Bekhorot 23

Daf Yomi · Sunday, October 11, 2026 · ל׳ תשרי תשפ״ז · Covers 23b (Mishnah of Rabban Shimon ben Gamliel on a nursing animal) through 24b (Achai's question about a pig and a ewe)

Summary

Bekhorot 23 presents Rabban Shimon ben Gamliel's Mishnah: one who buys a nursing animal from a gentile need not worry that the young it nurses belongs to another animal, so the animal is exempt from the firstborn law. Likewise, if he enters his flock and sees first-time mothers and older mothers nursing, he need not worry that the young have switched mothers. Rav Nachman reports Rav's ruling that the law follows the whole chapter except where there is a dispute, and Rav Sheshet works out which part of the chapter Rav meant. The answer is Rabban Shimon ben Gamliel's ruling, since the baraita that disputes it is not considered a real dispute.

The Gemara asks what exactly Rabban Shimon ben Gamliel holds: that an animal shows compassion for another's young only if it has given birth, or that even then it nurses only its own. The difference is whether one who slaughters the animal and the young on one day receives lashes. R. Yochanan rules that if a pig is seen nursing from a ewe, the ewe is exempt from the firstborn law and the pig is forbidden to eat, "until he comes and teaches righteousness to you." The Gemara explains this ruling as a doubt about Rabban Shimon ben Gamliel's reasoning. Achai's question about the same case is left unresolved.

Detailed Summary

1. Mishnah: a nursing animal 23b

The preceding lines of 23b complete the discussion of water mixed into brine (summary of Bekhorot 22).

MISHNAH (BEKHOROT 23b)

רשב"ג אומר: הלוקח בהמה מניקה מן העובד כוכבים, אין חוששין שמא בנה של אחרת היה. נכנס לתוך עדרו וראה את המבכירות מניקות ושאינן מבכירות מניקות, אין חוששין שמא בנה של זו בא לו אצל זו, או שמא בנה של זו בא לו אצל זו.

Rabban Shimon ben Gamliel says: one who buys a nursing animal from a gentile need not worry that it was another animal's young (Rashi: that this animal never gave birth and loves its companion's young, so that its next young would be a doubtful firstborn; rather, it is certainly its own, and it is exempt). If he entered his flock and saw first-time mothers nursing and older mothers nursing, he need not worry that the young of this one came to that one, or the young of that one came to this one (Rashi: those attached to the first-time mothers are certain first-borns, and those attached to the others are certainly not).

2. Rav: the law of the whole chapter 23b–24a

RAV'S RULING. Rav Nachman said in the name of Rav: the law follows this whole chapter, except for a dispute. Rav Sheshet said: I say that Rav said this when he was lying down asleep. On what was it said? If on the beginning of the chapter, R. Yishmael and R. Akiva disagree there.

NOT R. ELIEZER BEN YA'AKOV. Rather on R. Eliezer ben Ya'akov? The teaching of R. Eliezer ben Ya'akov is "a *kav*, and clean" (Rashi: Rav would not need to say so; it is little, and "clean" means the law follows him).

Tosafot – ד"ה משנת רבי אליעזר בן יעקב קב ונקי

QUESTION. If the law always follows R. Eliezer ben Ya'akov, why would Rav ever need to rule?

ANSWER. There are places where the law is ruled like him (Eruvin 62b), yet Rav himself in Yevamot (60a) holds that sometimes his view is not accepted. Therefore a ruling could be needed.

WHY THIS MATTERS. The general rule about R. Eliezer ben Ya'akov has exceptions.

OTHER CANDIDATES. Rather on Rabban Shimon ben Gamliel? He is disputed in a baraita. Rather on R. Yose ben HaMeshullam? Rav said that once, for Rav said the law follows R. Yose ben HaMeshullam. Rather on the hair of a blemished firstborn? Akavya ben Mahalalel and the Sages disagree.

THE ANSWER. In truth it refers to Rabban Shimon ben Gamliel, and it teaches us that the baraita is not considered a dispute (Rashi: since no one disagrees with him in the Mishnah, the law follows him).

WHY TWO RULINGS? Since Rav said the law follows the whole chapter except a dispute, why did he need to say the law follows R. Yose ben HaMeshullam? Had he said only "the whole chapter," I would have said it refers to R. Yose ben HaMeshullam, and "the whole chapter" means R. Yose said two things, while the baraita's dispute is a real dispute. He told us the law follows R. Yose to teach that "the whole chapter" refers to Rabban Shimon ben Gamliel, and the baraita's dispute is not a dispute.

3. The baraita 24a

THE FIRST TANNA. What is the baraita? As it was taught: one who buys a nursing animal from a gentile, the next young is a doubtful firstborn, since it shows compassion even if it has not given birth (Rashi: it loves its companion's young). Rabban Shimon ben Gamliel says: the matter stays in its presumption.

AT NIGHT. And so Rabban Shimon ben Gamliel would say: one who enters his flock at night and sees about ten or fifteen first-time and older mothers giving birth, and the next morning finds males attached to the older mothers and females attached to the first-time mothers, need not worry that the young of this one came to that one.

Rashi – ד"ה ומצא זכרים

THE ISSUE. What is the significance of the arrangement?

RASHI'S EXPLANATION. The newborn males are attached to the older mothers, which are already exempt, and the newborn females to the first-time mothers. Now the kohen has nothing: none of the males is a firstborn, and the firstborn law does not apply to females.

WHY IT MATTERS. If the young had switched mothers, the males would be firstborns, yet we do not worry about it.

Tosafot – ד"ה הנכנס לתוך עדרו בלילה כו' ולמחר השכים כו'

QUESTION. Why describe it this way? Let it say simply: he entered his flock and saw males attached to these and females to those.

ANSWER. It is a novelty: the births were at night, when mothers do not yet recognize their young and tend to err, so a young could easily come to another. Even so, we do not worry.

WHY THIS MATTERS. Rabban Shimon ben Gamliel's presumption holds even in the most uncertain conditions.

4. Whose young does it nurse? 24a

THE QUESTION. It was asked: Rabban Shimon ben Gamliel said "the matter stays in its presumption," since an animal shows compassion only if it has given birth. But where it has given birth, do we worry that it shows compassion for another's young? Or perhaps it shows compassion only for its own, not for another's?

THE DIFFERENCE. What difference does it make (Rashi: for the firstborn law, it is exempt either way)? For lashes on account of a mother and its young. If you say it shows compassion only for its own, he receives lashes; if you say it shows compassion even for another's, he does not.

FIRST PROOF. Come and hear: Rabban Shimon ben Gamliel says one who buys an animal from a gentile need not worry that it was another's young. Does it say "it is"? It says "it was," meaning: he need not worry that it is another's young unless it had a young from the start (Rashi: so for the firstborn it is certainly exempt, but for a mother and its young, it is a doubt).

SECOND PROOF. Come and hear: he entered his flock and saw first-time mothers nursing and older mothers nursing; he need not worry that the young switched. Why not? Let us worry that it shows compassion! In the presence of its own, it does not leave its own and show compassion for another's.

THIRD PROOF. Come and hear: "the matter stays in its presumption, and so..." Is the first case not like the latter? Just as in the latter it is certainly its own, so in the first it is certainly its own. Is that a proof? This is as it is, and that is as it is. What then is "and so"? It refers to the exemption from the firstborn law.

Rashi – ד"ה ומשני לפטורא

THE ISSUE. In what way are the two cases alike?

RASHI'S EXPLANATION. In both, the animals are certainly exempt from the firstborn law. In the latter case, each mother does not leave her own young that stands before her. In the first case, even if the young is not hers, she had another, since she shows compassion only if she gave birth. For a mother and its young, the first case remains a doubt.

WHY IT MATTERS. The word "and so" links only the firstborn exemption, not the question of lashes.

5. A pig nursing from a ewe 24a

R. YOCHANAN'S RULING. Rabbah bar bar Chana said in the name of R. Yochanan: if he saw a pig attached to a ewe (Rashi: nursing from it), the ewe is exempt from the firstborn law, and the pig is forbidden to eat, "until he comes and teaches righteousness to you" (Hoshea 10:12; Rashi: until Eliyahu comes and teaches whether it is permitted).

WHOSE VIEW? Exempt from the firstborn law, according to whom? Rabban Shimon ben Gamliel (Rashi: an animal does not nurse another's young, and this pig is not holy, since it is an anomaly). Forbidden to eat, like the Sages (Rashi: who worry about compassion; for Rabban Shimon

ben Gamliel it would be an impure animal born of a pure one, which is permitted). Moreover, if like the Sages, what is "until he comes and teaches"? It should say "until the matter becomes known to you"!

Tosafot – ד"ה ראה חזיר שהוא כרוך אחר רחל

QUESTION. Why does the case mention a pig and not a camel? Perhaps because R. Yochanan holds like R. Shimon, who forbids a *kalut* born of a pure animal, so even if the pig were known to be the ewe's young it would be forbidden.

ANSWER. One can say that since the ewe is a small animal, the case takes a pig, which is comparable, or that it prefers a case that fits all views.

WHY THIS MATTERS. The choice of animal keeps the ruling independent of other disputes.

A DOUBT ABOUT THE LAW? If you say he was unsure whether the law follows Rabban Shimon ben Gamliel or the Sages, then why is the ewe exempt from the firstborn law? Moreover, is he unsure? Rabbah bar bar Chana said in the name of R. Yochanan: wherever Rabban Shimon ben Gamliel taught in our Mishnah, the law follows him, except for the guarantor, Tzaidan, and the last proof.

THE ANSWER. In truth he is certain that the law follows Rabban Shimon ben Gamliel, but he is unsure whether Rabban Shimon ben Gamliel holds that an animal that has given birth shows compassion or not (Rashi: and "until he comes and teaches" means until Eliyahu explains Rabban Shimon ben Gamliel's reasoning).

WHY A PIG? If so, instead of a pig, let him teach the case of a lamb, with lashes for a mother and its young. The pig was needed. Had he taught a lamb, I would have said: even if you say an animal that gave birth shows compassion, that is for its own species, not another species. He taught a pig, where it may show compassion even for another species.

6. Achai's question 24a–24b

THE QUESTION. This is what R. Yochanan said: Achai the great asked (Rashi: a great and important man of his generation): if he saw a pig attached to a ewe, what is the law? What was he asking? If about the firstborn law, asking whether the law follows Rabban Shimon ben Gamliel or the Sages, let him ask about a lamb.

TWO QUESTIONS. He asked about the firstborn law according to the Sages, and about eating according to Rabban Shimon ben Gamliel. For the firstborn law, even according to the Sages who say it shows compassion: does it show compassion for its own species but not another, or even for another? For eating, even according to Rabban Shimon ben Gamliel, if you say he holds an animal that gave birth shows compassion: is that for its own species but not another, or even for another? Let it stand unresolved.

Rashi – ד"ה או דלמא דלאו מינה נמי מרחמא

THE ISSUE. What follows from each side of the question regarding the firstborn?

RASHI'S EXPLANATION. If it shows compassion even for another species, the young that follows is a doubtful firstborn. If not, the pig is surely its own and the ewe is exempt.

WHY IT MATTERS. The unresolved question leaves the next young's status in doubt according to the Sages.

The next Mishnah, R. Yose ben HaMeshullam on slaughtering a firstborn, begins on 24b and is covered in the summary of Bekhorot 24.

The full picture in plain language

An animal that nurses a young is presumed to be its mother. Rabban Shimon ben Gamliel relies on that presumption: if a buyer finds a gentile's animal nursing, it has already given birth, and its next young is not a firstborn. The Sages of the baraita worry that an animal may adopt another's young, but Rav rules that this baraita does not count as a real dispute, so the law follows Rabban Shimon ben Gamliel.

The Gemara then asks whether a mother that has given birth might also adopt a stranger's young. For the firstborn law it makes no difference, since either way she has given birth; but for the ban on slaughtering a mother and its young on one day, it determines whether the pair are truly related. R. Yochanan's ruling about a pig nursing from a ewe reflects this doubt: the ewe is exempt, but the pig may not be eaten until the question is resolved, and Achai's version of the question remains open.

Glossary

Hebrew	Transliteration	Meaning in this sugya
מניקה	*menikah*	A nursing animal.
מבכירות	*mavkirot*	First-time mothers.
מרחמת	*merachemet*	Shows compassion for, adopts, a young.
דבר בחזקתו	*davar be-chezkato*	The matter stays in its presumption.
כרוך אחר	*karukh achar*	Attached to and nursing from.
תיקו	*teiku*	Let it stand: the question is unresolved.

Sources: Gemara with relevant Rashi and Tosafot.