Bechoros 19 – Good Morning Raboisai

1️⃣ Two Mothers – Two Male Bechoros

The Mishnah discusses two sheep which had never previously given birth.

If each now gives birth to a male:

- Both males are definite Bechoros.
- Both are given to the Kohen.

If they produce:

- One male and one female,

the male is definitely a Bechor, since whichever mother produced him, he was her firstborn.

👉 The Kohen receives the male. 19_transcript

2️⃣ Two Males and One Female

The more complicated case is where the two mothers produce:

- Two males,
- And one female.

One male is definitely a Bechor.

But the other is a Safek because:

- One mother may have first given birth to the female,
- Making the male born afterwards not a Bechor.

Therefore:

- One male goes to the Kohen.
- One remains with the Yisrael.

The remaining animal is a Safek Bechor and must graze until it develops a Mum.

3️⃣ Rebbi Tarfon and Rebbi Akiva

Rebbi Tarfon originally says:

- The Kohen takes the better animal,

based on the idea that the stronger animal was more likely to have been born first.

As we learned previously:

- Rebbi Tarfon later retracts this reasoning.

Rebbi Akiva applies:

- HaMotzi MeChaveiro Alav HaRaayah.

👉 The Yisrael keeps the better animal unless the Kohen can prove his claim.

4️⃣ Matanos from the Remaining Animal

Once the Yisrael's Safek Bechor develops a Mum and is shechted:

Rebbi Meir says:

- He must give Matanos to the Kohen.

Rebbi Yosi says:

- He is exempt.

The reason for Rebbi Yosi was explained previously through:

- Chalipin B'Yad Kohen.

We view the division as though the Kohen first acquired one animal and exchanged it for the other.

👉 An animal received through such an exchange from the Kohen is exempt from Matanos.

5️⃣ What If One Animal Dies?

If one of the two males dies:

- The Kohen cannot automatically take the surviving animal.

The Yisrael can say:

- Perhaps the animal that died was the Bechor.

Therefore:

- HaMotzi MeChaveiro Alav HaRaayah.

The Kohen must bring proof before taking the survivor.

More Cases in the Mishnah

6️⃣ Several Mothers and Several Offspring

The Mishnah continues with combinations of:

- Multiple mothers,
- Males,
- And females.

The basic question in every case is:

👉 How many definite Bechoros are there?

If it is possible that a female was the first offspring of a particular mother:

- We cannot treat the later male as a definite Bechor.

The Kohen receives only:

- The number of animals that must definitely be Bechoros.

7️⃣ One Mother Had Already Given Birth

Another case:

- One sheep had previously given birth.
- The other had never given birth.
- They now produce male offspring.

Only the offspring of the mother who had never given birth can be:

- The Bechor.

But we do not know which male came from which mother.

Therefore:

- One is the Kohen's,
- And one remains with the Yisrael.

The same rules of Safek and Matanos are then discussed.

8️⃣ Why Does the Mishnah Need All These Cases?

The Gemara asks why the Mishnah repeats several cases that appear very similar.

Each case teaches something different.

One case involves:

- Two offspring from one mother.

Another involves:

- Twins from one mother and a single birth from another.

A third involves:

- One mother that had previously given birth.

👉 The physical circumstances of each birth could have affected Rebbi Tarfon's original assumption about which animal was likely born first.

Therefore, all the cases are necessary.

Yotzei Dofen – Caesarean Birth

🩶 One Born by Caesarean, One Naturally

The Mishnah introduces a fascinating case:

A mother gives birth to:

1. One male through a Caesarean birth – Yotzei Dofen.
2. Another male naturally through the womb.

Which, if either, is the Bechor?

The first animal is:

- First in actual birth,

but not:

- Peter Rechem – the first to open the womb.

The second animal is:

- Not the first animal born,

but is:

- The first to emerge naturally through the womb.

🔟 What Makes an Animal a Bechor?

This creates the central question:

Does Bechor require both:

- Rishon Leleidah – the first animal born,
- And Peter Rechem – the first to emerge through the womb?

Or is having one of these qualities enough?

👉 The Gemara analyzes whether a partial status of Bechor can create the Halachah of Bechor.

1️⃣1️⃣ "Bechor" and "Peter Rechem"

The Torah uses several expressions:

- Bechor,
- Zachar,
- Peter Rechem.

Each teaches another requirement.

A Bechor must be:

- Male.

But being the first male alone is not enough if:

- A female was born first.

The Torah therefore requires:

- Peter Rechem.

👉 The male must have the proper status as the first opening of the womb.

1️⃣2️⃣ What If a Female Was Born First?

Suppose:

- A female is born,
- Followed by a male.

The male is:

- The first male,

but he is not:

- The first offspring to open the womb.

Therefore:

- He is not a Bechor.

This helps define how the Torah's terms work together.

1️⃣3️⃣ Abaye – Both Requirements Are Needed

Abaye understands that a true Bechor requires the complete combination:

- Firstborn,
- Male,
- Peter Rechem.

Having only one aspect of Bechor:

- Is not sufficient.

Therefore, a Yotzei Dofen creates a difficulty for the animal born naturally afterwards:

- It may be Peter Rechem,
- But it is no longer the first birth.

1️⃣4️⃣ Ravina – One Aspect Can Have Significance

Ravina approaches the Pesukim differently.

He maintains that:

- One aspect of Bechor can have significance,

and explains the extra wording of Bechor and Peter Rechem accordingly.

The Gemara tests his approach particularly where:

- A female was born by Caesarean,
- Followed by a male through the womb.

The male is:

- The first male,

- And the first to emerge naturally through the womb,

but not the first offspring born.

👉 This sharpens exactly how the requirements of Bechor interact.

Buying an Animal from a Non-Jew

1️⃣5️⃣ Did This Animal Give Birth Before?

The Mishnah discusses buying an animal from a non-Jew when:

- We do not know whether it previously gave birth.

This matters because if the next male offspring is truly its first birth:

- It is a Bechor.

The age of the mother can help determine:

- Whether an earlier birth was realistically possible.

1️⃣6️⃣ Young Sheep and Goats

With smaller animals such as:

- Sheep and goats,

the Mishnah uses their age and pregnancy cycle to determine whether:

- They could already have given birth previously.

If the animal is young enough:

- We can know that the present birth must be its first.

Once it reaches an age where an earlier birth was possible:

- The status can become a Safek.

1️⃣7️⃣ Larger Animals

The same principle applies to larger animals:

- Their maturity and gestation periods are longer.

The Mishnah therefore gives a different age for determining whether:

- An earlier birth was possible.

👉 The issue is practical:

Can we establish that this is definitely the mother's first birth?

Tinuf

1️⃣8️⃣ An Earlier Pregnancy May Not Have Produced a Live Birth

The Gemara points out an important complication.

Even if there was not enough time for:

- Two complete pregnancies,

the animal may previously have experienced:

- Tinuf – an early unsuccessful pregnancy or discharge.

That earlier pregnancy can affect:

- Whether a later offspring has Bechor status.

👉 We cannot simply calculate two full pregnancies and conclude that the current offspring must be the first.

1️⃣9️⃣ Signs of Tinuf

With an animal:

- Evidence of Tinuf can show that there had already been an earlier pregnancy.

The Gemara contrasts this with the signs required in:

- A human pregnancy.

The important point for Bechor is:

- An earlier reproductive event may remove the later offspring's status as the first Peter Rechem.

Rov

2️⃣0️⃣ Why Not Follow the Majority?

The Gemara asks:

Why should an older animal purchased from a non-Jew merely be a Safek?

We know that:

- Most animals of a certain age have already given birth.

Why not follow:

- Rov,

and assume that this animal also previously gave birth?

2️⃣1️⃣ Rov That Is in Front of Us

The discussion distinguishes between different types of Rov.

A classic example is:

- A Sanhedrin where twelve judges rule one way and eleven the other.

The majority is:

- Directly in front of us.

We follow:

- The twelve.

This is a clear, identifiable majority.

2️⃣2️⃣ Rov That Is Not in Front of Us

The animal case involves a statistical majority:

- Most animals behave in a particular way.

But the majority itself is:

- Not physically in front of us.

The Gemara explores whether this type of Rov has the same force.

Yibum and the Minority

2️⃣3️⃣ The Case of a Minor Yavam

The Gemara challenges the distinction from Yibum.

Suppose a young boy's brother dies without children and:

- The widow falls to him for Yibum.

Why not assume:

- Most boys will develop normally,
- And eventually be capable of having children?

Similarly, why worry that a young girl might later prove:

- Incapable of bearing children?

👉 This appears to show that we sometimes rely on a statistical Rov even when the majority is not physically in front of us.

2️⃣4️⃣ Rebbi Meir Is Concerned for the Minority

Rava answers that the Mishnah follows:

- Rebbi Meir.

Rebbi Meir is:

- Choshesh L'Miuta.

Even though most children develop normally:

- He takes the minority possibility seriously.

Therefore, the fact that most animals have already given birth:

- Does not necessarily remove the Safek.

📌 Key Chazarah

- With two mothers that never gave birth, two male offspring are both definite Bechoros.
- With two males and one female, only one male is definitely a Bechor; the other is a Safek.
- HaMotzi MeChaveiro Alav HaRaayah determines which animal the Kohen can take when there is a Safek.
- Rebbi Meir requires Matanos from the Safek animal; Rebbi Yosi exempts through Chalipin B'Yad Kohen.
- The Mishnah gives several similar cases because twins, single births and mothers that previously gave birth create different possibilities.

- Yotzei Dofen raises the question of whether Bechor requires both first birth and Peter Rechem.
- The Pesukim of Bechor, Zachar and Peter Rechem define the requirements of Bechor.
- Abaye requires the full Bechor status, while Ravina analyzes whether one aspect can have independent significance.
- When buying an animal from a non-Jew, its age can help determine whether it previously gave birth.
- Tinuf means an earlier unsuccessful pregnancy may affect Bechor even without a previous live birth.
- The Gemara asks why we cannot follow Rov and assume an older animal previously gave birth.
- This leads to the distinction between an identifiable majority and a statistical majority.
- The Yibum case challenges that distinction.
- Rava explains that the Mishnah follows Rebbi Meir, who is Choshesh L'Miuta.

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