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What’s a Sheep?

The verse says that one can redeem a first born donkey with a sheep. The *Mishna* lists animals which are not included in the category of sheep for this purpose:

1. A calf
2. A beast
3. A slaughtered sheep
4. A *terifah* – animal with anatomical defect
5. *Kila’im* – cross breed of a ram and sheep
6. *Koy*, which may be an animal or a beast

Rabbi Elozar says one may use *kila’im* but not a *koy*. If one gave the first born donkey to the *Kohen*, he may not simply keep it, but must first redeem it with a sheep, which he may keep. (12a)

Like Pesach?

The *Gemora* says that the *Mishna’s* list of disqualified animal follows the opinion of ben Bag Bag, who says in a *braisa* that the word *seh* – sheep used in the context of redeeming the first born donkey has the same disqualifications as the word *seh* used in the context of a Pesach sacrifice. Although a Pesach sheep may only be an unblemished year old male, the extra phrase *tifdeh* – you shall redeem, teaches that these requirements do not apply to redeeming the first born donkey. Since the word *tifdeh* includes, and the word *seh* compares it to Pesach, we conclude that it need not be a year old male, but the other disqualifications of Pesach do apply. (12a)

Ben Pekuah

The *Gemora* asks whether one may use a *ben pekuah* – fetus found in a slaughtered animal to redeem a first born donkey.

The *Gemora* clarifies that Rabbi Meir, who considers such a fetus a regular animal, which must be slaughtered, would definitely allow it, as it is equivalent to any other sheep. However, according to the Sages, who says that it need not be slaughtered, do we consider it like a slaughtered sheep, or do we say that since it is alive, it is considered a sheep, and may be used?

Mar Zutra says that it may not be used, while Rav Ashi says it may be used.

Rav Ashi challenged Mar Zutra, assuming he disqualifies it, since it may not be used for a Pesach sacrifice. If this is true, we should require that the sheep be a year old male.

The *Gemora* answers that the extra word *tifdeh* includes other sheep, while the word *seh* applies the other requirements of the Pesach sacrifice, excluding a *ben pekuah*. (12a)

Nidmeh

The *Gemora* asks whether one may use a *nidmeh* - animal born from sheep but looking like another species.

The *Gemora* clarifies that according to Rabbi Eliezer, who says that one may use a cross-bred sheep, one may obviously use a *nidmeh*, as both of its parents are sheep. However, according to the Sages, is *nidmeh* disqualified like a cross-bred sheep, or is it different?

The *Gemora* cites a *braisa* which states that one if a cow gave birth to a child that looks like a ram, the child may not be used to redeem

the first born donkey. The *Gemora* infers from this that if the same child were born from a sheep, it may be used. This inference is not necessary for Rabbi Elozar, so this *braisa* must be according to the Sages, proving that a *nidmeh* may be used.

The *Gemora* deflects this, saying that the *braisa* may be according to Rabbi Eliezer, and it is teaching not the inference but the actual statement. Although Rabbi Eliezer allows one to use a cross-bred sheep, one may not use this ram, as it was born from a cow, and therefore considered a calf.

The *Gemora* cites another *braisa* from Rabbah bar Shmuel, who says that *kila'im* is a ram born from two sheep. The *Gemora* challenges this text, as this is not a cross breed, as both parents are sheep. The *Gemora* therefore amends the *braisa* to say that the Sages considered a ram born from two sheep (*nidmeh*) equivalent to *kila'im*. The *Gemora* attempts to determine what context the *braisa* is discussing. It cannot be discussing offering sacrifices, as the same verse which excludes *kila'im* also excludes *nidmeh*. It cannot be discussing a firstborn animal, as the verse explicitly states that an animal is sanctified as firstborn only if it resembles its mother. It cannot be discussing *ma'aser* – the tenth animal, as that is also compared to all sacrifices, due to the same word *tachas* – under used in both sections. It therefore must be discussing which sheep can be used to redeem a firstborn donkey, proving that *nidmeh* is invalid.

The *Gemora* deflects this, saying the *braisa* is discussing *ma'aser*, and is referring to an animal which has one similarity to its mother. A first born like this is sanctified, but it would be invalid as a sacrifice. Since the verb *ha'avarah* – pass is used for *ma'aser* and a firstborn, we may have thought that such an animal is sanctified for *ma'aser*. The *braisa* therefore teaches that it is invalid, since we learn from the common word *tachas* used in the context of sacrifices. (12a)

Blemished Sacrifice

The *Gemora* asks whether one may redeem with a sheep which was a sacrifice redeemed after becoming blemished.

The *Gemora* clarifies that according to Rabbi Shimon who says that the firstborn donkey is permitted before redemption, one may

definitely use such a sheep, since the donkey has no sanctity. The question is according to Rabbi Yehudah, who says that the firstborn donkey is prohibited before redemption. Since this sheep already has prohibitions (*on its shearings and milk*), do we say that the donkey's prohibition cannot take effect on this sheep, or is that irrelevant, as the prohibition of the donkey do not actually apply to the sheep which redeems it?

Rav Mari the son of Rav Kahana says that the verse compares this sheep to a deer and gazelle, which may not be used to redeem, teaching that this sheep also may not be used. The *Gemora* says that once we have this source, this would preclude its use even according to Rabbi Shimon. (12a – 12b)

Sheep Bought with Shemittah Produce

The *Gemora* asks whether one may redeem with a sheep bought with *shemittah* produce.

The *Gemora* clarifies that if the donkey is definitely a firstborn which must be redeemed, one definitely may not use this sheep, as the verse mandates that *shemittah* produce be used *l'achlah* – for eating, and not for commerce, e.g., redeeming. However, if the donkey only may be a firstborn, may one redeem it with this sheep?

The *Gemora* explains that according to Rabbi Shimon, who says that a firstborn donkey is permitted, one need redeem this donkey at all. However, according to Rabbi Yehudah, who says one must redeem the donkey to remove the possible prohibition, do we consider this redemption eating, as the owner will keep it, or do we consider it commerce, as the donkey may have been prohibited before?

The *Gemora* resolves this from Rav Chisda who says that an animal purchased with *shemittah* produce may not be used to redeem a definitely firstborn donkey, but may be used to redeem a donkey which may be firstborn. Rav Chisda also says that such an animal does not have the sanctity of a firstborn, as it must be eaten, and not burned, as part of the firstborn sacrifice is, but one must give the gifts (*arm, cheeks, and stomach*) to the *Kohen*, as he will eat them.



The *Gemora* challenges this part of Rav Chisda's statement from a *braisa*, which says that the requirement to separate *challah* from dough applies to *shemittah* produce, even though it must be burned if it becomes impure.

The *Gemora* answers that the verse about *challah* states that it applies *l'dorosaichem* – for [all] your generations, including *shemittah* years. We don't apply this to the case of the first born, as it has parts which are burned in any case, while *challah* is burned only if it becomes impure. (12b)

Kohen Redeeming the Donkey

The *Gemora* says that the *Mishna*, which requires the *Kohen* to redeem the donkey before using it, is in line with a *braisa*, which states that if the *Kohen* tells a Jew that he will take the donkey and redeem it, the Jew may not give him the donkey until he sees the *Kohen* redeem it.

Rav Nachman quotes Rabbah bar Avuha saying that this *braisa* indicates that *Kohanim* are suspected of not redeeming their first born donkeys.

The *Gemora* explains that we may have thought that the *braisa* was only a case of a *Kohen* who we already suspect, but Rav Nachman teaches that we actually suspect all *Kohanim*. (12b)

When is Redemption Done?

The *Mishna* cites a dispute between Rabbi Eliezer and the Sages about when the redemption process is completed. The Sages say that redeeming the donkey completes the process, while Rabbi Eliezer says it is not complete until the *Kohen* receives the sheep. Therefore, if the sheep died, Rabbi Eliezer says that the owner is responsible to make up the loss to the *Kohen*, like the money used to redeem a firstborn child, while the Sages say that he is not responsible. Rabbi Yehoshua and Rabbi Tzadok testified to support the position of the Sages. Similarly, if the donkey died before the *Kohen* received the sheep, Rabbi Eliezer says it must be buried, and the owner may keep the sheep, while the Sages say it need not be buried, but the *Kohen* already owns the sheep. (12b)

Rabbi Eliezer's Source

Rav Yosef says that Rabbi Eliezer says that the owner is responsible for the sheep since the verse states the requirement to redeem a firstborn child together with the requirement to redeem the firstborn donkey. Just as a father is responsible for the money redeeming his child until the *Kohen* receives it, so the owner is responsible for the sheep until the *Kohen* receives it.

Abaye challenged this, as we should similarly say that just as one may benefit from the child before redemption, so may one benefit from the donkey before redemption. However, Rabbi Eliezer says that one must bury the firstborn donkey that died before redemption, implying that one may not benefit from it.

The *Gemora* deflects this, as perhaps we learn from the same verse that just as a firstborn child who dies must be buried, so the firstborn donkey which dies must be buried.

The *Gemora* challenges this, for two reasons. First, any child who dies must be buried, so this requirement is unrelated to the firstborn status. Second, the *Gemora* cites a *braisa* which states that Rabbi Eliezer agrees that if one has a donkey which may be firstborn that he may keep the sheep he uses to redeem. Since he requires redemption of such a donkey, this proves that he prohibits any benefit from the firstborn donkey.

Rava answers that the only connection the verse makes between the firstborn child and donkey is redemption, which is what the verse is discussing. Therefore, as far as the process of redemption, they are equivalent, with the process extending until the *Kohen* receives it, but they are different in other areas, including receiving benefit. (12b)

When to Redeem the Donkey?

The *Gemora* cites a *Mishna* which states that *arachin* – values are based on the time they are accepted, redemption of a firstborn



child is after thirty days, and redemption of a firstborn donkey is immediate.

The *Gemora* challenges the timing of redeeming the donkey from a *braisa* which states that *arachin*, redeeming a firstborn son, becoming a *nazir*, and redeeming a firstborn donkey are all a minimum of thirty days, and may extend arbitrarily further.

Rav Nachman suggests that the *Mishna* means that if one did redeem the donkey immediately after its birth, it is valid.

The *Gemora* challenges this, as it implies that the *Mishna* is stating that redeeming a child before thirty days would not take effect, but Rav says that if one did so, it is effective.

The *Gemora* deflects this, as Rava explains that Rav agrees that it isn't valid if he explicitly stated that it take effect immediately.

Rav Sheishes answers that the obligation to redeem the donkey is in effect immediately, but the *braisa* is teaching that one who did not redeem it is not considered in violation until thirty days have passed.

Rami bar Chama challenges this from a *braisa* which says that the obligation to redeem a donkey is thirty days, after which he must redeem it or break its back. Rami bar Chama assumes the *braisa* means that the obligation is to keep the donkey for thirty days, and then redeem it or break its back, contradicting Rav Sheishes.

The *Gemora* attempts to deflect this, saying the *braisa* means that one must redeem it within thirty days.

The *Gemora* rejects this reading, as the *braisa* should then continue to say that afterwards, one must redeem it, or be considered in violation.

Rather, Rava says that the *braisa* which applies the thirty day period to redeeming a donkey is Rabbi Eliezer, who equates it with redeeming a child, while the *Mishna* is the Sages, who do not equate them. (12b – 13a)

INSIGHTS TO THE DAF

What's a Sheep?

The *Mishna* lists types of animals which may not be used to redeem the first born donkey. Rashi notes that the *Gemora* says that one may redeem the donkey with any item that is equal in value, but if redeems with a sheep, it can even be of lesser value. Therefore, Rashi explains that all the items listed in the *Mishna* are invalid only if they are worth less than the donkey.

See Chidushai Griz and Chazon Ish for a discussion about whether this applies to a blemished sacrifice which was redeemed, which the *Gemora* says cannot be used to redeem.

Rabbi Elozar

The *Mishna* records Rabbi Eliezer saying that one may use a cross bred sheep to redeem the first born donkey.

Tosfos (12a Rabbi Eliezer) says that this should be amended to be Rabbi Elozar. Tosfos explains that earlier (6a) the *Gemora* cited a dispute between Rabbi Yehoshua and Rabbi Eliezer about cross-bred animals. Rabbi Yehoshua said that an animal bred from two kosher species is permitted, from the verse which allows *seh kevasim vseh izim – she of sheep and she of rams*. Rabbi Eliezer said that we already know this, and the verse is teaching that even if one of the parent species is not kosher, the child is permitted. Tosfos says that both Rabbi Yehoshua and Rabbi Eliezer agree that the verse cited in the *braisa* teaches that a cross-bred sheep is considered a *seh – sheep*. Rabbi Elozar, however, says that the word *seh* used in the context of sacrifices does not exclude a cross breed of kosher parents, but rather of one kosher and one non-kosher parent.