

Daf Notes

Insights into the Daily Daf

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Daily Daf

Firstborn of a Non-kosher Animal

firstborns of donkeys (*require redemption*), but not the firstborns of horses and camels.

Rav Achai asked: [*There is need for the repetition of 'peter chamor'!*]. For if the Torah had written only one (*peter chamor*), I might have said that it (*the law of the firstborn donkey requiring redemption*) is something which was included in the general rule (*of non-kosher animals*) and then it was singled out of the general rule – so that the specification is not limited to itself alone, but is to be applied to the entire general rule (*of non-kosher animals*), and so, in all cases (*such as a horse or a camel*), the redemption is indeed with a sheep. Therefore the Torah wrote in another verse '*peter chamor*' to intimate that only firstborns of donkeys are redeemed with a sheep, but not the firstborns of horses and camels.

The *Gemora* asks: And how does our *Tanna* of the *Mishna* (*who uses this verse to exclude an offspring different than its mother from the law of bechor*) derive the exclusion of horses and camels (*as being completely exempt from the law of bechor*)?

Rav Pappa said: *All your cattle that produces a male; this is a general rule. (The firstborn) of an ox and sheep . . . and a firstborn of a donkey you shall redeem* is a specification; and with a general rule followed by a specification, the general rule includes only the specification. This teaches us that an ox, sheep and a donkey are subject to the law of *bechor*, but not any other animal.

The *Gemora* asks: But one might say that the exclusion (*with reference to horses and camels*) only refers to (*redemption with*) a sheep, but they may indeed be redeemed with anything?

The *Gemora* notes that Rabbi Yosi HaGelili does not expound like this, for he maintains that the word '*peter*' interrupts the matter.

The *Gemora* answers: If so, let the Torah write: *The firstborn of a donkey you shall redeem with a sheep; and then write: a donkey you shall redeem with a sheep.* Why this repetition: *The firstborn of a donkey you shall redeem with a sheep; and the firstborn of a donkey you shall redeem with a sheep?* It is to intimate that only the

The *Gemora* counters that the Rabbis would maintain that the letter '*vav*' (*the conjunction 'and'*) joins it again to the previous verse.

Rabbi Yosi HaGelili, however, argues by saying: The Torah did not have to write neither the '*vav*' (*which joins*

it with the previous verse), nor the word 'peter' (which interrupts the subject). [Obviously, the verses are not meant to be connected.]

The *Gemora* concludes with the Rabbis' reply: Since the second part (*donkey*) deals with objects consecrated in respect of their value and the first part (*ox and sheep*) deals with objects that have physical sanctity, the Torah, therefore, at first interrupts the matter, and subsequently connects it again. (6a)

Offspring Resembling a Different Animal

The *Gemora* inquires: If a cow gave birth to a species similar to a donkey and it possesses some features of its mother, what is the ruling (*is it subject to the laws of bechor*)?

The *Gemora* explains: If a goat gave birth to a species similar to a ewe and a ewe gave birth to a species similar to a goat, the ruling is that when it possesses some features of its mother, it is subject to the law of the *bechor*. This is because this one (*the mother*) is a kosher animal and this one (*the offspring*) is a kosher animal, this one (*the mother*) is an object which can possess physical sanctity, and this one (*the offspring*) is also an object which can possess physical sanctity. But here, where this one (*the offspring*) is a non-kosher animal, and this one (*the mother*) is a kosher animal, this one (*the mother*) is an object which can possess physical sanctity, and this one (*the offspring*) is an object which is consecrated for its value, the ruling should be that it is not subject to the law of the *bechor*. Or, perhaps, since even in this case (*where the offspring is a species similar to a donkey, and the mother is a cow*), they (*both the mother and the offspring*) belong to a category subject to the law of *bechor*, shall we say that it is therefore sanctified?

The *Gemora* inquires further: And should you maintain that since they (*both the mother and the offspring*) belong to a category subject to the law of *bechor*, we say that it is therefore sanctified, what will be the ruling for

a donkey which gave birth to a species similar to a horse?

The *Gemora* explains: Here, definitely, it (*the offspring*) does not belong to the category of animals which are subject to the law of *bechor* (*and therefore it will not be sanctified*), or, perhaps we can say that since it (*the horse*) belongs to the same category of non-kosher animals (*as its mother, the donkey*), it is therefore sanctified?

The *Gemora* inquires further: And should you maintain that since it belongs to a category of non-kosher animals, it is therefore sanctified, what will be the ruling regarding a cow which gave birth to a species similar to a horse?

The *Gemora* explains: Here, definitely, this one (*the cow*) is a kosher animal, whereas this one (*the offspring*) is a non-kosher animal, and this one (*the cow*) belongs to a category of animals which can possess physical sanctity, whereas this one (*the horse*) does not belong to the category of animals which can possess physical sanctity. Or are we perhaps to say that the features (*similar to the mother*) are the decisive factor?

The *Gemora* attempts to resolve the inquiries from the following *braisa*: A kosher animal which gave birth to a species similar to a non-kosher animal is exempted from the law of *bechor*. If it possesses, however, some features (*similar to the mother*), it is subject to the law of *bechor*. Now, does this not refer even to the case of a cow which gave birth to a species similar to a horse? [Evidently, its features are significant; this would resolve the third inquiry, and certainly – the first two!]

The *Gemora* deflects the proof by saying that the *braisa* refers only to the case of a cow which gave birth to a species similar to a donkey (*and the first inquiry alone would be resolved*).

The *Gemora* attempts to resolve the inquiries from the following *braisa*: If a cow gave birth to a species similar to a donkey, or a donkey gave birth to a species similar

Product of Kosher is Kosher; Product of Non-kosher is Non-kosher

to a horse, it is exempt from the law of *bechor*. If it possesses, however, some features (*similar to the mother*), it is subject to the law of *bechor*. Now, does this (*last clause*) not refer to both cases mentioned (*which would resolve the first two inquiries*)?

The *Gemora* deflects the proof by saying that the last clause refers only to the case of a cow which gave birth to a species similar to a donkey (*and the first inquiry alone would be resolved*).

The *Gemora* asks: If so, what is the necessity to teach the case where a donkey gave birth to a species similar to a horse? Is it not obvious that it would not be subject to the law of *bechor*!? Since, in the case of a cow which gave birth to a species similar to a donkey, where both (*the mother and its offspring*) belong to a category of animals which have the sanctity of a *bechor*, you still say that if the donkey has some features (*similar to its mother*), it is sanctified, but if not, it is not sanctified; is there any question then - in the case of a donkey which gave birth to a species similar to a horse (*which is not in a category of animals which have the sanctity of a bechor – certainly, it should not be subject to the law of bechor*)?

The *Gemora* answers: It is necessary to teach this, for you might have thought that there (*in the case of a cow which gave birth to a species similar to a donkey*), the reason (*it is exempt*) is because the cow has horns but the donkey has no horns; the cow's hooves are cloven but the donkey's hooves are closed; but here (*in the case where a donkey gave birth to a species similar to a horse*), since both (*the mother and its offspring*) have no horns and their hooves are closed, I might have said that the offspring (*a species of a horse*) was merely a red donkey (*and would be subject to bechor*). The *braisa* teaches us that this is not the case. (6a)

The *Mishna* had stated that with respect to consumption, the rule is as follows: That which is produced from a non-kosher animal (*even if it is similar to a kosher animal*) is non-kosher, and that which is produced from a kosher animal (*even if it is similar to a non-kosher animal*) is kosher.

The *Gemora* asks: What is the necessity for the *Mishna* to state that rule?

The *Gemora* answers: It is a mere mnemonic, so that you should not change the version of the *Mishna*; you should not say 'decide according to the offspring, and this is a perfectly kosher animal and this is a perfectly non-kosher animal,' but rather, we say: 'Follow the mother.'

The *Gemora* asks: From where is this derived?

The *Gemora* cites a *braisa*: *But this you shall not eat of them that bring up the cud and have a split hoof*. You have a case of an animal which brings up the cud and has split hooves, which you are, nevertheless, forbidden to eat. And what is it? This is the case of a kosher animal born from a non-kosher animal.

The *braisa* asks: Perhaps, it is not so, but rather, the verse refers to the case of a non-kosher animal born from a kosher animal? And what then would be the interpretation of the verse: *of them that bring up the cud and have a split hoof*? It would mean as follows: Something which proceeds from them which bring up the cud and have a split hoof, you shall not eat. The verse therefore states: *The camel . . . it is non-kosher*, intimating that it is non-kosher, but a non-kosher animal born from a kosher animal is not non-kosher, but kosher.

Rabbi Shimon (*disagrees and*) says: The word '*camel*' is written twice (*in Vayikra and Devarim*); once referring to a camel born from a camel (*as forbidden*), and the other

refers to a camel born from a cow (*that it is also forbidden*).

The *Gemora* asks: And as to the Rabbis who disagree with Rabbi Shimon, what do they do with the repetition 'camel,' 'camel'?

The *Gemora* answers: One is to forbid the camel itself, and the other is to prohibit its milk.

The *Gemora* asks: And from where does Rabbi Shimon derive the prohibition of a camel's milk?

The *Gemora* answers: He derives it from the word 'es' ('es ha'gamal' -- with the camel).

The *Gemora* notes that the Rabbis do not expound the word 'es.' This is as it was taught in the following *braisa*: Shimon Ha'amsoni used to expound the word 'es' wherever it occurred in the Torah. When he reached, however, the verse, *you shall fear 'es' Hashem, your God*, he abstained (*for he could not amplify the word, so as to include fearing any other being besides God*). His students said to him: Every 'es' which you have expounded, what will become of them? He replied to them: Just as I have received reward for expounding every 'es,' so I shall receive reward for withdrawing. Finally, however, Rabbi Akiva came and taught that the verse: *you shall fear 'es' Hashem, your God*, intimates that we must fear Torah scholars. (6a – 6b)

Camel's Milk

Rav Acha the son of Rava said to Rav Ashi: According to this, the reason of the Rabbis (*why milk of a non-kosher animal is forbidden*), is because of the repetition 'camel,' 'camel,' and that of Rabbi Shimon is because of the verse 'es the camel,' but were it not so, I would have thought that milk from a non-kosher animal is permitted. Why should it be different from that which was taught in a *braisa*: It is written (*regarding sheratzim - creeping things*): The contaminated ones. This signifies that the juice and the gravy and the sediment of these are forbidden.

The *Gemora* answers: It is necessary (*to find another source for milk*), for I might have thought that since even the use of milk itself of a kosher animal is a novelty, for a master said: The blood (*during the nursing period*) decomposes and turns into milk; and since it is a novelty (*that blood, which ordinarily is prohibited under the penalty of kares, after a change is permitted*), perhaps even the milk from a non-kosher animal should be permitted. We are therefore informed that this is not so.

The *Gemora* asks: This is well according to the one who says that the blood (*during the nursing period*) decomposes and turns into milk. But according to the one who says that (*the reason why there is no menstruation bleeding while nursing*) it is because her limbs become disrupted (*due to childbirth*) and she does not return to her normal cycle for twenty-four months, what will you say?

The *Gemora* answers: It is still necessary, for I might have thought that since there is nothing which comes from a living being which the Torah permits, and yet milk, which is similar to a limb from a living animal, is permitted; therefore even from a non-kosher animal, the milk should be permitted. We are therefore informed that this is not so.

The *Gemora* asks: And from where do we derive that milk itself from a kosher animal is permitted?

The *Gemora* presents several Scriptural sources that milk indeed is permitted. (5b – 6a)