

דף יומי • בכורות • דף כ'

Daf Yomi • The Full Daf • Elucidated Talmud • Navy & Gold Edition • with Rashi

THE SUGYA

We start off on our daf by wrapping up the shakla v'tarya regarding Rabbi Yishmael's shitta on whether we are choshesh for a minority. Ravina brings a beautiful chiddush to explain how even the Rabbis, who generally go after the rov, might agree here because we are dealing with a rov that depends on an action, namely whether a male copulated with the young goat. From there, the Gemara brings a fascinating braisa discussing a case where a Yid buys an animal from a non-Jew and we do not know if it gave birth already. The braisa lays out the different timeframes for a goat, a ewe, a cow, and a donkey, and we see a major machlokes between Rabbi Yishmael, Rabbi Yehoshua, and Rabbi Akiva.

The main point of contention between the Tannaim is what actually exempts an animal from the din of bechor. While Rabbi Yishmael focuses on a previous live birth, Rabbi Yehoshua points out that the Rabbis hold other discharges, like a murky discharge in a small animal or an afterbirth in a large animal, also exempt the next offspring. Rabbi Akiva, on the other hand, tells us he does not get involved in calculating these specific ages; rather, if we know it gave birth it is exempt, if we know it did not it is a bechor, and if it is a safek, the kohen gets nothing because of the classic rule of hamotzi mechavero alav hara'aya.

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

עמוד א' DAF 20A

STATEMENT

מחוררתא רבי ישמעאל כרבי מאיר סבירא ליה, דחייש למיעוטא.

The Gemara concludes: **It is clear** that **Rabbi Yishmael holds in accordance with Rabbi Meir, who is concerned for the minority**, and that is why he is concerned that the young goat might have given birth already.

ANSWER

רבנא אמר: אפילו תימא רבנן,

Ravina said: You may even say that Rabbi Yishmael holds like **the Rabbis** who generally follow the majority,

EXPLANATION

כי אזלי רבנן בתר רובא — ברובא דלא תלי במעשה, אבל רובא דתלי במעשה — לא.

for **when the Rabbis follow the majority**, it is only with regard to a majority that does **not** depend on an action, such as the physical development of an animal; **but** regarding a majority that **depends on an action**, such as whether a male copulated with this young goat, the Rabbis do **not** follow the majority, and therefore they too would be concerned.

BRAISA

תני רבנן: עז בת שנתי — ודאי לכהן, מיכן ולהלן — ספק.

The Rabbis taught in a braisa: If one purchased from a non-Jew a **goat** that is **within its first year**, and it gave birth, the offspring is **certainly for the kohen** as a firstborn; but if it gave birth **from this point and onward**, after its first year, its status is a **doubt**, because it may have already given birth.

BRAISA

רחל בת שתיים — ודאי לפניה, מיפן ולהלן — ספק.

If it was a **ewe within its second year**, the offspring is **certainly for the kohen**; but **from this point and onward**, it is a **doubt**.

BRAISA

פרה בת שלש — ודאי לפניה, מיפן ולהלן — ספק.

If it was a **cow within its third year**, the offspring is **certainly for the kohen**; but **from this point and onward**, it is a **doubt**.

BRAISA

חמורה — כפרה.

A female **donkey** is subject to the same halacha as a **cow**.

BRAISA

רבי יוסי ברבי יהודה אומר: חמורה בת ארבע שנים.

Rabbi Yosei son of Rabbi Yehuda says: A female **donkey** can give birth even **within its fourth year**, so only then is it a **doubt**.

BRAISA

עד כאן דברי רבי ישמעאל.

Until here are the words of Rabbi Yishmael.

BRAISA

כשנאמרו דברים לפני רבי יהושע, אמר להן: צאו אמרו לו לרבי ישמעאל: טעית!

When these matters were stated before Rabbi Yehoshua by the students, he said to them: Go out and say to Rabbi Yishmael: You have erred!

BRAISA

אילו בולד בלבד בהמה נפטרת — הנה בדבריך,

If it were **only by** giving birth to a live **offspring** that the animal is **exempted** from the law of the firstborn, then the halacha would be as you said, that we only worry about a previous birth.

BRAISA

אלא סימן הולד בהמה דקה — טינוף, ובגסה — שליא, ובאשה — שפיר ושליא.

But the Rabbis said that there are other discharges that exempt: the **sign of an offspring** in a **small animal** is a **murky discharge**, which exempts subsequent births; **and in a large animal**, the sign is an **afterbirth**; and in a **woman**, the sign is a **fetal sac** or an **afterbirth**.

BRAISA

וְאֲנִי אֵין אֲנִי אוֹמֵר כֵּן, אֶלָּא: עֹז שְׁטִינְפָה בֶּת שְׁשָׁה — יוֹלֶדֶת בְּתוֹךְ שְׁנָתָהּ, רַחֵל שְׁטִינְפָה בֶּת שְׁנָתָהּ — יוֹלֶדֶת בְּתוֹךְ שְׁתֵּי שָׁנִים.

Rabbi Yehoshua added: And I, I do not say so like the Rabbis, but rather: a goat that expelled a murky discharge at six months of age can still give birth within its first year; and a ewe that expelled a murky discharge within its first year can still give birth within its second year.

BRAISA

אָמַר רַבִּי עֲקִיבָא: אֲנִי לֹא בָאתִי לִיְדֵי מִדָּה זֹ, אֶלָּא: כָּל שִׂידוּעַ שְׁבִיכָרָה — אֵין כָּאֵן לִפְהֵן כָּלוּם, וְכָל שְׁלֹא בִיכָרָה — הָרִי זֹ לִפְהֵן, סָפֵק — יֵאָכֵל בְּמוּמוֹ לִפְעָלִים.

Rabbi Akiva said: I have not come to this measure of calculating ages. Rather, any animal where it is known that it gave birth first, there is nothing here for the kohen; and any where it is known that it did not give birth first, behold this goes to the kohen; and if it is a doubt, it must be eaten in its blemished state by the owner, and the kohen gets nothing because of the rule that the burden of proof is on the claimant.

QUESTION

בְּמֵאֵי קָמִיפְלָגִי רַבִּי יִשְׁמַעֵאל וְרַבִּי יְהוֹשֻׁעַ...?

The Gemara asks: In what principle do Rabbi Yishmael and Rabbi Yehoshua disagree?

QUESTION

לִימָא בְּטִינוּף פּוּטֵר קָמִיפְלָגִי, רַבִּי יִשְׁמַעֵאל סָבֵר טִינוּף אֵינוֹ פּוּטֵר, וְרַבִּי יְהוֹשֻׁעַ סָבֵר טִינוּף פּוּטֵר?

Shall we say they disagree about whether a murky discharge exempts the animal from the law of the firstborn? That Rabbi Yishmael holds a murky discharge does not exempt, and Rabbi Yehoshua holds a murky discharge exempts?

ANSWER

אִי דְחִינָא דְטִינוּף — דְּכוּלֵּי עֲלָמָא לֹא פְּלִיגִי דְטִינוּף פּוּטֵר,

The Gemara rejects this: If we actually saw that it expelled a murky discharge, everyone agrees that a murky discharge exempts.

EXPLANATION

וְהָכָא בְּחוּשְׁשֵׁין לְטִינוּף קָא מִיפְלָגִי: רַבִּי יִשְׁמַעֵאל סָבֵר: אֵין חוּשְׁשֵׁין לְטִינוּף, וְרַבִּי יְהוֹשֻׁעַ סָבֵר: חוּשְׁשֵׁין לְטִינוּף.

But here, they disagree about whether we are concerned for a murky discharge that might have happened without us seeing it: Rabbi Yishmael holds we are not concerned for a murky discharge, so the offspring born within the year is definitely a firstborn; and Rabbi Yehoshua holds we are concerned for a murky discharge, making it a doubt.

OBJECTION

וְלֹא חִיִּישׁ? וְהָאֵמַר רַבָּא: מְחוּוֹרְתָא רַבִּי יִשְׁמַעֵאל כְּרַבִּי מֵאִיר סְבִירָא לֵיהּ, דְּחִיִּישׁ לְמִיעוּט!

The Gemara asks: **And is** Rabbi Yishmael **not concerned** for a minority possibility? **But didn't Rava say: It is clear that Rabbi Yishmael holds like Rabbi Meir, who is concerned for the minority!** If so, he should be concerned for a murky discharge too!

RESOLUTION

כי חייש — לחומרא, לקולא — לא חייש.

The Gemara answers: **When he is concerned** for a minority, it is only **for a stringency**, to make the animal a doubt and forbid it to be eaten without a blemish; but **for a leniency**, to exempt the offspring from being given to the kohen, **he is not concerned**.

RESOLUTION

ואיבעית אימא: בין לקולא בין לחומרא חייש,

And if you want, say instead: Whether for a leniency or whether for a stringency, he is concerned for the minority,

EXPLANATION

והכא במטנפת וחוזרת ויולדת בתוך שנתה קמיפלגי,

and here they disagree about whether an animal that expels a murky discharge can return and give birth within its first year.

EXPLANATION

דרבי ישמעאל סבר: מטנפת אינה חוזרת ויולדת בתוך שנתה, והא מדאולייד — ודאי לא טניח.

For **Rabbi Yishmael holds: An animal that expels a murky discharge does not return and give birth within its first year; and therefore, since this one gave birth within its first year, it certainly did not expel a murky discharge beforehand**, so it is definitely a firstborn.

EXPLANATION

ורבי יהושע סבר: מטנפת חוזרת ויולדת בתוך שנתה.

And Rabbi Yehoshua holds: An animal that expels a murky discharge can return and give birth within its first year, so we must be concerned that it did expel a discharge.

BRAISA

ואני איני אומר כן, אלא עז שטינפה בת ששה — יולדת תוך שנתה, רחל שטינפה בת שנתה — יולדת בתוך שתיים.

The Gemara quotes the braisa: **Rabbi Yehoshua said, "And I do not say so, but rather: a goat that expelled a murky discharge at six months can give birth within its first year; a ewe that expelled a murky discharge within its first year can give birth within its second year."**

QUESTION

מאי איכא בין גמריה לסבריה?

The Gemara asks: **What is the difference between his tradition of the Rabbis' view and his own reasoning**, since both agree that such an animal can give birth within the year?

ANSWER

שְׁטִינְפָה בְּסוֹף שָׁשָׁה,

The Gemara answers: The difference is in a case **where it expelled a murky discharge at the very end of six months**,

EXPLANATION

וְאִיכָא בִּינְיָיְהוּ דְזַעֲרִי, דְאָמַר זַעֲרִי: אֵין טִינוּף פְּחוּת מִשְׁלָשִׁים יוֹם.

and there is a difference between them regarding the ruling of Ze'eiri, as Ze'eiri said: There is no murky discharge that allows the animal to become pregnant again in **less than thirty days**.

EXPLANATION

לְגַמְרִיהָ — אֵית לִיה דְזַעֲרִי, לְסַבְרִיהָ — לִית לִיה דְזַעֲרִי.

According **to his tradition** of the Rabbis, **he holds of Ze'eiri's** rule, so it could not have given birth within the year; but according **to his own reasoning**, **he does not hold of Ze'eiri's** rule.

RESOLUTION

וְאִיפְעִית אִימָא: דְכוּלִּי עֲלָמָא אֵית לָהּ דְזַעֲרִי, וְהִכָּא — בְּיֹלְדָתָא לְמִקּוּטָעִין קָמִיפְלָגִי;

And if you want, say instead: Everyone holds of Ze'eiri's rule, and here they disagree about whether an animal can give birth to **incomplete** months of pregnancy, which would allow it to give birth within the year even with Ze'eiri's thirty-day delay.

עמוד ב' DAF 20B

EXPLANATION

לְגַמְרִיהָ — לָא אָמְרִינָן יוֹלְדָתָא לְמִקּוּטָעִין.

According **to his tradition** of the opinion of the Rabbis, **we do not say** that an animal **gives birth after incomplete** months of pregnancy, and therefore she must have been pregnant for a full five months, which means she became pregnant within thirty days of the discharge, proving the discharge was not a fetus.

EXPLANATION

לְסַבְרִיהָ — אָמְרִינָן יוֹלְדָתָא לְמִקּוּטָעִין.

But according **to his own reasoning**, **we say** that an animal **gives birth after incomplete** months, so she could have become pregnant after thirty days and had a shorter pregnancy, meaning the discharge was indeed a fetus.

RESOLUTION

וְאִיפְעִית אִימָא: לָא אָמְרִינָן יוֹלְדָתָא,

And if you wish, say instead that everyone agrees **we do not say** that an animal **gives birth** after incomplete months,

EXPLANATION

וְהִכָּא בְּמִקְצַת הַיּוֹם כְּכוּלּוֹ קָמִיפְלָגִי.

and here, they disagree with regard to whether we say **part of the day is like an entire day**.

EXPLANATION

לסבריה — אמרינן מקצת היום ככולו,

According to **his own reasoning**, we say **part of the day is like an entire day**, so she could have conceived on the thirtieth day and given birth exactly five months later, just before the year ended.

EXPLANATION

לגמריה — לא אמרינן מקצת היום ככולו.

But according to **his tradition**, we do not say **part of the day is like an entire day**, so the earliest she could give birth is on the first day of the second year.

מישנה MISHNAH

MISHNAH

אמר רבי עקיבא: אני לא באתי לידי מדה זו, אלא כל שידוע כו'.

The Mishnah taught that **Rabbi Akiva** says: I have not arrived at this method of calculation. Rather, in any case where it is **known** that she previously gave birth, the priest has nothing here, etc.

גמרא GEMARA

QUESTION

מאי איכא בין רבי עקיבא לרבי יהושע?

The Gemara asks: **What practical difference is there between** the opinion of **Rabbi Akiva** and the opinion of **Rabbi Yehoshua**?

ANSWER

אמר רבי חנינא מסורא: חלב פוטר איכא ביניהו,

Rabbi Chanina of Sura says: The case of whether the discharge of **milk exempts** the next offspring from the law of the firstborn **is** the practical difference **between them**.

EXPLANATION

רבי עקיבא סבר: חלב פוטר, הלך אחר רוב בהמות, ורוב בהמות אין חולבות אלא אם כן יולדות,

Rabbi Akiva holds: The discharge of **milk exempts** the next offspring, because we say **follow the majority of animals**, and the majority of animals do not produce milk unless they have given birth.

EXPLANATION

רבי יהושע סבר: הא איכא מיעוטא דחולבות אף על פי שאין יולדות.

And **Rabbi Yehoshua** holds: But there is a minority of animals that produce milk even though they have not given birth, so we must worry about this minority, making the next offspring a doubtful firstborn.

QUESTION

ומי חייש רבי יהושע למיעוט?

The Gemara asks: **And does Rabbi Yehoshua really worry about a minority?** But we have a rule that he does not!

OBJECTION

והתנן: היתה לה חמות — אינה חוששת, יצאה מליאה — חוששת. רבי יהושע אומר: אינה חוששת.

But didn't we learn in a Mishnah: If a childless widow's **mother-in-law went overseas, she does not need to worry** that she gave birth to a son who would require her to perform yibum. But if the mother-in-law **left pregnant, she must worry**. Yet **Rabbi Yehoshua says: She does not need to worry** even then.

EXPLANATION

ואמרין: מאי טעמא דרבי יהושע?

And we said in explaining that Mishnah: **What is the reason of Rabbi Yehoshua?**

EXPLANATION

קסבר: רוב מעוברות יולדות, ומיעוט מפילות, וכל היוולדות — מחצה זכרים ומחצה נקבות.

He holds: **The majority of pregnant women give birth to viable children, and a minority miscarry; and of all those who give birth, half bear males and half bear females.**

EXPLANATION

סמוך מיעוטא דמפילות למחצה דנקבות, והווי להו זכרים מיעוטא, ולמיעוטא לא חיישין!

Add the minority of those who miscarry to the half who give birth to females, and the viable males become a minority of the total possibilities, and we do not worry about a minority! This proves Rabbi Yehoshua does not worry about a minority.

RESOLUTION

אלא איפוך, והתנא: חלב פוטר, דברי רבי יהושע. רבי עקיבא אומר: חלב אינו פוטר.

Rather, reverse the opinions of the Tanna'im in our sugya, **and indeed it was taught** in a beraisa: The discharge of **milk exempts** the next offspring from being a firstborn, which is **the statement of Rabbi Yehoshua; Rabbi Akiva says: Milk does not exempt it.**

BRAISA

תנו רבנן: גדייה שילדה שלש בנות, וכל בנותיה ילדו שלש שלש — כולן נכנסות לדיר להתעשר.

The Rabbis taught in a beraisa: In the case of a **kid that gave birth to three female kids, and all her daughters each gave birth to three female kids each, all of them enter the pen to be tithed**, since there are now thirteen animals born in the same year.

STATEMENT

אמר רבי שמעון: אני ראיתי שעשרה בתוך שנתה.

Rabbi Shimon said: I saw a single kid that yielded enough offspring to be tithed within its first year.

QUESTION

לָמָּה לִּי לְמִיתָנִי שְׁלֹשׁ שְׁלֹשׁ? תוֹלִיד חֵד מִינֵיָּהוּ תִּלָּת, וְאֵינָּה תִּרְתִּי תִּרְתִּי!

The Gemara asks: **Why do I need** the beraisa **to teach** that they each gave birth to **three** offspring **each**? **Let one of them give birth to three, and the other two** give birth to **two each**, which would make ten goats in total!

ANSWER

אֵינֶדִי דְאִיכָּא חֶדָּא דְּלֹא סָגִיא בְּלֹא שְׁלֹשׁ, תִּנָּא כּוּלְהוּ דִּילָדוּ שְׁלֹשׁ שְׁלֹשׁ.

The Gemara answers: **Since there is one** goat **where it is not enough** without her giving birth to **three** to reach the number ten, the Tanna **taught** for consistency that **all of them gave birth to three each**.

QUESTION

וְלָמָּה לִּי לְמִיתָנִי שְׁלֹשׁ כָּלָל? לֵילָדוּ כּוּלְהוּ תִּרְתִּי, וְתִיָּדָר אִיהִי וְתוֹלִיד בְּהִדְיָהּ!

The Gemara asks: **But why do I need** the beraisa **to teach** that any of them gave birth to **three** at all? **Let all of them give birth to two, and let her**, the mother, **go back and give birth again along with them** in the same year!

SUMMARY

The Gemara analyzes the underlying mechanism of the machlokes between Rabbi Yishmael and Rabbi Yehoshua. We explore whether they argue about whether a murky discharge exempts an animal, or if they agree it exempts but argue whether we are choshesh that a murky discharge occurred unseen. The Gemara refines this by explaining that Rabbi Yishmael only worries about a minority possibility to be machmir, not to be mekel and exempt the animal from the kohen. Alternatively, the Gemara suggests they argue over whether an animal that expels a murky discharge can actually turn around and give birth again within that same year. This leads into a discussion of Ze'eiri's rule that an animal cannot become pregnant again within thirty days of a murky discharge, and whether we say an animal can give birth to incomplete months of pregnancy.

In our sugya, the Gemara is medayek a beautiful yesod about how we look at the world. We see a machlokes between Rabbi Yishmael and Rabbi Yehoshua about whether we are choshish for a "tinuf", a murky discharge that we never actually saw, but which might have happened in secret and exempted the animal from being a firstborn. Rabbi Yehoshua is choshish for this hidden reality, teaching us that just because we didn't witness something doesn't mean it didn't happen.

Lichoira, we often live our lives only believing what is right in front of our eyes. If we don't see someone's pain, we assume they are perfectly fine. If we don't see the immediate fruits of our avodas Hashem, our tefillos, or our learning, we think nothing is happening. But the Torah is telling us: there is a whole world of unseen reality. Just like the "tinuf" that happened behind closed doors, there are hidden movements in the neshama, silent struggles in the hearts of our family members, and quiet yeshuos that Hashem is preparing for us behind the scenes.

We must train ourselves to be "choshish" for the unseen. When a child or a friend acts out, don't just judge the action you see; be choshish for the hidden pain or pressure they might be experiencing. When you daven and feel like nothing is changing, remember that every single tefillah creates a hidden impact in the upper worlds, even if the yeshua hasn't physically birthed yet.

Today, when someone around you acts a bit off or impatient, do not judge them based only on what is visible. Stop and tell yourself: "There is a hidden story here that I cannot see," and treat them with extra gentleness and dan l'kaf zechus.