

OVERVIEW of the Daf

1) Firstborns in the wilderness (cont.)

R' Pappa's explanation of the dispute between R' Yochanan and Reish Lakish concerning whether firstborns were sanctified in the wilderness is unsuccessfully challenged.

R' Mordechai offers another explanation of the dispute between R' Yochanan and Reish Lakish.

R' Ashi unsuccessfully challenges this interpretation.

2) Kontokos and R' Yochanan ben Zakkai

Kontrokos and R' Yochanan ben Zakkai discuss what seems to be a discrepancy about the number of levi'im that took over the sanctity of the firstborn yisroelim.

Kontrokos and R' Yochanan ben Zakkai discuss what seems to be money collected for the Mishkan that was not accounted for.

R' Achai questions why R' Yochanan ben Zakkai found the pasuk difficult and the Gemara responds to this challenge.

The Gemara searches for the source for R' Yochanan ben Zakkai's assertion that the maneh used in the Mishkan was twice the size of a regular maneh.

After two unsuccessful attempts to resolve this matter R' Chisda identifies the source.

3) Donkey bechor

R' Chanina and R' Elazar discuss why firstborn donkeys are different from firstborn horses and camels.

Two additional conversations between R' Chanina and R' Elazar are presented and the Gemara's comment to each of those conversations is recorded.

4) MISHNAH: The Mishnah discusses halachos that relate to an animal born from one species that resembles an animal of another species.

5) Mutant bechor

A Mishnah is cited that discusses whether a mutant animal is subject to the laws of bechor.

R' Yehudah provides a source for this ruling.

It is noted that our Mishnah cites a different source for this ruling.

The Gemara explains that R' Yehudah was following the position of R' Yosi HaGalili.

The point of dispute between these Tannaim is identified.

The exchange between these Tannaim regarding their respective expositions is recorded. ■

Distinctive INSIGHT

Was Moshe, your teacher, a swindler or incompetent with numbers?

ועוד שאלו בגיבוי כסף אתה מוצא מאתים ואחת ככר ואחת עשרה מנה וכו' ובנתינת הכסף אתה מוצא וכו' משה רבכם גנב היה או קוביוסטוס היה וכו'

Kontrokus, a Roman officer, confronted R' Yochanan b. Zakkai with several questions. One was regarding the counting of the men of Levi in the desert, which was 22,300, and a discrepancy of 300 which is noted when the Levites "redeemed" the first borns and replaced them in the service in the Mikdash. R' Yochanan b. Zakkai resolved this issue.

The second question was regarding the collection of the half-shekel coins and their later disbursement to fashion the sockets for the Mishkan. The collection of the coins resulted in an amount of 201 kikar and eleven maneh, corresponding to one half shekel for each of 603,550 men. When the silver was used to make the sockets, only one hundred kikar was used (see Shemos 38:27). Kontrokus confronted R' Yochanan b. Zakkai with impudence and asked, "Was Moshe, your teacher, a thief or swindler (קוביוסטוס)? Did he steal half the money or hide half the people? Did he handle the money so incompetently that he lost it?"

Rishonim deal with the precise definition of the term "kuyustus," which Kontrokus used in his accusation of Moshe's apparent misuse of the silver collected from the nation. Tosafos translates it as "a gambler," one who wagers and plays with dice. Rashba explains that the accusation was that perhaps Moshe had gambled away half the money entrusted to him by the people.

Rabeinu Gershom translates the term "kuyustus" to be "a kidnapper." Rashi also translates it to be a kidnapper. Tosafos in Kiddushin (11a) asks how this translation fits into our Gemara, where the Roman officer accused Moshe of misappropriating the money he collected. To translate this phrase to refer to a gambler fits into the context, because gambling can account for Moshe's having lost money, but what does kidnapping have to do with losing a large amount of silver? Tosafos responds that the money collected was used as part of the census of the people, so losing the money would reflect upon the population being counted as a smaller number. Maharsha, in the name of Aruch, explains that the accusation was that Moshe had "hidden" part of the population in order to make it seem that the amount collected should be less than it was.

Tosafos in Chullin (91b) explains that the accusation of Moshe being a kidnapper was in reference to the first question the officer had asked, about the loss of three hundred Levites in the process of redeeming the first borns. His second accusation, that Moshe was incompetent with calculations, was aimed at the loss of the silver in the second situation, that regarding the silver for the sockets of the Mishkan. ■

HALACHA Highlight

A kosher-looking animal born to a non-kosher mother

שהיוצא מן הטמא טמא

For the product of a non-kosher animal is not kosher

The Mishnah teaches that the product of a non-kosher animal is non-kosher and the product of a kosher animal is kosher. This means that even if a kosher-looking animal is born to a non-kosher animal it is non-kosher. Teshuvos Yad Eliyahu¹ is uncertain regarding the exact status of a kosher-looking animal that is born to a non-kosher animal. Is the kosher-looking animal a non-kosher animal because an offspring is determined by its mother's status or perhaps an animal's categorization is not determined by its mother, instead it is determined by its own characteristics. As such a kosher looking animal born to a non-kosher animal is categorized as a kosher animal, however, it is prohibited for consumption since it was born to a non-kosher mother. A practical difference between these two approaches is whether the slaughter of this kosher-looking animal prevents it from becoming a neveilah. If the kosher-looking animal is categorized as a non-kosher animal then slaughtering it would not prevent it from becoming a neveilah since slaughter does not prevent a non-kosher animal from becoming a neveilah. On the other hand if it is categorized as a kosher animal that is merely prohibited for consumption slaughtering it would nevertheless prevent it from becoming a neveilah.

Teshuvos Yad Eliyahu concludes that the kosher-looking animal is not categorized as a non-kosher animal and is merely prohibited for consumption. Nevertheless, since the matter was

REVIEW and Remember

1. What mitzvah did the Jewish People have to fulfill to merit entrance into Eretz Yisroel ?

2. Why was Moshe Rabbeinu accused of being a thief by a Roman officer ?

3. Why are firstborn donkeys different than firstborn horses or camels ?

4. What is the point of dispute between our Tanna and R' Yosi HaGalili ?

in doubt and related to a Biblical prohibition one should be stringent in all matters. Mishnas Rav Aharon² proves from a Gemara below (12a) that an animal's status is determined by its mother and as such a kosher-looking animal born to a non-kosher animal is categorized as a non-kosher animal for all matters. He notes that Tosafos³ seems to maintain that a kosher-looking animal born to a non-kosher mother is not put in the same category as its mother and notes that seemingly Tosafos's position is refuted by the Gemara below and does not suggest a resolution for Tosafos. ■

¹ שו"ת יד אליהו סי' ב' והובא דבריו בפת"ש יו"ד סי' ע"ט סק"ב.
² משנת ר' אהרן אות ה'.
³ תוס' ד"ה והא. ■

STORIES off the Daf

The Beast of Burden

”שסייעו לבני ישראל בשעת יציאת מצרים לשאת רכוש גדול...”

Around one hundred years ago, many great luminaries of the old yishuv attended a pidyon haben. At the meal was Rav Kook, zt"l, who served as the kohain, and Rav Yosef Chaim Sonenfeld, zt"l. Although they often didn't see eye to eye, many are unaware how considerate and respectful each was of the other personally.

The father invited Rav Kook to say a few words in honor of the affair. Rav Kook began to address the assembled guests. “In Chulin we find an answer to a puzzling

question. Why was the donkey chosen to fulfill the mitzvah of pidyon petter chamor? After all, a donkey is a completely unclean animal! The Gemara explains that the donkey was chosen because it bore the weight of the treasure that the Jewish people took out of Egypt.

Rav Kook exclaimed, “Look at that! Even though a donkey is unclean and serves as a symbol for stubbornness, obtuseness and the like, it nevertheless receives a reward for carrying property to Eretz Yisrael. We see from here that even one who is defiled and has bad middos can gain a modicum of holiness if he participates in the process of bringing the Jewish people from the exile to Eretz Yisrael.”

After Rav Kook completed his speech, Rav Sonenfeld immediately got up, unwilling to let the statement pass. “I had not

intended to speak, but the Rav of Yaffo began his drashah without drawing the natural conclusion. It behooves me, in honor of his Torah, to complete the drashah.”

Rav Sonenfeld continued, “Firstly, it is clear that he is correct. The donkey merited holiness because it served as a beast of burden for Jews, despite its negative aspects. Nevertheless, the mitzvah of petter chamor proves that it is impossible for the holiness to remain with an unclean beast. There are two possibilities: either the holiness is transferred to a sheep, a clean animal, via the mechanism of pidyon. And if not, the only other alternative is that the donkey is killed!”¹ ■

¹ עקבי חיים, ע"ז ■

