fetus when the baraita says that he is not permitted to give it to the gentile? This would prove that Rabbi Yehuda prohibits selling a fetus to a gentile.

ANSWER

לָא, אַבְהֶמָּה.

The Gemara answers: **No**, it is referring to the animal itself, which he is not permitted to sell to a gentile, and that is why he is penalized.

QUESTION

וְהָא "דָּמָיו" קִתְּנֵי!

The Gemara asks: **But doesn't it teach "its value"** in the masculine form, damav, which implies it is referring to the fetus, and not the mother, which would be feminine?

ANSWER

תני "דמיה".

The Gemara answers: Emend the text and **teach "its value"** in the feminine form, dameha, referring to the mother.

QUESTION

והא "נותן כל דמיו לפהו" קתני, ואי בהמה — פהו מאי עבידתיה?

The Gemara asks: **But doesn't it teach** that he "gives all of its value to the Kohen"? And if it is referring to the **animal** itself, **what is the Kohen's business** with it? Why should the Kohen receive the value of a non-sanctified mother animal?

ANSWER

הכא במאי עסקינן — כגון דיהיב ליה בהמה מעברתא לפטומה, דמיגו דקנסין ליה אבהמה, קנסין ליה אעובר.

The Gemara answers: **Here we are dealing with** a case such as where he gave him a pregnant animal to fatten it, where the agreement was to split the profits of the animal and the offspring. **Since we penalize him for** handing over **the animal** itself in a prohibited manner, **we also penalize him regarding the fetus**, and therefore he must give the value of the fetus to the Kohen.

PROOF

אמר רב אשי: תא שמע, רבי יהודה מתיר בשבורה, מפני שאינה יכולה להתרפאות.

Rav Ashi said: **Come and hear** a proof from a different baraita: **Rabbi Yehuda permits** selling a **broken** or damaged animal to a gentile **because it is unable to be healed**.

INFERENCE

הא יכולה להתרפאות — אסר,

We deduce from here: **But** if it is **able to be healed**, Rabbi Yehuda **prohibits** selling it.

STATEMENT

והא עובר נמי כ יכול להתרפאות דמי.

And this fetus is also comparable to an animal that is **able to be healed**, since it will eventually grow up and be fit for labor.

RESOLUTION

שמע מינה.

The Gemara concludes: Indeed, **learn from it** that Rabbi Yehuda prohibits selling a fetus to a gentile.

STATEMENT

ואיכא דמתני לה אמתניתין, והמוכר לו, אף על פי שאינו רשאי.

And there are those who teach this entire discussion as referring to our Mishnah: "And one who sells to him, even though he is **not permitted** to do so, the offspring is exempt from the law of the firstborn."

QUESTION

לימא מתניתין דלא כרבי יהודה, דתנן: רבי יהודה מתיר בשבורה!

The Gemara asks: **Shall we say that our Mishnah is not in accordance with Rabbi Yehuda? As we learned** in a Mishnah: **Rabbi Yehuda permits** selling **a broken** animal to a gentile because it cannot work, and a fetus likewise cannot work, so Rabbi Yehuda should permit selling it!

ANSWER

אַפִּילוּ תִּימָא רַבִּי יְהוּדָה — שְׁבוּרָה, לֹא הֵינּוּ אוֹרְחִיהָ; עוֹבֵר, הֵינּוּ אוֹרְחִיהָ.

The Gemara answers: **You may even say** the Mishnah is in accordance with **Rabbi Yehuda**. A **broken** animal is **not in its natural state**, so it is not included in the Rabbinic decree; but a **fetus is in its natural state**, and since it will eventually grow and work, it is included in the prohibition.

PROOF

תָּא שְׁמַע: רַבִּי יְהוּדָה אוֹמֵר: הַמְקַבֵּל בְּהֶמָּה מִן הַגּוֹי וְיָלְדָה — מַעְלִין אוֹתוֹ בְּשׁוּיוֹ, וְנוֹתֵן חֲצִי דָמָיו לַכֹּהֵן.

Come and hear a proof from a baraita: **Rabbi Yehuda says: One who receives an animal from a gentile** to care for, **and it gave birth** to a firstborn, **they assess its value**, and he gives half of its value to the **Kohen** to redeem his half-share.

STATEMENT

וְהַנּוֹתֵן לוֹ בְּקַבְלָהּ, אֵף עַל פִּי שְׂאִינוֹ רֶשְׁאִי — קוֹנְסִין אוֹתוֹ עַד עֲשָׂרָה בְּדָמָיו, וְנוֹתֵן כָּל דָּמָיו לַכֹּהֵן.

And one who gives an animal to a gentile in receivership, even though he is not permitted to do so, we penalize him up to ten times its value, and he gives all of its value to the Kohen.

QUESTION

מָאי לֹא אֶעֱוֹבֵר?

The Gemara asks: **What, is it not** referring to the **fetus** when it says he is not permitted to give it to him?

ANSWER

לֹא, אֲבָהֶמָּה.

The Gemara answers: **No**, it is referring to the **animal** itself.

QUESTION

וְהָא דָּמָיו קִתְּנִי!

The Gemara asks: **But doesn't it teach "its value"** in the masculine form, damav?

ANSWER

תְּנִי "דָּמֶיהָ".

The Gemara answers: Emend the text and **teach "its value"** in the feminine form, damēha.

QUESTION

וְהָא "נוֹתֵן כָּל דָּמָיו לַכֹּהֵן" קִתְּנִי, וְאִי בְּהֶמָּה — כִּהֵן מָאי עֲבִידְתִּיהָ?

The Gemara asks: **But doesn't it teach** that he "gives all of its value to the Kohen"? And if it is referring to the **animal**, what is the **Kohen's business** with it?

ANSWER

הָכָא בְּמַאי עֲסָקִינָן — כְּגוֹן דִּיהִיב בְּהֵמָה מְעַבְרָתָא לְפִטּוּמָהּ, דְּמִיגוּ דְקִנְסִינָן לִיה אֲבֵהֶמָּה — קִנְסִינָן לִיה אַעֲיָבָר.

The Gemara answers: **Here we are dealing with** a case such as where he gave him a pregnant animal to fatten it, where **since we penalize him for** handing over the animal, we also **penalize him regarding** the fetus.

PROOF

אָמַר רַב אֲשִׁי, תָּא שְׁמַע: רַבִּי יְהוּדָה מְתִיר בְּשִׁבוּרָהּ, מִפְּנֵי שְׂאִינָהּ יָכוֹלָה לְהִתְרַפְּאוֹת.

Rav Ashi said: **Come and hear** a proof: Rabbi Yehuda permits selling a broken animal because it is unable to be healed.

INFERENCE

הָא יָכוֹלָה לְהִתְרַפְּאוֹת — אָסוּר,

We deduce: **But** if it is **able to be healed**, it is **prohibited**.

STATEMENT

וְהָאִי נָמִי כִּיְכוֹל לְהִתְרַפְּאוֹת דְּמִי.

And this fetus is also comparable to an animal that is able to be healed.

RESOLUTION

שְׁמַע מִינָּהּ.

The Gemara concludes: Indeed, **learn from it**.

QUESTION

אִיבְעָיָא לְהוֹ: מָכַר בְּהֵמָה לְעוֹבְרִיָּהּ, מַאי?

A dilemma was raised before them: If a Jew sold an animal to a gentile only for its fetuses, but kept the mother animal for himself, **what** is the halacha? Is this permitted?

EXPLANATION

תִּיבְעָי לְרַבִּי יְהוּדָה, תִּיבְעָי לְרַבָּנָן.

Let the dilemma be raised according to Rabbi Yehuda, and let the dilemma be raised according to the Rabbis.

EXPLANATION

תִּיבְעָי לְרַבִּי יְהוּדָה: עַד כָּאֵן לָא קָא שְׂרִי רַבִּי יְהוּדָה אֱלָא בְּשִׁבוּרָהּ, דְּלֹא אֶתְיָא לְאִיחַ לּוֹפִי, אֲבָל שְׁלֵמָה דְּאֶתְיָא לְאִיחַ לּוֹפִי — אָסֵר.

Let the dilemma be raised according to Rabbi Yehuda: Perhaps Rabbi Yehuda only permits the sale in the case of a broken animal, which will not come to be confused with a healthy animal, **but** in the case of a complete, healthy animal sold only for its fetuses, which might come to be confused with selling the entire animal, he prohibits it.

EXPLANATION

אוּ דְלֵמָּא, וּמָה שְׁבוּרָה דְּפִסְקָה מִינֵיהּ, וְכָל שְׂכָן שְׁלֵמָה דְּלֹא פִסְקָה מִינֵיהּ?

Or perhaps, if in the case of a broken animal, which is completely severed from him in ownership, Rabbi Yehuda permits it, then all the more so in the case of a complete animal sold only for its fetuses, which is not completely severed from him, he would permit it?

EXPLANATION

תִּיבְעֵי לְרַבָּנּוּ: עַד כָּאֵן לֹא קִאָּסְרֵי רַבָּנָן אֶלָּא בְּשִׁבוּרָהּ, דְּפִסְקָה מִיָּנִיָּה, אֲבָל שְׁלֵמָה דִּלְגָּא פִּסְקָה מִיָּנִיָּה — שְׂרוּ.

Let the dilemma be raised according to the Rabbis: Perhaps the Rabbis only prohibit the sale in the case of a broken animal, which is completely severed from him, but in the case of a complete animal sold only for its fetuses, which is not completely severed from him, they permit it.

EXPLANATION

אוּ דִּלְמָא: וּמָה שְׁבוּרָה דִּלְגָּא אֶתְיָא לְאִיחַ לופִּי — אָסְרֵי, וְכָל שְׁכֹן שְׁלֵמָה דִּאֶתְיָא לְאִיחַ לופִּי.

Or perhaps, if in the case of a broken animal, which does not come to be confused with a healthy animal, they prohibit it, then all the more so in the case of a complete animal sold only for its fetuses, which might come to be confused with selling the entire animal, they would prohibit it?

QUESTION

וּטַעֲמָא דְּרַבָּנָן מְשׁוּם הָכִי הוּא? וְהִתְנַיָּא: אָמְרוּ לוֹ לְרַבִּי יְהוּדָה: וְהִלָּא מְרַבִּיעִין עָלֶיהָ וְיוֹלְדֶת!

The Gemara asks: But is the reason of the Rabbis because of this concern of confusion? But isn't it taught in a baraita: They said to Rabbi Yehuda: But don't they mate her and she gives birth?

INFERENCE

אֵלמָא מְשׁוּם עוֹבְרִיָּה הוּא.

Consequently, the Rabbis' reason for prohibiting the sale of a broken animal is because of its fetuses, which will be born healthy and fit for labor, and not because of confusion!

ANSWER

הָכִי קִעְמָרֵי לִיה: טַעֲמָא דִּידָן מְשׁוּם דִּאֶתְיָא לְאִיחַ לופִּי בְּכַהֲמָה, אֶלָּא אַתָּה, מַאי טַעֲמָא שְׂרִית?

The Gemara answers: This is what they were saying to him: Our reason for prohibiting a broken animal is because it might come to be confused with a healthy animal. But you, what is your reason that you permit it?

EXPLANATION

מְשׁוּם דִּאֵין יְכוּלָּה לְהִתְרַפְּאוֹת, כְּמֵאן דְּזַבְנָה לְשַׁחֲיטָה דְּמִי.

Is it because she is unable to be healed, so she is considered like one who sold her for slaughter, which is permitted?

OBJECTION

וְהִלָּא מְרַבִּיעִין עָלֶיהָ וְיוֹלְדֶת, וְכִיּוֹן דְּמְרַבִּיעִין עָלֶיהָ וְיוֹלְדֶת — מִשְׁחָה לָּהּ!

But don't they mate her and she gives birth? And since they mate her and she gives birth, the gentile will keep her alive for breeding, and she is not like an animal sold for immediate slaughter!

RESOLUTION

ואמר להו: לְכַשְׁתִּלַּד, דְּלֹא מְקַבְּלַת זָכָר.

And Rabbi Yehuda said to them: We are dealing with a case where she cannot give birth, as she does not accept a male.

QUESTION

תָּא שְׁמַע, וְהִנּוּתֵּן לוֹ בְּקַבְּלָהּ, וְלֹא קִתְּנִי: "אֵף עַל פִּי שְׂאִינִי רִשְׁאִי!"

The Gemara suggests: **Come and hear** a proof from the wording of the baraita: "**And one who gives to him in receivership,**" **and it does not teach: "even though he is not permitted"**! This implies that giving an animal in receivership is permitted l'chatchilah.

OBJECTION

וְלִיטְעָמִיהּ, הִמְשַׁתְּתֵּף לוֹ דְּלֹא קִתְּנִי, הֲכִי נָמִי דְּרִשְׁאִי?

The Gemara responds: **But according to your reasoning**, in the case of **one who enters into a partnership with him**, which the Mishnah **does not teach** is prohibited, **is it also indeed permitted?**

STATEMENT

וְהָא אָמַר אָבוּהּ דְּשִׁמוּאֵל: אָסוּר לְאַדָּם שְׂיַעֲשֶׂה שׁוֹתֶפוֹת עִם הַגּוֹי, שְׂמָא יִתְחַיֵּיב לוֹ שְׁבוּעָה וְנִשְׁבָּע לוֹ בְּשֵׁם עֲבוּדָה זָרָה שְׁלוֹ, וְהִתּוֹרָה אָמְרָה: "לֹא יִשְׁמַע עַל פִּיהּ"!

But didn't Shmuel's father say: It is forbidden for a person to form a partnership with a gentile, lest he become obligated to take an oath to him, and he will swear to him by the name of his idol, and the Torah said: "It shall not be heard on your mouth"!

EXPLANATION

אֵלָּא, תִּנָּא מְכִירָה, וְהוּא הִדִּין לְשׁוֹתֶפוֹת.

Rather, the Mishnah taught the case of selling, and the same law applies to partnership.

ANSWER

הֲכִי נָמִי, תִּנָּא מְכִירָה וְהוּא הִדִּין לְקַבְּלָנוּת.

So too here, the Mishnah taught selling, and the same law applies to receivership.

EXPLANATION

וּמַאי שְׁנָא מְכִירָה דְּנִקְטָא? דְּעִיקָר מְכִירָה הִיא.

And what is different about selling that it took that case specifically? Because selling is the primary and most common way of transferring ownership.

PROOF

תָּא שְׁמַע: רַבִּי יְהוּדָה אוֹמֵר, הַמְּקַבֵּל בְּהֶמָּה מִן הַגּוֹי וְיָלְדָה — מַעְלִין אוֹתוֹ בְּשׁוּוִיו, וְנוֹתֵן חֲצִי דְמִיּוֹ לַכֹּהֵן.

Come and hear a proof from a baraita: Rabbi Yehuda says: One who receives an animal from a gentile to care for, and it gave birth to a firstborn, they assess its value, and he gives half of its value to the Kohen.

STATEMENT

וְהוֹתֵן בְּקִבְלָהּ, אֲף עַל פִּי שְׂאִינוֹ רָשָׁאי — קוֹנְסִין אוֹתוֹ עַד עֲשָׂרָה בְּדָמָיו, וְנוֹתֵן כָּל דָּמָיו לַכֹּהֵן.

And one who gives an animal to a gentile in receivership, even though he is not permitted to do so, we penalize him up to ten times its value, and he gives all of its value to the Kohen.

STATEMENT

וְחֻכָּמִים אוֹמְרִים: כָּל זֶמֶן שֵׁיד הַגּוֹי בְּאֶמְצֵעַ — פְּטוּרָה מִן הַבְּכוֹרָה.

And the Sages say: As long as the hand of the gentile is in the middle—meaning he has a financial share in the animal—the offspring is exempt from the law of the firstborn.

SUMMARY

The Gemara analyzes the Mishnah's cases, explaining that we need the case of selling a fetus to a non-Jew to teach that even though the Jew did something prohibited by selling a large animal to a non-Jew, we do not penalize him by making the offspring holy. We also need the case of partnership to exclude the shitta of Rabbi Yehuda, who holds that a partnership with a non-Jew is actually obligated in bechorah. The Gemara then discusses Rabbi Yehuda's view on selling a fetus or a damaged animal to a non-Jew, bringing a raaya from a Baraita regarding a Jew who gives his animal to a non-Jew in receivership, where Rabbi Yehuda rules that we penalize the Jew up to ten times the animal's value, which must be given to the Kohen.

לְמַעֲשֶׂה WHAT TO TAKE HOME

The Gemara is bothered by why the Mishnah needs to list so many different cases of partnerships and transactions with a non-Jew. The Gemara explains that each case is necessary because we might have thought the Chachamim would penalize a Jew who does something he is not supposed to do, like selling or giving an animal to a non-Jew, which removes it from the kedushah of bechorah. We might have thought we should force him to treat the offspring as a firstborn anyway as a penalty. Yet, the halachah is that we do not apply such a penalty here; if the non-Jew has a real share, the exemption of "b'Yisrael" applies, and the kedushah is gone.

Think about what this means for our own avodah. Sometimes we make a mistake, or we do something we know we shouldn't have done, and we feel we have compromised our spiritual standing. The yetzer hara comes and whispers, "Now you have to punish yourself, you have to carry this heavy burden of guilt, or you have to force yourself into an unnatural stringency to make up for it." But Hashem's Torah is precise. There is a time for teshuvah, but there is no room for self-imposed, artificial penalties that only drag us down and confuse our service of Hashem.

When you make a misstep, don't try to fix it by creating your own complicated, heavy rules that Hashem didn't ask of you. Accept the reality of where you are, do teshuvah with a light heart, and move forward in your avodas Hashem with clarity and simplicity.

Today, if you catch yourself feeling guilty over a past mistake, stop and tell yourself: "Hashem wants my honest avodah right now, not my self-imposed guilt or extra burdens. I will serve Him simply and joyfully from where I stand today."