Bechoros 20 – Good Morning Raboisai

1️⃣ Recap – Why Not Follow the Rov?

The Daf continues the question from yesterday:

If an animal is old enough that most animals of that age have already given birth, why don't we follow the Rov and assume that its present offspring is not the Bechor?

Ravina explains that the Chachamim distinguish between two types of Rov:

- A Rov that does not depend on an action.
- A Rov that depends on something happening – Ruba D'Tali B'Maaseh.

👉 Most people naturally develop normally without any particular action. But saying that most animals have already given birth depends on mating and becoming pregnant.

Therefore, this Rov is not enough to remove the Safek Bechor.

2️⃣ When Is a Birth Definitely the First?

The Beraisa gives ages at which a birth is definitely considered the animal's first birth.

For example:

- A young goat giving birth within its first year cannot normally have already completed an earlier pregnancy and birth.
- Sheep and larger animals have their own later ages.
- A cow and donkey require still more time before an earlier birth becomes possible.

👉 Before the relevant age, the offspring can be a definite Bechor.

After that point:

- It becomes a Safek whether the mother previously gave birth.

3️⃣ The Problem of Tinuf

Rebbi Yehoshua raises an important problem:

Even if there was not enough time for:

- Two complete births,

perhaps the mother previously experienced:

- Tinuf – an unsuccessful pregnancy or miscarriage.

If there was a genuine earlier Tinuf:

- The later offspring may no longer have Bechor status.

👉 Therefore, calculating the mother's age based only on full-term births may not be enough.

4️⃣ Tinuf in Different Cases

The Gemara distinguishes between the signs needed to establish an earlier pregnancy.

For a smaller animal:

- Tinuf itself can be significant.

For larger animals and people:

- More substantial signs may be required, such as an afterbirth or evidence of a developed pregnancy.

The central issue is:

👉 Was there a genuine earlier pregnancy sufficient to remove the Bechor status from the later birth?

5️⃣ Are We Concerned About an Unseen Tinuf?

The Gemara clarifies that there is no real argument where:

- We actually saw a valid Tinuf.

The question is where:

- We saw no Tinuf at all.

Must we nevertheless be concerned that:

- Perhaps one occurred without our knowledge?

One opinion is not concerned.

The other says:

- We must take the possibility into account.

6️⃣ Choshesh L'Miuta

This leads back to the concept of:

- Choshesh L'Miuta – taking a minority possibility into consideration.

The Gemara asks:

If only a minority of animals experience Tinuf, why should we be concerned?

The discussion examines whether concern for a minority applies:

- Only as a Chumra,
- Or even when it can affect the monetary status of the animal.

Timing After Tinuf

7️⃣ Tinuf at Six Months

Rebbi Yehoshua discusses an animal that had Tinuf around:

- Six months of age.

The question becomes:

Could it still:

- Recover,
- Become pregnant,
- Complete a full pregnancy,
- And give birth before reaching one year?

If yes:

- The later birth could still be a second pregnancy.

If not:

- A birth before the end of the year proves there could not have been an earlier Tinuf.

8️⃣ Ze'iri – Thirty Days After Tinuf

Ze'iri teaches that after Tinuf:

- The animal does not become pregnant for thirty days.

This is crucial to the calculation.

If Tinuf occurred after six months:

- Thirty days are lost,
- Followed by the full gestation period.

👉 There may no longer be enough time to give birth again before the animal reaches one year.

Therefore, an earlier birth can prove:

- There was no prior Tinuf,
- And the present offspring is the genuine Bechor.

9️⃣ Rebbi Yehoshua – Tradition vs His Own Reasoning

Rebbi Yehoshua distinguishes between:

- What he received from his Rebbe,
- And what he concluded through his own reasoning.

The Gemara explains that one difference may be:

- Whether we accept Ze'iri's thirty-day period after Tinuf.

According to one approach:

- The animal cannot become pregnant during those thirty days.

According to the other:

- It may become pregnant sooner.

👉 That changes whether there is enough time for another full pregnancy within the year.

🔟 A Full Pregnancy

The Gemara also discusses whether:

- A complete gestation period must finish before birth.

The transcript compares this with the calculation of human pregnancy from:

- הריון – Herayon.

The Gematria is:

- 271.

This represents the concept that a full pregnancy cannot simply be shortened by assuming:

- Part of the final day counts as the entire day.

1️⃣1️⃣ Miktzas HaYom K'Kulo

Another possible difference is whether we say:

- Miktzas HaYom K'Kulo – part of a day counts as the whole day.

Suppose the full gestation period finishes:

- During the final day of the year.

Can a birth during that day count as having completed the necessary time?

👉 This becomes another way of understanding the difference between Rebbi Yehoshua's received tradition and his own reasoning.

Milk as Evidence of an Earlier Birth

1️⃣2️⃣ Does Milk Prove She Already Gave Birth?

The Gemara moves to the final disagreement:

An animal is producing milk.

Can we conclude:

- She must previously have given birth?

Normally:

- Milk follows pregnancy and birth.

If so:

- Her next offspring would not be the Bechor.

But there is a minority of animals that:

- Can produce milk without previously giving birth.

👉 Do we worry about that minority?

1️⃣3️⃣ The Machlokes About Chalav

This becomes another application of:

- Choshesh L'Miuta.

One opinion says:

- Milk is enough evidence that the animal previously gave birth.

The other is concerned for the minority possibility:

- Perhaps she produced milk without giving birth.

The Gemara then compares this to a seemingly contradictory case involving Yibum.

Yibum and the Missing Mother-in-Law

1️⃣4️⃣ Did the Mother-in-Law Give Birth?

A woman's husband dies without children.

If he has a brother:

- She requires Yibum or Chalitzah.

Suppose, however:

- There was no known brother,
- But the husband's mother was elsewhere.

Must we worry that:

- The mother-in-law may have given birth to another son?

Normally:

- We are not concerned about an unknown new brother.

1️⃣5️⃣ What If the Mother-in-Law Was Pregnant?

The situation changes if:

- The mother-in-law left while visibly pregnant.

Now there is a genuine possibility that:

- She subsequently gave birth to a son,
- Creating a Yavam.

But there are still other possibilities:

- She may have miscarried,
- Or given birth to a girl.

The Gemara uses these probabilities to test:

- Who is Choshesh L'Miuta.

1️⃣6️⃣ The Contradiction

The positions regarding:

- Milk proving an earlier birth,

appear to contradict the positions regarding:

- The pregnant mother-in-law and Yibum.

If someone is concerned for a minority in one case:

- We would expect him to be concerned in the other.

But the opinions initially appear reversed.

1️⃣7️⃣ Epoch – Reverse the Opinions

The Gemara resolves the contradiction with:

- Epoch – reverse the attribution.

After reversing the opinions:

- The positions become consistent.

One opinion treats milk as sufficient evidence:

- That there was an earlier offspring.

The other remains concerned:

- That the animal may belong to the minority which produces milk without previously giving birth.

This aligns the Bechor discussion with:

- The Yibum case.

📌 **Key Chazarah**

- Ravina distinguishes a normal Rov from a Rov dependent on an action – Ruba D'Tali B'Maaseh.
- The age of an animal can determine whether its present birth must be its first.
- An earlier Tinuf can remove the later offspring's Bechor status even without a previous full-term birth.
- The Gemara discusses whether we must suspect an unseen Tinuf.
- This becomes an application of Choshesh L'Miuta.
- Tinuf at six months creates a timing question: can the animal still complete another pregnancy within the year?
- Ze'iri says there is a thirty-day period after Tinuf before another pregnancy.
- Rebbi Yehoshua distinguishes between what he received from his Rebbe and his own reasoning.
- The Gemara also discusses completing the full gestation period and Miktzas HaYom K'Kulo.
- Milk may indicate that an animal previously gave birth, but a minority can produce milk without a prior birth.
- The Gemara compares this to a woman whose mother-in-law may have given birth to a Yavam.
- A contradiction between the two cases is resolved by Epoch – reversing the opinions.

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