

דף יומי • פכורות • דף מ"ב

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

THE SUGYA

We begin the daf by continuing our shakla v'tarya regarding the status of a tumtum. The Gemara is bothered by a series of kashas from various braisos—including those dealing with arachin, shelamim, olos, bird offerings, and temurah—which seem to explicitly exclude a tumtum from these halachos. Lichoira, if a tumtum is merely a safek (a doubt) as to whether it is a male or a female, we would not need a special gezeiras hakasuv to exclude it. The Gemara's running teretz is to emend these braisos by removing the mention of a tumtum entirely, leaving only the hermaphrodite, which is a distinct creation.

We then move to analyze a dispute between Tannaim regarding the sanctity of a firstborn animal that is a hermaphrodite or a tumtum. The Gemara seeks to determine if this dispute hinges on whether a tumtum is a safek or a distinct entity. Ultimately, the Gemara establishes that everyone agrees a tumtum is a safek; the real point of contention is when the animal urinates from the female organ. We analyze whether we are concerned that its male organ was simply inverted, leaving its gender in doubt, or if we can definitely declare it a female.

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

עמוד א' DAF 42A

QUESTION

אֲלֵמָה תִּנָּיֵא: "הַזָּכָר" — וְלֹא טוּמְטוּם וְאַנְדְּרוֹגִינוֹס!

The Gemara asks: If a tumtum is just a safek, **why then is it taught** in a braisa regarding arachin (valuations) that the word "**the male**" comes to teach us: **and not a tumtum or a hermaphrodite**? If a tumtum is just a safek, we would not need a special gezeiras hakasuv to exclude him!

ANSWER

סָמִי מֵיכָן טוּמְטוּם.

The Gemara answers: **Remove from here** the mention of a **tumtum**; the braisa is actually only referring to a hermaphrodite, which is a distinct creation.

QUESTION

תָּא שְׁמַע: יָכוֹל לֹא יִהְיֶה בְּעֶרְךָ אִישׁ, אֲבָל יִהְיֶה בְּעֶרְךָ אִשָּׁה? תִּלְמוּד לֹוֹמֵר: "הַזָּכָר... אִם נִקְבָּה", וְלֹא טוּמְטוּם וְאַנְדְּרוֹגִינוֹס!

The Gemara suggests: **Come and hear** a further kasha from the continuation of that braisa: One **might** have thought that these **shall not be** valuated according to the valuation of a man, but they shall be valuated according to the valuation of a woman? Therefore, **the verse states: "the male... and if she is a female"**, which teaches us: only a definite male or female, **and not a tumtum or a hermaphrodite**! Again, why do we need a pasuk to exclude a tumtum if he is just a safek?

ANSWER

סָמִי מִיכֵן טוּמָטוּם.

The Gemara answers: Here too, **remove from here** the mention of a **tumtum**.

QUESTION

תָּא שְׁמַע: "אִם זָכָר אִם נִקְבָּה" — זָכָר וְדַאי נִקְבָּה וְדַאי, וְלֹא טוּמָטוּם וְאַנְדְּרוֹגִינוֹס.

The Gemara suggests: **Come and hear** another kasha from a braisa regarding shelamim (peace offerings): The pasuk says, "**Whether male or female**", which implies: only a **definite male** or a **definite female**, but not a **tumtum** or a **hermaphrodite**.

ANSWER

סָמִי מִיכֵן טוּמָטוּם.

The Gemara answers: **Remove from here** the mention of a **tumtum**.

QUESTION

תָּא שְׁמַע: "הַזָּכָר" — וְלֹא נִקְבָּה. כְּשֶׁהוּא אוֹמֵר לְמַטָּה "זָכָר", שְׂאִין תִּלְמוּד לומר; מָה תִּלְמוּד לומר? לְהוֹצִיא טוּמָטוּם וְאַנְדְּרוֹגִינוֹס.

The Gemara suggests: **Come and hear** another kasha from a braisa regarding an olah (burnt offering): The pasuk says, "**the male**", which teaches: **and not a female**. But **when it says below**, by the sheep, "**male**" a second time, **which is not necessary for the verse to state, what does the verse come to teach us?** It comes to **exclude a tumtum and a hermaphrodite**.

ANSWER

סָמִי מִיכֵן טוּמָטוּם.

The Gemara answers: **Remove from here** the mention of a **tumtum**.

QUESTION

תָּא שְׁמַע: הַנֶּעֱבָד, וְהַמּוֹקֵצָה, וְהָאֶתְנָן, וְהַמְּחִיר, וְטוּמָטוּם וְאַנְדְּרוֹגִינוֹס — כּוֹלֵן מִטְּמְאִין בְּגָדִים אֶבֶית הַבְּלִיעָה.

The Gemara suggests: **Come and hear** another kasha from a braisa regarding bird offerings: A bird **that was worshipped** as an idol, **or set aside** for an idol, **or given as the hire** of a harlot, **or the price** of a dog, **or a tumtum**, **or a hermaphrodite**—if one pinched their necks (melikah) instead of shechting them, **all of them render garments ritually impure when they are in the throat** of the one eating them, because they are pasul for the mizbe'ach and melikah does not permit them.

STATEMENT

רַבִּי אֱלִיעֶזֶר אוֹמֵר: טוּמָטוּם וְאַנְדְּרוֹגִינוֹס אֵין מְטַמְּאִין בְּגָדִים אֶבֶית הַבְּלִיעָה, שֶׁהִיא רַבִּי אֱלִיעֶזֶר אוֹמֵר: כָּל מָקוֹם שֶׁנֶּאֱמַר "זָכָר וְנִקְבָּה" אֶתָּה מוֹצִיא טוּמָטוּם וְאַנְדְּרוֹגִינוֹס מִבִּינֵיהֶם.

Rabbi Eliezer says: A tumtum and a hermaphrodite do not render garments ritually impure when they are in the **throat**, because they are actually kosher for bird offerings. As Rabbi Eliezer would say: Wherever it is stated "**male and female**" in the Torah, you **exclude a tumtum and a hermaphrodite from among them**.

INFERENCE

ועוד, הואיל ולא נאמר בו "זָכָר וְנִקְבָּה", אין אתה מוציא טומטום ואנדרוגינוס מביניהם!

But a bird offering, since "male and female" is not stated regarding it, you do not exclude a tumtum and a hermaphrodite from among them, and they are kosher. Now, lichoirā, if a tumtum is just a safek, why does the Tanna Kamma hold that it is pasul?

ANSWER

סָמִי מֵיכָן טוּמְטוּם.

The Gemara answers: **Remove from here** the mention of a tumtum.

QUESTION

תָּא שְׁמַע: רַבִּי אֶלְעָזָר אוֹמֵר: הַטְּרִיפָה, וְהַכְּלָאִים, וְיוֹצֵא דוֹפָן, טוּמְטוּם וְאַנְדְּרוֹגִינוֹס — לֹא קְדוּשִׁים וְלֹא מְקַדִּישִׁין.

The Gemara suggests: **Come and hear** another kasha: Rabbi Elazar says: A tereifah, and diverse kinds (kilayim), and one born by caesarean section, and a tumtum, and a hermaphrodite—do not become consecrated and do not consecrate other animals.

EXPLANATION

וְאָמַר שְׁמוּאֵל: לֹא קְדוּשִׁים בְּתַמּוּרָה, וְלֹא מְקַדִּישִׁין לַעֲשׂוֹת תַּמּוּרָה!

And Shmuel said in explanation: They do not become consecrated through substitution (temurah), and they do not consecrate another animal to make it a substitution. If a tumtum is just a safek, why is it completely excluded from temurah?

ANSWER

סָמִי מֵיכָן טוּמְטוּם.

The Gemara answers: **Remove from here** the mention of a tumtum.

QUESTION

תָּא שְׁמַע: רַבִּי אֶלְעָזָר אוֹמֵר: חֲמִשָּׁה לֹא קְדוּשִׁים וְלֹא מְקַדִּישִׁין, וְאֵלוּ הֵן: הַטְּרִיפָה, וְהַכְּלָאִים, וְיוֹצֵא דוֹפָן, וְטוּמְטוּם, וְאַנְדְּרוֹגִינוֹס.

The Gemara suggests: **Come and hear** a different version of this braisa: Rabbi Elazar says: There are five types of animals that do not become consecrated and do not consecrate, and these are they: A tereifah, and diverse kinds, and one born by caesarean section, and a tumtum, and a hermaphrodite.

OBJECTION

וְכִי תֵימָא הָכָא נָמִי סָמִי מֵיכָן טוּמְטוּם — הָּוֵי לָהּ אַרְבָּעָה!

And if you will say: Here too, **remove from here** the mention of a tumtum—then there would only be four types of animals listed, but the braisa explicitly said there are five!

RESOLUTION

אַפִּיק טוּמְטוּם, וְעֵייל יָתוּם.

The Gemara answers: **Remove** the mention of a tumtum, and **insert** in its place an orphan (yasoam), which is an animal born after its mother died, which is also disqualified from being brought as a korban.

QUESTION

לימא כתנאי?

The Gemara suggests: **Let us say** that this question of whether a tumtum is a safek or a distinct creation is like a dispute between Tannaim?

STATEMENT

רבי אילעאי אומר משום רבי ישמעאל: אנדרוגינוס בכור הוא ומומו עמו, וחקמים אומרים: אין קדושה חלה עליו.

As the braisa states: **Rabbi Ilai says in the name of Rabbi Yishmael: A hermaphrodite is a firstborn, and its blemish is with it**, meaning it is holy but must be eaten as a blemished firstborn; **and the Sages say: Sanctity does not take effect upon it** at all.

STATEMENT

רבי שמעון בן יהודה אומר משום רבי שמעון: הרי הוא אומר "הזכר", וכל מקום שנאמר "זכר" אינו אלא להוציא טומטום ואנדרוגינוס.

Rabbi Shimon ben Yehuda says in the name of Rabbi Shimon: Behold, the verse says "the male" by firstborns, and wherever "male" is stated, it is only to exclude a tumtum and a hermaphrodite.

INFERENCE

וכי תימא: סמי מיפן טומטום, רבי שמעון בן יהודה היינו רבנן!

And if you will say: Remove from here the mention of a tumtum in Rabbi Shimon's statement, then the opinion of Rabbi Shimon ben Yehuda is exactly the same as the Rabbis, who also hold that a hermaphrodite is not kadosh! Why would he repeat their view?

EXPLANATION

אָלָא לָאו טוּמְטוּם אִיכָא בֵּינֵיהוּ, דְּתַנָּא קַמָּא סָבַר: אִין קְדוּשָׁה חֲלָה עָלֵיו אַאנְדְּרוֹגִינוֹס, אָבֵל טוּמְטוּם סְפִיקָא הוּא וְקְדוּשׁ מְסִפִּיקָא, וְאַתָּא רַבִּי שְׁמַעוֹן

Rather, is it not that the status of a tumtum is the point of dispute between them? As the Tanna Kamma (the Rabbis) holds: Sanctity does not take effect upon a hermaphrodite, but a tumtum is a safek and is holy due to doubt; and Rabbi Shimon ben Yehuda comes to exclude even a tumtum because he holds it is a distinct creation.

עמוד ב' DAF 42B

QUESTION

בן יהודה למימר: טומטום בריה הוא ולא קדוש!

Does Rabbi Shimon ben Yehuda actually come to say that a tumtum is a distinct entity altogether, and therefore it is not sacred at all as a firstborn?

ANSWER

לא, דכולי עלמא טומטום בבריה לא מספקא, זכר ונקבה הוא דמספקא.

The Gemara answers: **No, for everyone agrees** that we do **not doubt** that a **tumtum** is a distinct **entity**; rather, whether it is a **male or a female** is what we doubt.

STATEMENT

מטיל מים במקום זכרות — דכולי עלמא לא פליגי דזכר הוא,

If it **urinates from the place of the male organ**, everyone does not dispute that he is a male.

STATEMENT

כי פליגי במטיל מים במקום נקבות:

When they dispute is in a case where it **urinates from the place of the female organ**:

EXPLANATION

מר סבר חיישינן שמא נהפכה זכרותו לנקבותו, ומר סבר לא חיישינן.

One **Master**, the Rabbis, **holds** that **we are concerned** that **perhaps its male organ was inverted to its female organ area**, and therefore it remains a doubt; **and** one **Master**, Rabbi Shimon ben Yehuda, **holds** that **we are not concerned** about this possibility, and it is definitely a female.

PROOF

כי הא דהורה רבי אלעזר: בבהמה מטיל מים במקום נקבות — חולין.

This is **like that which Rabbi Elazar ruled**: In the case of an **animal firstborn** that **urinates from the place of the female organ**, it is **chullin**, non-sacred, because it is definitely a female.

OBJECTION

תהי בה רבי יוחנן: מאן דלא חש לתנא קמא ולרבי ישמעאל?

Rabbi Yochanan wondered about it, saying: **Who is this Tanna who is not concerned** for the opinion of the **First Tanna** and for **Rabbi Yishmael**, who both hold that a tumtum is always a doubt?

QUESTION

וליקא רבי יוחנן נמי: מאן דלא חש לרבנן בתראי?

The Gemara asks: **And let Rabbi Yochanan also say**: **Who is this who is not concerned** for the **latter Rabbis** in our Mishnah?

EXPLANATION

דאמר רב חסדא: מחלוקת באנדרוגינוס, אבל בטומטום — דברי הכל ספיקא!

For Rav Chisda said: The dispute in the latter part of the Mishnah is only **regarding an androgynos**, but **regarding a tumtum**, **all agree** that it is a doubt!

ANSWER

רבי יוחנן לא סבירא ליה דרב חסדא,

The Gemara answers: **Rabbi Yochanan does not hold of** this explanation of **Rav Chisda**; he learns that the **latter Rabbis** hold a tumtum is a distinct entity.

QUESTION

אי לא סבירא ליה, לימא הוא דאמר כרפנן בתראי?

The Gemara asks: **If he does not hold of it**, then why did Rabbi Yochanan wonder about Rabbi Elazar's ruling? **Let him say** that Rabbi Elazar **said** his ruling **in accordance with the latter Rabbis**!

ANSWER

הכי נמי קאמר: מאן שביק תרי ועביד כחד!

The Gemara answers: **This indeed is what he is saying: Who** is the one who **leaves aside two** Tannaim, the First Tanna and Rabbi Yishmael, **and acts in accordance with one**, the latter Rabbis!

QUESTION

ורבי אלעזר כמאן סברה?

The Gemara asks: **And Rabbi Elazar, in accordance with whom does he hold** this?

ANSWER

כי הא דאמר ריש לקיש: לא אמרו טומטום ספק אלא באדם, הואיל וזכרותו ונקבותו במקום אחד,

The Gemara answers: He holds **like that which Reish Lakish said: They only said that a tumtum is a doubt in the case of a human, since his male organ and her female organ are in the same place**, meaning both genders urinate from the same general area,

EXPLANATION

אבל בהמה — מטיל מים במקום זכרות וזכר, מטיל מים במקום נקבות ונקבה.

but regarding **an animal**, where the male and female organs are in completely different areas, if it **urinates from the place of the male organ it is a male**, and if it **urinates from the place of the female organ it is a female**.

OBJECTION

מתקיף לה רב אושעיא: וליחוש שמא נהפכה זכרותו לנקבותו!

Rav Oshaya challenged this: **But let us be concerned** that perhaps its male organ was inverted to its female organ area!

ANSWER

אמר ליה: כמאן? כרבי מאיר דחייש למיעוטא?!

Abaye **said to him: In accordance with whom** is your kasha? Is it like Rabbi Meir, who is **concerned for a minority**? The halacha does not follow Rabbi Meir, and we follow the majority of animals where this does not happen.

STATEMENT

אפיי בר אבין ורב חננא בר אבין דאמרי תרוניהו: אפילו תימא רפנן, הואיל ואישתני אישתני.

Abaye bar Avin and Rav Chananya bar Avin both say: **You may even say** Rav Oshaya's kasha is in accordance with **the Rabbis** who do not normally worry about a minority, because they hold: **Since it has changed** in one way by being a tumtum, **it has changed** in other ways too, and we must worry about the inversion.

EXPLANATION

אֵת דָּאָמַר אִישְׁתֵּנִי, וְאֵת דָּאָמַר לֹא אִישְׁתֵּנִי.

So there is one who says that since it has changed, it has changed, and there is one who says that it has not changed.

QUESTION

לִימָא אִישְׁתֵּנִי וְלֹא אִישְׁתֵּנִי תִנָּא?

The Gemara suggests: Shall we say that this question of whether it has changed or it has not changed is a dispute between Tannaim?

PROOF

דִּתְנִינָא: טוּמְטוּם שְׁקִידֵשׁ — קְדוּשָׁיו קְדוּשָׁיו, נִתְקַדֵּשׁ — קְדוּשָׁיו קְדוּשָׁיו.

As it was taught in a braisa: A tumtum who betrothed a woman, his betrothal is a doubtful betrothal; and if the tumtum was betrothed by a man, the betrothal is a doubtful betrothal.

STATEMENT

וְחוּלֵץ, וְחוּלְצִין לְאִשְׁתּוֹ, וּמִיבָבִים לְאִשְׁתּוֹ.

And if his brother died childless, the tumtum performs chalitzah with the widow; and if the tumtum died childless, the brothers perform chalitzah for his wife, or they perform yibbum with his wife.

STATEMENT

וְתִנָּא אִידָּה: אִשְׁת טוּמְטוּם חוּלְצַת וְלֹא מְיֻבָּבֶת.

And it was taught in another braisa: The wife of a tumtum performs chalitzah and may not perform yibbum.

EXPLANATION

סְבֻרוֹהּ, דְּכוּלֵּי עֲלָמָא כְּרַבִּי עֲקִיבָא, דָּאָמַר: סְרִיס חֲמָה לֹא חוּלֵץ וְלֹא מִיבָבִים.

The Sages assumed that everyone holds in accordance with Rabbi Akiva, who said: A natural eunuch does not perform chalitzah and does not perform yibbum, and his wife is completely exempt from the levirate bond.

QUESTION

מַאי לָאוּ בְּהָא קָמִיפְלָגִי, דְּמֵאן דָּאָמַר חוּלֵץ, וְחוּלְצִין לְאִשְׁתּוֹ וּמִיבָבִים אֶת אִשְׁתּוֹ, לָא אָמְרִינן הוּאִיל וְאִישְׁתֵּנִי אִישְׁתֵּנִי;

What, is it not that they dispute about this: that the one who says the tumtum performs chalitzah, and they perform chalitzah for his wife and perform yibbum with his wife, holds that we do not say: Since he has changed by being a tumtum, he has changed to also be a natural eunuch?

QUESTION

וּמֵאן דָּאָמַר חוּלְצַת וְלֹא מְיֻבָּבֶת, אָמְרִינן הוּאִיל וְאִישְׁתֵּנִי אִישְׁתֵּנִי?

And the one who says his wife performs chalitzah and may not perform yibbum holds that we do say: Since he has changed, he has changed, and we must worry that he is a natural eunuch?

ANSWER

לֹא, דְּכוּלֵּי עֲלָמָא אָמְרִינן הוּאִיל וְאִישְׁתֵּנִי אִישְׁתֵּנִי, הָא רַבִּי אֱלִיעֶזֶר, וְהָא רַבִּי עֲקִיבָא.

The Gemara rejects this: **No, everyone** can agree that **we do say: Since he has changed, he has changed**. Rather, **this** first braisa is in accordance with **Rabbi Eliezer**, who holds a natural eunuch does perform chalitzah and yibbum, **and this** second braisa is in accordance with **Rabbi Akiva**.

QUESTION

ומאן תנא א'ליבא דרבי עקיבא?

The Gemara asks: **And who is the Tanna** of the first braisa **according to Rabbi Akiva**, who must hold that a tumtum is definitely a eunuch?

ANSWER

א'לימא רבי יהודה — הא ודאי סריס מ'שוי ליה!

If we say it is Rabbi Yehuda, he certainly makes him a eunuch!

PROOF

ד'תנו, רבי יהודה אומר: טומטום ש'נקרע ו'נמצא ז'כר — הרי זה לא י'חלוץ, מ'פני שהוא כ'סריס!

As we learned in a Mishnah, Rabbi Yehuda says: A tumtum who was torn open and found to be a male, this one may not perform chalitzah because he is like a eunuch!

ANSWER

א'לא רבי יוסי ב'רבי יהודה היא, ד'תנא: רבי יוסי ב'רבי יהודה אומר: טומטום לא ח'ולץ, ש'מא י'קרע ו'ימצא סריס ח'מה.

Rather, it is Rabbi Yose b'rabbi Yehuda, as it was taught in a braisa: Rabbi Yose b'rabbi Yehuda says: A tumtum does not perform chalitzah, lest he be torn open and found to be a natural eunuch.

QUESTION

א'טו כל ד'מיקרע ז'כר מ'שתבח, נ'קבה ל'א מ'שתבח?

The Gemara asks: Is that to say that anyone who is torn open is found to be a male, and is not found to be a female? Why does he only mention the concern of being a eunuch?

ANSWER

ש'מא ק'אמר, ש'מא י'קרע ו'ימצא נ'קבה.

The Gemara answers: **He is saying a double 'perhaps'**: perhaps he will be torn open and found to be a female, in which case she is exempt from chalitzah,

EXPLANATION

א'י נ'מי ז'כר נ'מי, ש'מא י'מצא סריס ח'מה.

or also, if he is a male, perhaps he will be found to be a natural eunuch.

QUESTION

מאי ב'ינ'יהו? א'מר רבא:

The Gemara asks: **What is the difference between them**, Rabbi Yehuda and Rabbi Yose b'rabbi Yehuda? Rava said:

SUMMARY

The Gemara systematically addresses multiple braisos that list a tumtum alongside a hermaphrodite as being excluded from various korbanos and valuations. In each case, the Gemara resolves the kasha by emending the text to remove the mention of a tumtum. When challenged by a braisa that explicitly counts five excluded categories, the Gemara replaces the tumtum with a yasoam (an orphan animal). Finally, the Gemara reframes the Tannaitic dispute regarding a tumtum, explaining that all agree it is a safek, and the machlokes is limited to a case where it urinates from the female organ—specifically, whether we suspect the male organ was inverted, keeping its status as a safek, or if we rule that it is a definite female.

למעשה WHAT TO TAKE HOME

In our sugya, the Gemara is deeply bothered by the status of a tumtum, an animal whose gender is hidden and covered. The Gemara goes through a beautiful, intense shakla v'tarya, repeatedly asking: is a tumtum simply a safek, a case of doubt where we just don't know what is underneath, or is it a completely different, distinct creation? The Gemara even suggests that if a person's physical nature was changed and covered, we might say 'ho'il v'ishtani ishtani', once it has changed, its whole status has changed.

Think about this l'maaseh in your own avodas Hashem. How often do we look at ourselves, or at our children, and feel like a 'tumtum', that our true potential, our yiras Shamayim, and our best middos are completely covered up and hidden from view? We look at our daily struggles and think, 'Who am I really? Am I a true oved Hashem, or is it all a doubt?' The yetzer hara wants you to believe that because you are covered in struggles, you have become a different creation entirely, that 'ishtani', you have changed for the worse and can no longer bring a korban to Hashem.

But the truth of the Torah is that what is covered is still holy. A safek means the holiness is there, vibrant and real, just waiting to be revealed. Your essence as a Yid is never redefined by the layers that temporarily conceal it. The job of a Yid is not to despair because the light is covered, but to have emunah that underneath the surface, the neshama remains pure and kadosh.

Today, when you feel blocked, covered, or doubtful about your spiritual standing, do not let the yetzer hara convince you that you have changed. Take one small, concrete action, like learning one extra halacha or saying a perek of Tehillim with deep kavanah, to peel back the cover and let your inner, definite holiness shine through.