

דף יומי • בכורות • דף ט'

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

THE SUGYA

We begin the daf by wrapping up the famous, dramatic narrative of Rabbi Yehoshua and the Athenian elders. After bringing them back to Rome, Rabbi Yehoshua uses a bit of their home soil to restore their characteristic arrogance before the emperor, and then outwits them completely using a vessel filled with water from the "House of the Swallowed," leaving them utterly defeated.

Following this, we transition into a new Mishnah that deals with the practical halachos of Peter Chamor (the redemption of a firstborn donkey). The Mishnah outlines various cases where a donkey gives birth to twins, or where two donkeys give birth, and we are left with a doubt as to which offspring emerged first. We learn the guidelines for when the owner must give a lamb to the Kohen, when the Kohen has the burden of proof, and what kind of lamb may be used for this redemption.

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

עמוד א' DAF 9A

STATEMENT

כי מטוי לבי בליעי, מלא כוזה דמיא מבי בליעי.

When they reached the House of the Swallowed, which is a place in the sea where the water swallows up everything around it, Rabbi Yehoshua **filled a small jug of water from the House of the Swallowed**.

STATEMENT

כד אתו, אוקמינהו קמי קיסר.

When they arrived back in Rome, **he stood them**, the Athenian elders, **before the emperor**.

STATEMENT

חזנהו דהו מעני, אמר ליה: הני לאו נינהו.

The emperor **saw them**, that they were **suffering** and looked dejected from the journey, so **he said to him**, to Rabbi Yehoshua: **These are not** the famous wise men of Athens, because those sages are known to be strong and arrogant!

STATEMENT

שקל מעפריהו ושדא עילויהו, אקשו לאפי מלכא.

Rabbi Yehoshua **took some of their dirt** that he had brought from Athens **and threw it upon them**. As soon as they smelled the scent of their home soil, **they hardened their faces before the king** and began to act with their usual arrogance.

STATEMENT

אמר ליה: כל דבעית עבד בהו.

The emperor saw this and **said to him**, to Rabbi Yehoshua: **Whatever you want, do with them.**

STATEMENT

אֵייתִינְהוּ מֵא דְאֵיתִי מִבֵּי בְלִיעִי, שְׂדִינְהוּ בְּתִיגְדָא, אָמַר לְהוּ: מִלִּיּוּה לְהוּ וְאֵיזִילוּ לְכוּ.

Rabbi Yehoshua brought the water that he had brought from the House of the Swallowed, poured it into a hollow utensil, and said to them: Fill it up and go on your way.

STATEMENT

מָלּוּ וּשְׂדוּ בֵּיה קִמְאֵי קִמְאֵי, וּבָלַע לְהוּ, מָלּוּ עַד דְּשָׁמִיט כְּתַפְיָהּ, וּבָלּוּ לְהוּ וְאִזּוּל.

They filled and poured into it, the first waters and the next waters, and the utensil swallowed them up. They filled it repeatedly until their shoulders became disjointed from the strain, and they were worn out and went away in defeat.

מִשְׁנָה MISHNAH

MISHNAH

מִתְנִי חֲמוּרָה שֶׁלֹּא בִּפְרָה וְיָלְדָה שְׁנֵי זָכָרִים — נוֹתֵן טָלָה אֶחָד לַכֹּהֵן,

MISHNAH: In the case of a female donkey that had not previously given birth and now gave birth to two males, the owner gives one lamb to the Kohen, because one of them is definitely the firstborn.

MISHNAH

זָכָר וְנִקְבָּה — מִפְּרִישׁ טָלָה אֶחָד לְעֶצְמוֹ.

If she gave birth to a male and a female and we do not know which came out first, the owner designates one lamb for himself; he does not have to give it to the Kohen, because the Kohen has the burden of proof to show that the male was born first.

MISHNAH

שְׁתֵּי חֲמוּרָיו שֶׁלֹּא בִּפְרָו וְיָלְדוּ שְׁנֵי זָכָרִים — נוֹתֵן שְׁנֵי טָלָאִים לַכֹּהֵן.

If one's two donkeys had not previously given birth and they gave birth to two males, one each, the owner gives two lambs to the Kohen.

MISHNAH

זָכָר וְנִקְבָּה, אוֹ שְׁנֵי זָכָרִים וְנִקְבָּה — נוֹתֵן טָלָה אֶחָד לַכֹּהֵן.

If they gave birth to a male and a female, or if they gave birth to two males and a female, the owner gives one lamb to the Kohen, since at least one male is definitely a firstborn.

MISHNAH

שְׁתֵּי נִקְבוֹת וְזָכָר, אוֹ שְׁנֵי זָכָרִים וּשְׁתֵּי נִקְבוֹת — אֵין לַכֹּהֵן כָּלוּם.

But if they gave birth to two females and a male, or two males and two females, there is nothing for the Kohen, because we can say that the females were born first in both cases.

MISHNAH

אַחַת בִּפְרָה, וְאַחַת שֶׁלֹּא בִּפְרָה, וְיָלְדָה שְׁנֵי זָכָרִים — נוֹתֵן טָלָה אֶחָד לַכֹּהֵן;

If **one** donkey **had previously given birth** and **one** had not previously given birth, and they together gave birth to two **males**, the owner **gives one lamb** to the Kohen.

MISHNAH

זָכָר וּנְקֵבָה — מִפְּרִישׁ טָלָה אֶחָד לְעֶצְמוֹ.

If they gave birth to a **male and a female**, the owner **designates one lamb for himself**, because we do not know if the male came from the mother that had not yet given birth.

MISHNAH

שֶׁנֶּאֱמַר: "וּפֶטֶר חֲמֹר תַּפְדֶּה בֶּשֶׂה",

As it is stated in the Torah: "And the firstborn of a donkey you shall redeem with a lamb,"

MISHNAH

מִן הַכֹּפְשִׁים וּמִן הָעִזִּים, זָכָר וּנְקֵבָה, גָּדוֹל וְקָטָן, תָּמִים וּבָעֵל מוּם,

and this lamb can be **from the sheep or from the goats, male or female, large or small, unblemished or blemished**.

MISHNAH

פּוֹדָה בּוֹ פְּעָמִים הֶרְבֵּה, נִכְנָס לְדִיר לְהִתְעַשֵּׂר, וְאִם מֵת — נִהְיִין בּוֹ.

If the Kohen gives it back, the owner **may redeem with it many times** other firstborn donkeys; and a lamb that the owner keeps because of a doubt **enters the pen to be tithed** like any other chullin animal, and if it dies, **one may benefit from it**.

גְּמָרָא GEMARA

QUESTION

גְּמ' מֵאֵן תַּנָּא?

GEMARA: **Who is the Tanna** of our Mishnah who holds that if a donkey gives birth to twin males, the owner only gives one lamb?

ANSWER

אָמַר רַבִּי יִרְמְיָה: דִּלָּא פְּרַבִּי יוֹסִי הַגְּלִילִי, דְּאִי רַבִּי יוֹסִי הַגְּלִילִי — הָאֵמַר אֶפְשָׁר לְצַמְצֵם!

Rabbi Yirmeya said: It is **not** in accordance with Rabbi Yosei HaGelili. For if it were Rabbi Yosei HaGelili, doesn't he say that it is **possible to be precise** and have two births occur at the exact same moment? And if so, both would be firstborns and require two lambs!

ANSWER

אָמַר אַבְיִי: אֶפִּילוּ תִימָא רַבִּי יוֹסִי הַגְּלִילִי, שְׂאֵנִי הָתָם דְּכֹתִיב "הַזָּכָרִים לַחִי".

Abaye said: You may even say the Mishnah is in accordance with Rabbi Yosei HaGelili, and it is **different there** by a kosher animal as it is written: "The males shall be Hashem's," in the plural, which teaches that two can be holy at once; but by a donkey, only one is redeemed.

QUESTION

וְלִיגְמָר מִיְנִיה!

The Gemara asks: **But let us learn from it**, from the law of kosher animals, that the same applies to a donkey!

ANSWER

הָא מִיַּעַט רַחֲמָנָא "הַזְכָּרִים".

The Gemara answers: **The Merciful One excluded** this by writing "**the males**" with the definite article, implying that only there, by kosher animals, do we say this.

QUESTION

אִיכָא דְאָמְרִי: לִימָא דְלֹא כָרְבִי יוֹסִי הֶגְלִילִי, דְּאִי רַבִּי יוֹסִי הֶגְלִילִי — הָאֵמַר אָפְשָׁר לְצַמְצֵם!

Some say another version of this discussion: **Let us say** that our Mishnah is **not in accordance with Rabbi Yosei HaGelili**, for if it were **Rabbi Yosei HaGelili**, doesn't he say that it is possible to be precise and have them emerge simultaneously?

ANSWER

אָמַר אַבְי: אָפִילוּ תִימָא רַבִּי יוֹסִי הֶגְלִילִי, שְׂאֵנִי הָתָם דְּכִתִּיב "הַזְכָּרִים לֵה"י".

Abaye said: You may even say it is in accordance with Rabbi Yosei HaGelili, and it is different there as it is written: "The males shall be Hashem's."

QUESTION

בְּשִׁלְמָא לְרַבִּי יִרְמְיָה, דְּלֹא מוֹקִי לֵה כָרְבִי יוֹסִי הֶגְלִילִי — הֵינּוּ דְלֹא קִתְּנִי "וְיֵצְאוּ שְׁנֵי רֹאשֵׁיהֶן כְּאֶחָד",

The Gemara asks: **Granted according to Rabbi Yirmeya**, who does not establish the Mishnah in accordance with Rabbi Yosei HaGelili, **that is why** the Mishnah **does not teach** the case of "and both of their heads emerged as one," because according to the Rabbis such a thing is impossible.

QUESTION

אֵלָא לְאַבְי — לִיתְנִי "וְיֵצְאוּ שְׁנֵי רֹאשֵׁיהֶן כְּאֶחָד"!

But according to Abaye, who says the Mishnah can fit Rabbi Yosei HaGelili, **let it teach** the case of "and both of their heads emerged as one" to show that even in that case, only one lamb is given!

OBJECTION

וְעוֹד, תִּנָּקֵא: חֲמוּרוֹ שְׁלֹא בִּפְרָה וְיִלְדָּה שְׁנֵי זָכָרִים, וְיֵצְאוּ שְׁנֵי רֹאשֵׁיהֶן כְּאֶחָד, רַבִּי יוֹסִי הֶגְלִילִי אוֹמַר: שְׁנֵיהֶן לְכֹהֵן, שְׁנַאֲמַר "הַזְכָּרִים לֵה"י".

And furthermore, it was taught in a Braisa: If one's donkey had not previously given birth and now gave birth to two males, and both of their heads emerged as one, Rabbi Yosei HaGelili says: Both of them are given to the Kohen, as it is stated: "The males shall be Hashem's." This directly contradicts Abaye's distinction!

QUESTION

וְהָא פִּי כְּתִיב הָאִי, בְּקִדּוּשַׁת הַגּוֹף הוּא דְּכִתִּיב!

The Gemara asks: **But when this verse is written**, is it not written regarding kosher animals which have **inherent sanctity**, whereas a donkey only has monetary sanctity?

REFUTATION

אָלֵא מִשּׁוּם שְׁנֵאמַר "הַזָּכָרִים לְהִי", תִּיּוֹבָתָא דְאַבֵּי, תִּיּוֹבָתָא.

Rather, because the Braisa explicitly applies the verse "The males shall be Hashem's" to a donkey, the refutation of Abaye is a complete **refutation**.

עמוד ב' DAF 9B

QUESTION

וּרְבִנּוּ, לֵימָא קְסָבְרִי רַבָּנּוּ מְקַצֵּת רָחֵם מְקַדֵּישׁ?

The Gemara asks: **And** according to **the Rabbis**, who hold that twins can both be holy, **shall we say** that **the Rabbis hold** that even **a portion of the womb sanctifies** a firstborn, even if the offspring did not touch the entire womb?

EXPLANATION

דָּאִי כּוּלֵּיהּ רָחֵם מְקַדֵּישׁ — נָהִי דָאִי אֶפְשָׁר לְצַמְצֵם, תְּצִיצָה מִיָּהּ אִיכָּא!

For if you say that only **the entire womb sanctifies**, then **granted that it is impossible to restrict** the births to happen at the exact same millisecond, and one must have emerged first, **there is at least an interposition** of the other fetus's head between each fetus and the womb, which should prevent the womb from sanctifying them!

ANSWER

אָמַר רַב: מִיָּין בְּמִינוֹ אֵינוֹ חוֹצֵץ.

Rav said in response: **A substance** in contact **with its own kind does not interpose**. Since both are fetuses, they do not block each other from the womb's touch.

מִשְׁנָה MISHNAH

MISHNAH

זָכָר וּנְקֵבָה — מִפְּרִישׁ טָלָה כּוֹי.

We learned in our Mishnah: If a donkey gave birth to **a male and a female** and we do not know which came first, the owner **separates a lamb**, which remains his own. **etc.**

גְּמָרָא GEMARA

QUESTION

וּכְיֵינּוּ דְלַעֲצָמוּ הוּא, לָמָּה לִי לְאַפְרוּשִׁי?

The Gemara asks: **And since** the lamb **is for himself**, meaning he keeps it, **why do I need him to separate** it at all?

ANSWER

לְאַפְקוּעֵי לְאַיִסוּרִיהָ מִיָּידָהּ.

The Gemara answers: It is necessary **to remove its forbidden status from it**, meaning from the donkey.

INFERENCE

אָלמא, כּינן דלָא מפקע לְאַיסורִיהּ, אָסור בּהֲנָאָה.

The Gemara infers: **Consequently**, we see that **since** as long as **he has not removed its forbidden status**, the donkey is **forbidden for benefit**.

STATEMENT

מתניתין מני? רבי יהודה היא, דתנא: פטר חמור אסור בהנאה, ורבי שמעון מתיר.

Whose opinion is our Mishnah? It is Rabbi Yehuda, as it was taught in a Braisa: A firstborn donkey is forbidden for benefit before redemption, and Rabbi Shimon permits it.

QUESTION

מאי טעמא דרבי יהודה?

The Gemara asks: **What is the reason of Rabbi Yehuda?**

ANSWER

אמר עולא: יש לה דבר שצריך פדייה ומוותר?

Ulla said: **Do you have any item that requires redemption and yet is permitted** for benefit before it is redeemed?

OBJECTION

ולא?! והרי בכור אדם שצריך פדייה ומוותר!

The Gemara challenges: **And** is there **not?** **But behold**, there is a firstborn of man, which requires redemption and yet is **permitted** to work with and benefit from!

RESOLUTION

אלא, יש לה דבר שהקפידה עליו תורה בשוה ומוותר?

Rather, this is what Ulla meant: **Do you have any item about which the Torah was particular** that it must be redeemed specifically **with a lamb**, and yet is **permitted** before redemption?

OBJECTION

ומי הקפידה?! והא רב נחמיה בריה דרב יוסה פריק ליה בשילקי בשויו!

The Gemara asks: **And was** the Torah really **particular** about a lamb? **But behold**, Rav Nechemya the son of Rav Yosef **redeemed** a firstborn donkey **with boiled vegetables of its value!**

RESOLUTION

בשויו לא קאמרינו, כי קאמרינו שלא בשויו, והכי קאמרי: יש לה דבר שהקפידה עליו תורה
לאפקועי לאיסוריה בשוה?

The Gemara answers: **When it is of its value**, we are **not saying** that a lamb is required. **When we are saying** that the Torah is particular, it is **when it is not of its value**, where a cheap lamb can redeem a valuable donkey. **And this is what Ulla is saying:**

Do you have any item about which the Torah was particular to remove its forbidden status even with a cheap lamb, and yet it is permitted before redemption?

OBJECTION

וְהָרִי מַעֲשֶׂר, שֶׁהִקְפִּידָה עָלָיו תּוֹרָה בְּכֶסֶף צוּרִי, וַתִּנֶּן: רַבִּי יְהוּדָה אָמַר: בְּמִזִּיד — קִידָשׁ!

The Gemara challenges: **But behold, there is second tithe** (Ma'aser Sheni), **about which the Torah was particular** that it be redeemed only **with Tyrian silver coins, and yet we learned in a Mishnah: Rabbi Yehuda says: If** one betrothed a woman with Ma'aser Sheni **intentionally, she is betrothed!** This shows that Ma'aser Sheni is not considered forbidden for benefit before redemption.

RESOLUTION

בְּפֶטֶר חֲמֹר נָמִי מִיִּקְדָּשָׁא, בְּדַרְבֵּי אֶלְעָזָר, דָּאֲמַר רַבִּי אֶלְעָזָר: אִשָּׁה יוֹדַעַת שְׂאִין מַעֲשֶׂר שְׁנִי מִתַּחֲלָל עַל יָדָהּ, וְעוֹלָה וְאוֹכֵלָתוֹ בִּירוּשָׁלַיִם.

The Gemara answers: With **a firstborn donkey as well, she is betrothed**, but this is **in accordance with** the explanation of **Rabbi Elazar. For Rabbi Elazar said: A woman knows that second tithe is not desacralized by her act of betrothal, and therefore she accepts it knowing that she must go up and eat it in Yerushalayim.**

EXPLANATION

הָכָא נָמִי, אִשָּׁה יוֹדַעַת דְּפֶטֶר חֲמֹר אִיסוּרָא אֵית בִּיהּ, וּפְרָקָא לִיהּ בְּשָׂה, וּמִקְדָּשָׁא בְהָּ דְּבִינִי וּבִינִי.

Here too, a woman knows that a firstborn donkey has a forbidden status in it, and she will redeem it with a lamb, and **she is betrothed with that value which is in between** the value of the donkey and the lamb.

QUESTION

וְרַבִּי שִׁמְעוֹן מַאי טַעְמָא?

The Gemara asks: **And Rabbi Shimon, what is the reason** that he permits benefit from a firstborn donkey?

ANSWER

אָמַר עוֹלָא: יֵשׁ לָהּ דְּבָר שְׁפָדְיוֹנָהּ מוֹתֵר וְהוּא אָסוּר?

Ulla said: **Do you have any item whose redemption-price** (the lamb given to the Kohen) **is permitted** for benefit, **and yet it itself is forbidden?**

OBJECTION

וְלָא? וְהָרִי שְׁבִיעִית, דְּפָדְיוֹנָהּ מוֹתֵר, וְהִיא אָסוּרָה!

The Gemara asks: **And is there not? But behold, there is Shevi'is** (Sabbatical year produce), **whose redemption-money is permitted, and yet it itself is forbidden** to be eaten after the time of removal!

RESOLUTION

שְׁבִיעִית נָמִי פְדִיוֹנָהּ אָסוּר, דָּאֲמַר מָר: הָאֲחֵרוֹן אֲחֵרוֹן אָסוּר.

The Gemara answers: **Shevi'is also, its redemption-money is forbidden**, as the Master said: **The last item purchased is forbidden**, and the original produce itself also remains forbidden.

STATEMENT

וְאִי־פְעִית אִמָּא: רַבִּי יְהוּדָה וְרַבִּי שִׁמְעוֹן בְּחָא קְרָא קַמִּיפְלָגִי, דִּתְנִינָא: "לֹא תַעֲבֹד בְּכֹר שׁוֹרְךָ" —
אֲבָל אַתָּה עוֹבֵד בְּשִׁלְךָ וּבְשֵׁל אֲחֵרִים, "וְלֹא תִגְזוּ בְּכֹר צֹאנְךָ" — אֲבָל אַתָּה גּוֹזֵז שְׁלֶךָ וְשֵׁל אֲחֵרִים,
דְּבָרֵי רַבִּי יְהוּדָה.

And if you want, say instead that Rabbi Yehuda and Rabbi Shimon argue over this pasuk, as it was taught in a Braisa:
"You shall do no work with the firstborn of your ox" — but you may work with a firstborn that is yours and others' (in
partnership with a non-Jew). "And you shall not shear the firstborn of your flock" — but you may shear a firstborn that is
yours and others'. These are the words of Rabbi Yehuda.

STATEMENT

רַבִּי שִׁמְעוֹן אוֹמֵר: "לֹא תַעֲבֹד בְּכֹר שׁוֹרְךָ" — אֲבָל אַתָּה עוֹבֵד בְּכֹר אָדָם, "לֹא תִגְזוּ בְּכֹר צֹאנְךָ"
— אֲבָל אַתָּה גּוֹזֵז בְּכֹר חֲמוֹר.

Rabbi Shimon says: "You shall do no work with the firstborn of your ox" — but you may work with a firstborn of man.
"And you shall not shear the firstborn of your flock" — but you may shear a firstborn donkey.

QUESTION

בְּשִׁלְמָא לְרַבִּי שִׁמְעוֹן, הֵי־נֵנוּ דְּכִתִּיב תִּירִי קְרָאִי, אָלָא לְרַבִּי יְהוּדָה, תִּירִי קְרָאִי לְמַעוּטֵי שְׁלֶךָ וְשֵׁל
אֲחֵרִים לָמָּה לִּי?

The Gemara asks: **Granted** according to Rabbi Shimon, this is why two pesukim are written, one for man and one for a
donkey. **But** according to Rabbi Yehuda, why do I need two pesukim to exclude partnership of yours and others'?

QUESTION

וְתוּ לְרַבִּי יְהוּדָה, בְּכֹר אָדָם נָמִי נִימָא דְאָסִיר!

And furthermore, according to Rabbi Yehuda, let us say that a firstborn of man is also forbidden to work with, since he
does not have a pasuk to exclude it!

RESOLUTION

אָלָא דְּכוּלֵּי עֲלָמָא "שׁוֹרְךָ" לְמַעוּטֵי בְּכֹר אָדָם הוּא דְאֵתָא, כִּי פְּלִיגִי בְּ"צֹאנְךָ".

Rather, everyone agrees that the word "your ox" comes to exclude a firstborn of man. When they argue, it is regarding
the word "your flock".

EXPLANATION

דְּרַבִּי יְהוּדָה לְטַעְמִיהּ, דְאָמַר: שׁוֹתְפוֹת גּוֹי חֵיִיבַת בְּכֹרָהּ, וְכִי אֵיצְטְרִיף קְרָא לְמִישְׁרֵי בְּגָזָה
וְעִבּוּדָה.

For Rabbi Yehuda is consistent with his reasoning, as he says: Partnership with a non-Jew is obligated in firstborn
status, and when the pasuk was needed, it was to permit shearing and working with it.

EXPLANATION

וְרַבִּי שִׁמְעוֹן סָבַר: שׁוֹתְפוֹת גּוֹי פְּטוּרָה מִן הַבְּכֹרָה, וְלַעֲנִין גָּזָה וְעִבּוּדָה לֹא אֵיצְטְרִיף קְרָא, כִּי
אֵיצְטְרִיף קְרָא לְפִטְר חֲמוֹר.

And Rabbi Shimon holds: Partnership with a non-Jew is exempt from firstborn status altogether, and regarding shearing and working, a pasuk was not needed to permit it. When the pasuk was needed, it was for a firstborn donkey, to permit shearing it.

STATEMENT

בְּשֵׁלֶמָא לְרַבִּי יְהוּדָה, הֵינּוּ דְכָתִיב "צֹאנְךָ" וְ"שׂוֹרְךָ", אִטּוּ "צֹאנְךָ".

The Gemara asks: **Granted according to Rabbi Yehuda**, this is why it is written "your flock" and "your ox", to teach us about partnership in both categories.

QUESTION

אֲלָא לְרַבִּי שְׁמַעוֹן, "שׂוֹרְךָ" וְ"צֹאנְךָ" לְמָה לִּי?

But according to Rabbi Shimon, why do I need both "your ox" and "your flock"?

REFUTATION

קוּשִׁיא.

The Gemara concludes: This is indeed **difficult**.

STATEMENT

אָמַר רַבָּה: וּמוֹדָה רַבִּי שְׁמַעוֹן לְאַחַר עֲרִיפָה, שֶׁהוּא אָסוּר.

Rabbah said: And Rabbi Shimon admits after the neck-breaking of the donkey that it is forbidden for benefit.

EXPLANATION

מָאי טַעְמָא? גָּמַר "עֲרִיפָה" "עֲרִיפָה" מַעְגְּלָה עֲרוּפָה.

What is the reason? He derives a gezerah shavah of "neck-breaking" written here from "neck-breaking" from the decapitated heifer (Eglah Arufah), which is forbidden for benefit.

PROOF

אָמַר רַבָּא: מִנָּא אָמִינָא לִיה דְּתַנְיָא: הָעֶרְלָה וְכִלְאֵי הַפָּרִם, וְשׂוֹר הַנֶּסֶקֶל, וְעֶגְלָה עֲרוּפָה, וְצִיפּוּרֵי מְצוֹרַע, וּפֶטֶר חֲמוֹר, וּבֶשֶׂר בְּחֶלֶב — כּוֹלֵן מִטְמְאֵין טוּמְאָת אֹכֵלִין.

Rava said: From where do I say this? As it was taught in a Braisa: Orlah, and diverse seeds of the vineyard, and a stoned ox, and a decapitated heifer, and the birds of a metzora, and a firstborn donkey, and meat cooked in milk — all of them contract the tumah of foods if they touch tumah.

STATEMENT

רַבִּי שְׁמַעוֹן אוֹמֵר: כּוֹלֵן אֵין מִטְמְאֵין טוּמְאָת אֹכֵלִין, וּמוֹדָה רַבִּי שְׁמַעוֹן בְּבֶשֶׂר בְּחֶלֶב שֶׁמִּטְמָא טוּמְאָת אֹכֵלִין, הוֹאִיל וְהִיתָה לוֹ שְׁעַת הַבּוֹשֶׁר.

Rabbi Shimon says: All of them do not contract the tumah of foods because they are forbidden for benefit and not considered food. And Rabbi Shimon admits regarding meat in milk that it contracts the tumah of foods, since it had a time of fitness before they were cooked together.

EXPLANATION

וַאֲמַר רַבִּי אָסִי אָמַר רַבִּי יוֹחָנָן: מַאי טַעְמָא דְרַבִּי שְׁמַעוֹן? דְּכִתְיִב: "מִכָּל הָאֵכָל אֲשֶׁר יֵאָכֵל", אוֹכֵל
שְׂאֵתָה יָכוֹל לְהַאֲכִילוֹ לְאַחֲרִים — קְרוֹי אוֹכֵל, שְׂאֵי אֵתָה יָכוֹל לְהַאֲכִילוֹ לְאַחֲרִים — אֵינוֹ קְרוֹי
אוֹכֵל.

And Rabbi Assi said that Rabbi Yochanan said: What is the reason of Rabbi Shimon? As it is written: "From all the food which may be eaten" — food that you can feed to others is called food, but food that you cannot feed to others is not called food. Since a firstborn donkey after neck-breaking is forbidden for benefit, it cannot be fed to anyone, and Rabbi Shimon agrees it is not considered food.

SUMMARY

The Gemara analyzes the Mishnah's ruling that if a donkey gives birth to twin males, the owner only gives a single lamb to the Kohen. Rabbi Yirmeya suggests that our Mishnah cannot follow Rabbi Yosei HaGelili, who holds that it is physically possible for two births to occur at the exact same moment (which would theoretically obligate two lambs). While Abaye attempts to reconcile the Mishnah with Rabbi Yosei HaGelili by distinguishing between the laws of kosher animals and donkeys based on the passuk "The males shall be Hashem's," the Gemara raises a strong kasha from a Braisa where Rabbi Yosei HaGelili explicitly applies this plural rule to donkeys as well, thereby refuting Abaye's teretz. Finally, the Gemara begins a deep lomdishe inquiry into the view of the Rabbis, questioning whether they hold that even a partial opening of the womb (peter rechem) is sufficient to sanctify a firstborn.

לְמַעֲשֶׂה WHAT TO TAKE HOME

We see in the Gemara that when a donkey gives birth to a male and a female and we do not know which came out first, the owner must still designate a lamb for himself. The Gemara asks: since the lamb remains with the owner, why does he even need to designate it? The Gemara answers: "To remove its prohibition from it." This teaches us that even when a doubt leaves us legally exempt from giving to the Kohen, we cannot just ignore the situation. The donkey still carries a status of doubt that requires a formal act of separation to permit it for use.

This is a profound lesson in our daily avodas Hashem. Sometimes we find ourselves in a "gray area" where we are technically exempt from a stringency, or where the letter of the law doesn't clearly obligate us to act. We might think we can just slide by and ignore the spiritual reality of the situation. But the Torah teaches us that a Yid doesn't live in unresolved gray areas. We must take action to clarify our status and remove any spiritual blockages, ensuring our lives are lived in absolute purity and permission.

Today, when you encounter a doubtful situation, whether it is a question of lashon hara, a business deal that feels slightly compromised, or a doubt in halacha, do not just let it slide because "nobody can prove otherwise." Take a concrete step to resolve it clearly, making sure your actions are completely permitted and clean before Hashem.