Chullin 136 – Good Morning Raboisai

Rebbe Ilai and Partnerships

1️⃣ Reishis HaGez Is Different

👉 We continue with Rebbe Ilai.

Rava had explained that according to Rebbe Ilai:

- A partnership is exempt from Reishis HaGez.
- But a partnership remains obligated in other Mitzvos.

The Gemara now goes through a number of Mitzvos to show that although the Torah sometimes uses a singular expression such as "your field" or "your house":

- Two Jewish partners are still Chayav.

Reishis HaGez is the exception because of its special Limud.

Peah

2️⃣ A Partnership in a Field

👉 Regarding Peah, the Torah says:

- Sadecha – your field.

We might think this means:

- Only a field belonging to one person.
- A jointly owned field is Patur.

However, another Pasuk uses:

- Artzechem – your land, in the plural.

This includes:

- A field belonging to Jewish partners.

Therefore:

- A Jewish partnership is Chayav in Peah.

3️⃣ Why Say "Sadecha"?

👉 If partners are Chayav, why does the Torah use the singular:

- Sadecha?

It comes to exclude:

- Partnership with a non-Jew.

Such a partnership is:

- Different from a partnership between two Yisraelim.

Bechor

4️⃣ A Partnership in an Animal

👉 The Gemara next discusses:

- Bechor.

The Torah says:

- Bekarcha
- Tzonecha

in the singular.

This might imply:

- A jointly owned animal is exempt.

But another Pasuk says:

- Bekarchem
- Tzonchem

in the plural.

Rava therefore understands:

- A Jewish partnership can be obligated in Bechor.

Mezuzah

5️⃣ A Jointly Owned House

👉 The same pattern applies to:

- Mezuzah.

Although the Torah says:

- Beisecha – your house

in the singular, a house owned by:

- Two Jewish partners

still requires:

- A Mezuzah.

6️⃣ “Beisecha” Teaches the Right Side

👉 If “Beisecha” is not excluding a partnership, what does it teach?

The Gemara derives:

- Derech Bi’ascha – the way you enter.

This teaches where:

- The Mezuzah is placed.

It is placed:

- On the right side as one enters.

Maaser

7️⃣ Produce Owned in Partnership

👉 The Gemara next discusses:

- Maaser.

Even if produce belongs to:

- Two Jewish partners

the obligation of Maaser:

- Still applies.

This includes the familiar cycle:

- Maaser Rishon
- Maaser Sheni in years 1, 2, 4 and 5
- Maaser Ani in years 3 and 6.

The singular wording does not exempt:

- A Jewish partnership.

8️⃣ A Non-Jewish Partner

👉 The singular expression instead serves to exclude:

- Partnership with a non-Jew

in the relevant circumstances.

Again, the Gemara's pattern is:

- Jewish partnership – Chayav.
- Partnership with a non-Jew – can be excluded.

Matanos

9️⃣ Zero'a, Lechayayim and Keivah

👉 Next comes:

- Matanos – Zero'a, Lechayayim and Keivah.

The Torah says:

- V'nasan – "he shall give"

in the singular.

We might therefore think:

- Partnership is exempt.

And there is an additional reason to think so.

Reishis HaGez also uses:

- Titen Lo – you shall give him.

Since Rebbe Ilai exempts partnership from:

- Reishis HaGez

perhaps Matanos should be:

- Exempt as well.

🔟 Why Not Learn Matanos From Reishis HaGez?

👉 Rava answers that the expression of:

- Nesinah – giving

is not unique to Reishis HaGez.

The same Pasuk also discusses:

- Terumah.

Therefore the use of:

- Titen Lo

does not prove that Matanos must follow:

- Reishis HaGez.

According to Rava:

- Jewish partners remain Chayav in Matanos.

“HaZevach”

1️⃣1️⃣ HaDin Im HaTabach

👉 If partnership is already Chayav, why does the Torah say:

- HaZevach?

The Gemara uses this for Rava's rule:

- HaDin im HaTabach.

The practical responsibility for the Matanos can be directed toward:

- The butcher/Shochet handling the animal.

The Kohen does not necessarily need to chase:

- The actual owner.

The butcher who is processing the animal:

- Deals with giving the Matanos.

Bikkurim

1️⃣2️⃣ Partnership in Land

👉 The Gemara continues with:

- Bikkurim.

Although one Pasuk appears to use singular language:

- Another Pasuk includes produce belonging to partners.

Therefore:

- Jewish partners can be obligated in Bikkurim.

1️⃣3️⃣ What Does the Singular Expression Exclude?

👉 Here the exclusion is used for:

- Chutz La'Aretz.

Bikkurim applies:

- In Eretz Yisrael

and not to ordinary produce:

- From Chutz La'Aretz.

Tzitzis

1️⃣4️⃣ A Garment Owned by Partners

👉 A garment jointly owned by:

- Two Yisraelim

is obligated in:

- Tzitzis.

Although the Torah uses:

- Kesuscha – your garment

in the singular, another Pasuk refers to:

- Bigdeihem – their garments.

This includes:

- A jointly owned garment.

1️⃣5️⃣ A Borrowed Talis

👉 So what does:

- Kesuscha

teach?

It excludes:

- A borrowed garment.

The Gemara states that a borrowed Talis is exempt from Tzitzis:

- For the first thirty days.

After thirty days:

- The Rabbinic obligation applies.

Ma'akeh

1️⃣6️⃣ A Jointly Owned Roof

👉 The same principle applies to:

- Ma'akeh – the protective fence around a roof.

A house jointly owned by:

- Two Yisraelim

still requires:

- A Ma'akeh.

The reason is obvious:

- The danger of someone falling exists regardless of how many people own the property.

Rav Bibi Challenges Rava

1️⃣7️⃣ Is Reishis HaGez Really the Only Exception?

👉 Until now, Rava maintained:

- Rebbe Ilai exempts partnership only from Reishis HaGez.

But the Gemara now brings opinions challenging this.

A Beraisa indicates that according to Rebbe Ilai:

- Partnership can also be exempt from Bechor.

This directly contradicts:

- Rava's broad rule.

1️⃣8️⃣ How Does Rebbe Ilai Read the Plural Pasuk?

👉 Rava had used:

- Bekarchem
- Tzonchem

to include:

- Jewish partnerships.

The opposing view explains that this plural expression:

- Does not necessarily refer to partnership.

It can refer instead to:

- The cattle and sheep belonging collectively to Klal Yisrael.

Therefore Rebbe Ilai can still hold:

- An individual partnership is exempt.

Rav Chanina Challenges Rava

1️⃣9️⃣ Matanos May Also Be Exempt

👉 Another Beraisa states explicitly that Rebbe Ilai exempts:

- A partnership from Matanos.

Therefore the exemption is no longer limited to:

- Reishis HaGez.

We now have additional categories in which Rebbe Ilai can exempt:

- Partnership.

2️⃣0️⃣ Learning Matanos From Reishis HaGez

👉 Why?

Both use the concept of:

- Nesinah.

Reishis HaGez says:

- Titen Lo.

Matanos similarly involve:

- Giving the Kohen his portion.

Rebbe Ilai therefore compares:

- Matanos to Reishis HaGez.

Just as partnership is exempt from:

- Reishis HaGez

so too it can be exempt from:

- Matanos.

What About Terumah?

2️⃣1️⃣ The Same Pasuk Discusses Terumah

👉 The Gemara now asks:

If we are making this comparison through:

- Nesinah

why stop with Matanos?

The same Pasuk also discusses:

- Terumah.

Perhaps Rebbe Ilai should also hold:

- A partnership is exempt from Terumah.

The Gemara accepts:

- Indeed, according to this approach, Rebbe Ilai exempts partnership from Terumah as well.

So Rebbe Ilai's partnership exemption is:

- Broader than Rava originally presented.

Learning Reishis HaGez From Terumah

2️⃣ 2️⃣ Does Reishis HaGez Apply in Chutz La'Aretz?

👉 Once Rebbe Ilai compares Reishis HaGez to:

- Terumah

the Gemara explores how far the comparison goes.

Terumah applies primarily:

- In Eretz Yisrael.

Therefore Rebbe Ilai holds:

- Reishis HaGez also does not apply in Chutz La'Aretz.

This differs from:

- The simple ruling of our Mishnah.

Does Reishis HaGez Make the Wool Tevel?

2️⃣ 3️⃣ A Major Difference From Terumah

👉 The Gemara asks:

If Reishis HaGez is really like Terumah, perhaps the wool should become:

- Tevel

until Reishis HaGez is separated.

By Terumah:

- The produce cannot be eaten until the required separation is made.

But Reishis HaGez is different.

The Torah says:

- Gez Tzonecha Titen Lo.

The obligation arises as:

- A gift from the shearing.

It does not make:

- The remaining wool prohibited.

Misah and Chomesh

2️⃣4️⃣ Another Difference

👉 Terumah has serious Halachos:

If a non-Kohen intentionally eats it:

- There can be Misah Bidei Shamayim.

If he eats it unintentionally:

- He pays Keren V'Chomesh.

Should the same apply to:

- Reishis HaGez?

The answer is:

- No.

Special Pesukim restrict these consequences:

- To Terumah itself.

They do not extend to:

- Reishis HaGez.

No Maaser From Reishis HaGez

2️⃣5️⃣ Only One Stage

👉 With ordinary produce there are:

- Several stages of separation.

For example:

- Terumah
- Maaser Rishon

- Terumas Maaser
- And Maaser Sheni or Maaser Ani.

Perhaps wool should require:

- Similar additional separations.

The Gemara rejects this.

Reishis HaGez is:

- One Matanah.

Once its required portion is given:

- There is no further Maaser process on the remaining wool.

Wool From Different Years

2️⃣6️⃣ Can Different Years Combine?

👉 Terumah cannot normally be separated:

- From one year's produce for another year's produce.

The Gemara therefore asks whether:

- Reishis HaGez from different years

can combine to make the required Shiur.

A Beraisa seems to indicate:

- Wool from five sheep can combine even when accumulated over several years.

Another source indicates:

- It does not combine.

2️⃣7️⃣ A Tannaitic Dispute

👉 The Gemara resolves this as:

- A Machlokes Tannaim.

One opinion allows:

- The wool to combine across years.

The other:

- Does not.

So although Reishis HaGez is compared to Terumah:

- Not every detail is identical.

Wool That Grew Under a Non-Jew

2️⃣8️⃣ When Did the Obligation Begin?

👉 The Gemara makes another comparison to:

- Terumah.

Suppose produce began growing while owned by:

- A non-Jew

and was later acquired by:

- A Yisrael.

The obligation can depend on:

- How much had already grown before the purchase.

The Gemara asks whether Reishis HaGez should:

- Follow the same rule.

2️⃣9️⃣ Our Mishnah Does Not Follow Rebbe Ilai

👉 Our Mishnah taught:

If someone purchases:

- The shearing of a non-Jew's sheep

he is:

- Patur.

But if he purchases:

- The sheep themselves

the situation is different.

This does not fit neatly with:

- Rebbe Ilai's comparison to Terumah.

The Gemara concludes:

- Our Mishnah does not follow Rebbe Ilai.

Different Species

3️⃣0️⃣ Trumah From One Species for Another

👉 The Gemara continues:

With Terumah:

- One species cannot be separated for another species.

For example:

- One type of produce cannot necessarily serve as Terumah for a different type.

So perhaps the same should apply to:

- Reishis HaGez.

If the flock contains:

- Different types of sheep

the wool should have to be treated:

- Separately.

3️⃣1️⃣ Our Mishnah Seems to Support This

👉 Our Mishnah discussed:

- White sheep
- Darker sheep
- Males
- Females.

It says:

- Zeh nosein l'atzmo v'zeh nosein l'atzmo.

The different groups are:

- Dealt with separately.

This appears to support:

- The comparison to Terumah.

3️⃣ 2️⃣ But Males and Females Aren't Different Species

👉 The problem is:

- Male and female sheep are not different species.

Their wool may differ:

- Female wool can be softer and better quality.

But that does not make them:

- Separate species.

The Gemara therefore explains that the Mishnah can be giving:

- Practical advice about fair distribution.

One should not give the Kohen:

- Only from one quality of wool

while keeping:

- The better quality for himself.

3️⃣ 3️⃣ Again – Our Mishnah Is Not Rebbe Ilai

👉 In any event, the Gemara has already established:

- Our Mishnah does not follow Rebbe Ilai.

Therefore:

- It cannot be used as a conclusive challenge against his comparison of Reishis HaGez to Terumah.

Can Everything Be Given as Reishis HaGez?

3️⃣ 4️⃣ You Cannot Make Everything Terumah

👉 The Gemara asks another question.

A person cannot say:

- "My entire grain pile is Terumah."

Similarly:

- He cannot make his entire dough Challah.

There must remain:

- Chullin.

So if Reishis HaGez is compared to Terumah:

- Perhaps he cannot designate all his wool as Reishis HaGez.

3️⃣5️⃣ Rebbe Ilai Agrees

👉 The Gemara concludes that according to Rebbe Ilai:

- One cannot designate all the wool as Reishis HaGez.

There must be:

- A genuine "Reishis" – a first portion

with something:

- Remaining afterward.

This is another area where:

- Reishis HaGez follows Terumah.

Three Halachos Following Rebbe Ilai

3️⃣6️⃣ The Accepted Practice

👉 The Gemara states that the Minhag is to follow:

- Rebbe Ilai regarding Reishis HaGez.

Accordingly:

- Reishis HaGez is not practiced in Chutz La'Aretz.

This explains why:

- The Mitzvah is not ordinarily performed outside Eretz Yisrael

despite the wording of the Mishnah.

3️⃣7️⃣ Matanos in Chutz La'Aretz

👉 The transcript also connects Rebbe Ilai's approach to:

- Zero'a, Lechayayim and Keivah.

According to this approach:

- These Matanos are likewise not practiced in Chutz La'Aretz.

This follows the comparison to:

- Terumah.

Two Other Accepted Halachos

3️⃣8️⃣ A Baal Keri May Learn Torah

👉 The Gemara lists another accepted ruling:

A Baal Keri:

- Does not need to immerse before learning Torah.

Although Ezra instituted:

- Tevilah for a Baal Keri

the accepted Halachah is that:

- Torah may be learned without this immersion.

The idea mentioned in the transcript is:

- Torah itself does not become Tamei.

3️⃣9️⃣ Kilayim – Rebbe Yoshiya

👉 A third accepted ruling follows:

- Rebbe Yoshiya

regarding Kilayim.

According to Rebbe Yoshiya, the Torah prohibition of:

- Kilayim BaKerem

requires planting together:

- A grape seed
- Wheat
- And barley.

The full Torah prohibition requires:

- All three together.

Back to Reishis HaGez

4️⃣0️⃣ Another Source for Chutz La'Aretz

👉 The Gemara returns to the question:

Why should Reishis HaGez not apply:

- In Chutz La'Aretz?

The comparison to Terumah provides:

- One source.

But another approach compares Reishis HaGez to:

- Maaser Behemah.

This leads into:

- A different Halachah learned from Maaser.

Reishis HaGez and Maaser Behemah

4️⃣1️⃣ A Treifah

👉 Maaser Behemah does not include:

- A Treifah.

The Gemara therefore derives that:

- Reishis HaGez also does not apply to a Treifah.

This is based on the comparison:

- Tzon – Tzon.

Just as certain sheep are excluded from:

- Maaser Behemah

so too they are excluded from:

- Reishis HaGez.

4️⃣2️⃣ Why a Treifah Does Not Enter Maaser

👉 The transcript explains that animals pass:

- Through an opening

to be counted for:

- Maaser Behemah.

A Treifah is excluded.

Even if a particular Treifah is physically capable of:

- Walking through the opening

the category of Treifah is:

- Halachically excluded.

Therefore the same exclusion can extend to:

- Reishis HaGez.

📌 Key Chazarah

- Rava originally held that Rebbe Ilai exempts partnership only from Reishis HaGez.
- The Gemara reviews Peah, Bechor, Mezuzah, Maaser, Matanos, Bikkurim, Tzitzis and Ma'akeh, showing how Jewish partnerships can remain Chayav despite singular wording in the Torah.
- A jointly owned house requires Mezuzah; "Beisecha" teaches Derech Bi'ascha and placement on the right side.
- A borrowed Talis is exempt from Tzitzis for the first thirty days.
- HaDin im HaTabach means the practical claim for Matanos can be directed toward the butcher handling the animal.
- Later Amoraim challenge Rava and show that according to Rebbe Ilai partnership can also be exempt from Bechor, Matanos and Terumah.
- Rebbe Ilai compares Reishis HaGez to Terumah.

- Therefore, according to Rebbe Ilai, Reishis HaGez does not apply in Chutz La'Aretz.
- Reishis HaGez does not make the remaining wool Tevel.
- The Misah and Chomesh rules of Terumah do not apply to Reishis HaGez.
- Reishis HaGez requires only one gift; there is no further Maaser process on the wool.
- Whether wool from different years combines can depend on a Machlokes Tannaim.
- The Gemara discusses wool that began growing under non-Jewish ownership and concludes that our Mishnah does not follow Rebbe Ilai.
- Rebbe Ilai's comparison to Terumah also affects separating different species and whether all the wool can be designated as Reishis HaGez.
- One cannot make all the wool Reishis HaGez; there must be a "Reishis" with something remaining.
- The accepted practice follows Rebbe Ilai regarding Reishis HaGez in Chutz La'Aretz.
- The Gemara also records the accepted Halachah that a Baal Keri may learn Torah without first immersing.
- The Halachah follows Rebbe Yoshiya that Kilayim BaKerem requires grape, wheat and barley together.
- Reishis HaGez is also compared to Maaser Behemah through "Tzon," teaching that a Treifah is exempt.

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