Bechoros 10 – Good Morning Raboisai

1️⃣ Is Petor Chamor Assur B’Hanaah?

👉 Today’s Sugya focuses on Petor Chamor and whether one may benefit from the donkey.

There are two stages to discuss:

- Before the Petor Chamor is redeemed.
- If it is not redeemed and Arifah is performed.

Rebbe Yehudah holds that before redemption:

- The Petor Chamor is Assur B’Hanaah.

Rebbe Shimon holds:

- It is Mutar B’Hanaah.

According to Rebbe Shimon, one may therefore benefit from the donkey before its redemption.
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2️⃣ Rebbe Shimon’s Reason

👉 Ulla explains Rebbe Shimon’s reasoning.

Could it be that:

- The item used for the Pidyon is permitted

while:

- The item being redeemed is forbidden?

Rebbe Shimon therefore understands that before its Pidyon:

- The donkey is Mutar B’Hanaah.

The Gemara challenges this comparison from:

- Shemittah.

3️⃣ Shemittah – The Kedushah Moves

👉 With Shemittah produce, if it is exchanged for another item:

- The new item receives Kedushas Sheviis.

If that item is then exchanged again:

- The Kedushah moves to the newest item.

However:

- The original Shemittah produce always remains with its Kedushah.

This is expressed as:

- Acharon Acharon Asur

The final exchanged item is forbidden, while:

- The original produce also remains forbidden.

So the relationship between the original object and its Pidyon:

- Is not always straightforward.

4️⃣ A Source from the Pesukim

👉 The Gemara then connects the Machlokes to the Pasuk:

- לא תעבוד בבכור שורך ולא תגוז בכור צאנך

The Torah prohibits:

- Working with a Bechor ox.
- Shearing a Bechor sheep.

The different words in the Pasuk are used to derive:

- Which forms of Bechor are included
- And which are excluded.

5️⃣ A Bechor Owned in Partnership

👉 The Gemara discusses an animal owned in partnership with:

- A non-Jew.

According to Rebbe Yehudah:

- Such a partnership can still have a Chiyuv Bechor.

Therefore, a Pasuk is necessary to teach that certain prohibitions involving:

- Working
- Or shearing

do not apply in the same way.

According to Rebbe Shimon:

- A non-Jewish partnership is already exempt from Bechorah.

Therefore, he can use the extra wording for:

- A different Drashah.

6️⃣ What About a Human Bechor?

👉 If the Pasuk is being used to permit Hanaah from a Petor Chamor, the Gemara asks:

How do we know that one may benefit from:

- A firstborn Jewish baby

before performing:

- Pidyon HaBen?

Obviously, parents may:

- Hold
- Care for
- And benefit from their child.

The Gemara therefore explains how the words of the Pasuk are divided between:

- Bechor Adam
- Bechor Behemah
- And the laws of partnership.

After Arifah

7️⃣ Rebbe Shimon Agrees After Arifah

👉 The Gemara now changes focus.

Rava says:

Even Rebbe Shimon, who permits Hanaah from a living Petor Chamor before redemption, agrees that:

- After Arifah it becomes Assur B'Hanaah.

Arifah means:

- Breaking the donkey's neck

when the owner chooses not to redeem it.

8️⃣ Learning from Eglah Arufah

👉 The Torah also uses Arifah regarding:

- Eglah Arufah.

When a murdered person is found and the murderer is unknown:

- The closest city performs the procedure of Eglah Arufah.

That animal becomes:

- Assur B'Hanaah.

The shared term:

- Arifah

connects Eglah Arufah with:

- Petor Chamor.

Therefore, after Arifah:

- The Petor Chamor is Assur B'Hanaah.

Issurei Hanaah and Tumah

9️⃣ Can Something Assur B'Hanaah Become Tamei?

👉 The Gemara lists several things that are:

- Assur B'Hanaah.

These include:

- Orlah
- Kilay HaKerem
- Shor HaNiskal
- Eglah Arufah
- The bird of a Metzora that is killed
- Petor Chamor
- Basar B'Chalav.

The question is:

Can these items still be considered:

- Food

and therefore become:

- Tamei Tum'as Ochlin?

🔟 Rebbe Shimon – If You Cannot Eat It, It Is Not Food

👉 The Chachamim say these items can generally receive:

- Tum’as Ochlin.

Rebbe Shimon disagrees.

His principle is:

- אוכל שאתה יכול להאכילו לאחרים

To be considered food, it must be something that can at least be:

- Fed to someone else.

If nobody may benefit from it:

- It does not have the normal status of food for Tum’as Ochlin.

1️⃣1️⃣ Basar B’Chalav Is Different

👉 Rebbe Shimon makes an exception for:

- Basar B’Chalav.

One reason is that according to his view:

- It may be permitted B’Hanaah.

It could therefore potentially be:

- Given or sold to a non-Jew.

There is also another reason:

Before the meat and milk were cooked together:

- Each was ordinary food.

They already had:

- Sha’as HaKosher

a time when they were fit to be eaten.

Therefore, they retain significance regarding:

- Tumah.

1️⃣2️⃣ A Proof from Petor Chamor?

👉 If Rebbe Shimon permitted a Petor Chamor:

- Even after Arifah,

why would Petor Chamor not also be included among the foods that can:

- Become Tamei?

After all, if Hanaah were permitted:

- It could be given to someone who eats donkey meat.

The Gemara answers:

Donkey meat is not automatically regarded as:

- Normal food.

It requires:

- Machshavah – specific intent to use it as food.

Without that intention:

- It does not receive the status of food.

Issuro Chishuvo

1️⃣3️⃣ Does the Torah Calling It Forbidden Make It “Food”?

👉 Rav Sheishes introduces an important concept:

- איסורו חישובו

Its prohibition itself gives it significance.

If the Torah specifically prohibits eating something:

- That may itself demonstrate that it has the status of food.

According to this idea:

- A separate Machshavah may not be necessary.

1️⃣4️⃣ Neveilas Of Tahor

👉 The Gemara challenges this from:

- Neveilas Of Tahor.

A kosher bird that dies without Shechitah has a unique Tumah:

- It is Metamei when eaten and enters the Beis HaBeliah.

Yet the sources indicate that:

- Machshavah can still be required.

If Issuro Chishuvo were enough:

- Why should any additional thought be necessary?

The Gemara initially tries to explain:

- This source follows Rebbe Shimon.

1️⃣5️⃣ A Dead Non-Kosher Animal

👉 Another Beraisa discusses:

- Neveilas Behemah Temeiah.

In places where people would not normally eat such meat:

- Machshavah is required

to establish it as:

- Food.

Again, this seems difficult if:

- The Torah's Issur automatically makes it food.

The Gemara again attempts to connect the source with:

- Rebbe Shimon.

1️⃣6️⃣ One Kosher Siman Makes a Difference

👉 The Gemara distinguishes certain non-kosher animals that nevertheless possess:

- One kosher Siman.

Examples discussed include animals such as:

- The camel
- And pig.

Rebbe Shimon can regard these differently because:

- They possess at least one Siman associated with kosher animals.

A donkey, however:

- Does not have such a Siman.

Therefore, its meat may still require:

- Machshavah.

1️⃣7️⃣ Issuro Chishuvo Is Not Enough by Itself

👉 The Gemara eventually explains that:

- Issuro Chishuvo is not necessarily a standalone principle.

Simply because the Torah says something is forbidden does not automatically make it:

- Food in every situation.

However, Issuro Chishuvo can combine with:

- Another factor

to give the object importance as food.

Shechitah Can Add Importance

1️⃣8️⃣ Shechting a Non-Kosher Animal

👉 Suppose someone properly shechts:

- A non-kosher animal or bird.

The Shechitah does not make it:

- Kosher.

However, performing a proper Shechitah can show that the animal is being treated as:

- Food.

This can affect:

- Tum'as Ochlin.

1️⃣9️⃣ Shechitah + Issuro Chishuvo

👉 The Gemara explains an important combination:

- Shechitah alone may not be enough.
- Issuro Chishuvo alone may not be enough.

But together:

- They can establish the item as food.

The fact that the Torah recognizes it as something people eat, combined with:

- An act of Shechitah,

gives it sufficient:

- Chashivus.

2️⃣0️⃣ Shechitah for Practice

👉 The Gemara discusses someone who shechts a non-kosher bird:

- Merely to practise Shechitah.

The question is whether such a Shechitah gives the animal:

- The status of food.

This depends on whether the Shechitah demonstrates:

- Genuine preparation for eating

or was merely:

- An act of practice.

Back to Petor Chamor

2️⃣1️⃣ Hana’as Damav and Hana’as Gufo

👉 The Gemara distinguishes between two forms of benefit:

- Hana’as Damav – monetary benefit from the animal.
- Hana’as Gufo – physically using the animal itself.

Examples of Hana’as Damav include:

- Selling it
- Renting it out.

Examples of Hana’as Gufo include:

- Working with it
- Using the animal itself for personal benefit.

2️⃣2️⃣ Why Do We Need Both Cases?

👉 The Gemara explains that both types of Hanaah must be discussed.

If we were told only about:

- Hana'as Damav,

we might think Rebbe Shimon permits it because:

- The benefit is only monetary.

But perhaps he would agree with Rebbe Yehudah that:

- Hana'as Gufo is forbidden.

And if we were told only about:

- Hana'as Gufo,

we might misunderstand the extent of:

- Rebbe Yehudah's prohibition.

Therefore:

- Both cases are necessary.

📌 Key Chazarah

- Rebbe Yehudah holds a living Petor Chamor before Pidyon is Assur B'Hanaah; Rebbe Shimon permits Hanaah.
- The Gemara analyzes their Machlokes through the Pesukim dealing with Bechor.
- Rava says even Rebbe Shimon agrees that after Arifah, Petor Chamor is Assur B'Hanaah.
- This is learned from the connection between Arifah of Petor Chamor and Eglah Arufah.
- The Gemara discusses whether Issurei Hanaah can still have the status of food for Tum'as Ochlin.
- Rebbe Shimon generally requires food to be something that can be fed to others.

- Basar B'Chalav is different because of Sha'as HaKosher and, according to Rebbe Shimon, the possibility of Hanaah.
- Donkey meat is not automatically treated as food and may require Machshavah.
- Issuro Chishuvo means that an Issur can contribute to an item's Chashivus as food.
- Issuro Chishuvo may not work alone, but can combine with another factor such as Shechitah.
- The Gemara distinguishes Hana'as Damav from Hana'as Gufo when discussing benefit from Petor Chamor.

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