

דף יומי • בכורות • דף נ"ד

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THE SUGYA

In this sugya, the Gemara delves into the source for the halachah that one species cannot be used to tithe for another species regarding ma'asros. The Gemara presents a kal v'chomer from the pesukim, evaluating how different grain species and vineyard plantings function relative to the prohibitions of kilayim. From there, the shakla v'tarya turns to ma'asar behemah, analyzing whether cattle and sheep, or sheep and goats, can combine for the tenth animal, using detailed gezeiros shavos and pesukim.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

צמוד א' DAF 54A

QUESTION

אשכחן תירוש ויצהר,

We have found a source in the psukim for **wine and oil**, that one cannot separate tithes from one for the other.

QUESTION

תירוש ודגן ודגן ודגן מנין?

But regarding separating tithes from **wine and grain**, or from two different species of **grain and grain**, from where do we derive that they cannot be tithed for each other?

ANSWER

קל וחומר:

The Gemara answers that it is derived through a **kal v'chomer**:

PROOF

ומה תירוש ויצהר שאינן כלאים זה בזה — אין מתעשרין מזה על זה,

Just as **wine and oil**, which are not kilayim (forbidden mixed species) with each other when planted together, cannot be tithed from one for the other,

PROOF

תירוש ודגן ודגן ודגן שהם כלאים זה בזה — אינו דין שלא יתעשרו מזה על זה?

then regarding **wine and grain**, or two species of **grain and grain**, which are kilayim with each other when sown together, is it not logical that they should not be tithed from one for the other?

OBJECTION

ולרבי יאשיה, דאמר: עד שיזרע חטה ושיעורה וחרצו במפולת יד,

The Gemara asks: **And according to Rabbi Yoshiya, who said** that one does not violate the prohibition of kilayim in a vineyard until he sows a grain of wheat, a barley grain, and a grape seed with a single hand motion,

OBJECTION

היכי מייתי לה?

so according to him, grain and wine alone are not kilayim together; **how does he derive it?**

RESOLUTION

מייתי לה הכי:

The Gemara answers: **He derives it as follows:**

PROOF

ומה תירוש ויצוקר, שאינן כלאים זה בזה אפילו על ידי דבר אחר — אין מתעשרין מזה על זה.

Just as wine and oil, which are not kilayim with each other even by means of another item being added—meaning olive trees and grapevines cannot become kilayim together even with grain—are nevertheless **not tithed from one for the other,**

PROOF

תירוש ודגן ודגן, שהן כלאים זה בזה על ידי דבר אחר — אינו דין שלא יתעשרו מזה על זה?

then regarding **wine and grain, or grain and grain, which are kilayim with each other by means of another item**—such as adding a second grain species—is it not logical that they should not be tithed from one for the other?

QUESTION

ושני מיניו בעלמא, מנלן?

The Gemara asks: This explains grain and wine, **but two other species in general**, such as legumes, **from where do we know** that they cannot be tithed for each other?

ANSWER

הגי דרבנן גיגהו,

The Gemara answers: **These** other species **are** obligated in tithes only **mid'Rabbanan**,

EXPLANATION

וכל דתקינו רבנן כעין דאורייתא תקינו:

and whatever the Rabbis enacted, they enacted parallel to Torah law:

EXPLANATION

מה דאורייתא שני מיניו אינן מתעשרין מזה על זה, דרבנן נמי.

Just as by Torah law two species are not tithed from one for the other, so too, regarding Rabbinic tithes, two species may not be tithed from one for the other.

OBJECTION

אמר ליה רבא בר רב חנן לאבאי: אלא מעתה, גבי מעשר בהמה, דלא כתיב "וכל מעשר בקר ומעשר צאן",

Rava bar Rav Chanan said to Abaye: If that is so, then regarding animal tithe, where it is not written: "And all the tithe of cattle and the tithe of sheep," repeated twice to teach that cattle and sheep are distinct species,

עמוד ב' DAF 54B

QUESTION

תעשרו מזה על זה!

Let **them be tithed from one for the other!** Why shouldn't cattle and sheep join together for ma'asar?

STATEMENT

אמר ליה:

Abaye said to him:

ANSWER

אמר קרא "העשירי", תן עשירי לזה ותן עשירי לזה.

The verse states: "The tenth" shall be holy, teaching us: **give a tenth for this** species separately, **and give a tenth for that** species separately.

QUESTION

אי הכי, כבשים ועזים נמי?

The Gemara asks: **If so**, then **sheep and goats also** should not be tithed one for the other!

ANSWER

"וצאן" משמע כל צאן אחד.

The Gemara answers: The verse says "**or the flock**", which **implies all flock** animals are considered **one** group, including both sheep and goats.

QUESTION

הכא נמי לימא משמע כל דגן אחד!

The Gemara asks: **Here too**, by terumah and ma'asros, **let us say** that the word "dagan" (grain) **implies all grain is one** species and may be tithed together!

ANSWER

אמר אבאי: "ראשיתם",

Abaye said: The pasuk says "**their firstfruits**", in the plural, to divide them into distinct types.

STATEMENT

וכן אמר רבי אילעא: "ראשיתם".

And so said Rabbi Il'a: The word "their firstfruits" teaches that each grain must be tithed by itself.

ANSWER

רַבָּא אָמַר: בְּלֹא "רֵאשִׁיתָם" נִמְי מִשְׁמַע כָּל דָּגוּן אֶחָד — לֹא מֵצִית אֶמְרָתָּ.

Rava said: Even without "their firstfruits", you also cannot say that all grain is implied as one.

EXPLANATION

בְּשִׁלְמָא הָתָם אָמְרִינן: "וְצֹאֵן" מִשְׁמַע כָּל צֹאֵן אֶחָד, דְּאִי סִלְקָא דְּעֵתָהּ כְּבָשִׂים וְעִזִּים נִמְי — לְכַתּוּב "וְכָל מַעֲשֵׂר בְּהֵמָה".

Granted, there regarding sheep and goats, we say that "or the flock" implies all flock is one, for if it would enter your mind to say that **sheep and goats also** cannot be tithed for each other, then let the Torah write: "And all animal tithe", without specifying herd or flock.

OBJECTION

וְכִי תִימָא: אִי כְּתִיב "כָּל מַעֲשֵׂר בְּהֵמָה", הוּי אִמְינָא אֶפִּילוּ חֵיה —

And if you would say: If it were written "all animal tithe", I would have said even a non-domesticated animal (chayah) is subject to tithes —

RESOLUTION

"תַּחַת" "תַּחַת" מִקְדָּשִׁים גָּמַר.

This is not so, because the Torah **derives** animal tithe **from** **kodashim** (sacrifices) through a gezeirah shavah of "under" and "under", excluding chayah.

PROOF

וְאֵתִי בָּקָל וְחוֹמֶר מִחֶדֶשׁ וְיָשָׁן,

And that different species cannot tithe for one another would come by a kal v'chomer from new and old grain:

QUESTION

"בָּקָר וְצֹאֵן" לָמָּה לִי?

So **why do I need** the Torah to explicitly write "herd and flock"?

ANSWER

בָּקָר וְצֹאֵן הוּא דְּאִין מִתְעַשְׂרִין מִזֶּה עַל זֶה, אֲבָל כְּבָשִׂים וְעִזִּים מִתְעַשְׂרִין.

It is specifically **cattle and flock** that may not be tithed from one to the other, but sheep and goats may be tithed together.

EXPLANATION

אֲבָל הֵכָא, מִי סָגִיא דְּלֹא כְּתִיב "דָּגוּן"? לְמַעוּטֵי שְׂאֵר מִינִין.

But **here** by grain, **could it be sufficient** without writing "dagan"? No, because "dagan" is needed to **exclude other species** of food from the chiyuv of ma'asar min haTorah.

OBJECTION

מתקיף לה רב הונא בריה דרב נחמן: אימא לערבו לבקר בצאן!

Rav Huna the son of Rav Nachman raised an objection to this: Say that "herd and flock" comes to mix cattle with flock and tithe them all as one!

ANSWER

אמר ליה מר זוטרא בריה דרב נחמן לרבא: אית ליה נמי "העשירי".

Mar Zutra the son of Rav Nachman said to Rav Huna: Rava also holds of Abaye's exposition from "the tenth", which already forbids tithing cattle for sheep.

STATEMENT

איבא דאמרי, אמר רבא: בלא "עשירי" נמי לא מצית אמרת בקר וצאן מתעשרין מזה על זה,

There are those who say a different version: Rava said: Even without "the tenth", you also cannot say that cattle and flock may be tithed from one for the other,

EXPLANATION

דאיתקש מעשר בהמה למעשר דגן —

for animal tithe is juxtaposed to grain tithe:

PROOF

מה מעשר דגן ממין על שאינו מינו לא, אף מעשר בהמה ממין על שאינו מינו לא.

Just as grain tithe may not be taken from one species for that which is not its species, so too animal tithe may not be taken from one species for that which is not its species.

QUESTION

והא רבא הוא דאמר: "שנה" לשנה הקשתיו, ולא לדבר אחר!

The Gemara asks: But isn't it Rava himself who said: I juxtaposed "year" to year, to teach that animals born in different years cannot be tithed together, and not for any other matter?

ANSWER

הדר ביה רבא מההיא.

The Gemara answers: Rava retracted from that statement.

ANSWER

ואיבעית אימא: חדא מיניהי רב פפא אמרה.

And if you want, say instead: One of these statements was said by Rav Pappa, not Rava.

משנה MISHNAH

MISHNAH

מתני' מעשר בהמה מצטרף כמלא רגל בהמה רועה,

MISHNAH: Animal tithe combines from different locations if they are within the range of a grazing animal's foot step,

MISHNAH

וכמה היא רגל בהמה רועה? ששה עשר מיל.

and how much is the foot step of a grazing animal? Sixteen mil.

MISHNAH

היו בין אלו לאלו שלשים ושלשים מיל — אין מצטרפין.

If there were thirty-two mil between these animals and those animals, they do not combine.

MISHNAH

היו לו באמצע — מביא ומעשרן באמצע.

If he had another group of animals in the middle, he brings them and tithes them in the middle.

MISHNAH

רבי מאיר אומר: הירדן מפסיק למעשר בהמה.

Rabbi Meir says: The Jordan River creates a separation for animal tithe, even if the distance is small.

גמרא GEMARA

QUESTION

גמ' מנא הני מילי?

GEMARA: From where are these words derived?

ANSWER

אמר רבה בר שילא: דאמר קרא "עוד תעברנה הצאן על ידי מונה",

Rabbah bar Sheila said: For the verse states: "The flock shall yet pass under the hands of him who counts them",

EXPLANATION

וקים להו לרבנן דשיתסר מיל קא שלטא ביה עינא דרועה.

and the Rabbis have a tradition that sixteen mil is the distance over which the eye of a shepherd can keep watch.

משנה MISHNAH

MISHNAH

היו בין אלו לאלו שלשים ושלשים מיל אין מצטרפין וכו'.

We learned in the Mishnah: If there were thirty-two mil between these animals and those animals, they do not combine, etc.

גמרא GEMARA

INFERENCE

שְׁלֹשִׁים וּשְׁנַיִם הוּא דַּאִין מִצְטָרְפִין, הָא בְּצִיר מִהִכִּי מִצְטָרְפִין?

The Gemara infers: Is it specifically thirty-two mil that they do not combine, but less than this they do combine?

QUESTION

וְהָא קִתְנִי: שֶׁשָּׁה עֶשֶׂר מִיל, טָפִי לָא!

But doesn't the first clause teach: Sixteen mil, meaning anything more is not combined!

ANSWER

מְשׁוּם דְּקָא בְּעֵי לְמִיתְנָא סִיפָא: הָיוּ לוֹ בְּאֲמָצַע — מִבֵּיא וּמַעֲשָׂרוֹ בְּאֲמָצַע.

The Gemara answers: The Mishnah mentioned thirty-two mil because it wanted to teach the seifa: If he had animals in the middle, he brings and tithes them in the middle.

QUESTION

וּכְמָה?

The Gemara asks: And how many animals must be in each place to combine them?

ANSWER

אָמַר רַב: חֲמִשָּׁה מִכָּאן וְחֲמִשָּׁה מִכָּאן וְחֲמִשָּׁה מֵאֲמָצַע, דִּהְיֵי חֲמִשָּׁה חִזְיָא לְהִכָּא וְחִזְיָא לְהִכָּא.

Rav said: Five from here, five from there, and five in the middle, because these five in the middle are fit to join here and fit to join there.

ANSWER

וּשְׁמוּאֵל אָמַר: אֶפִּילוּ חֲמִשָּׁה מִכָּאן וְחֲמִשָּׁה מִכָּאן וְאַחַד בְּאֲמָצַע, חִזְיֵנּוּ לְרוּעָה כְּמֵאן דְּקָאֵי הִכָּא, וְקִרְיֵנּוּ בֵּיהּ "מוֹנֵה".

And Shmuel said: Even five from here, five from there, and one in the middle, we view the shepherd as if he is standing here in the center, and we read in him: "He who counts".

SUMMARY

The Gemara uses a kal v'chomer from wine and oil to prove that grain and wine, or two different species of grain, cannot be tithed for one another. After resolving how this fits according to Rabbi Yoshiya's shitta regarding kilayim b'kherem, the Gemara notes that Rabbinic tithes follow the same model as D'Oraisa tithes. Turning to ma'asar behemah, the Gemara explains that cattle and sheep are distinct species based on the pasuk "the tenth," whereas sheep and goats are considered one

flock and can be tithed together. Finally, the Mishnah establishes that animals combine for tithing if they are within sixteen mil—the distance a shepherd's eye can monitor—and the Gemara begins analyzing this measure.

למעשה WHAT TO TAKE HOME

The sugya is discussing how different types of produce and livestock, whether it is wine and oil, wheat and barley, or cattle and sheep, cannot join together to discharge the obligation of ma'aser. Each specific species has its own unique standing, its own identity, and its own chiyuv before Hashem. You cannot just lump everything into one big pile and say, "Well, it's all produce, so it all counts together." Hashem created a world with distinct species, and He wants us to elevate each one on its own terms.

This is a tremendous yesod for our daily avodah. In life, Hashem gives every single one of us a completely unique package. You have your specific kocho, your family situation, your specific nisyono, and your unique personality. Mima'ila, your avodas Hashem cannot be a carbon copy of someone else's, nor can you measure your life using someone else's yardstick. Just as a cow and a sheep cannot be counted together for ma'aser because each is a distinct entity with its own din, you cannot judge your own growth by comparing yourself to your chavrusa, your neighbor, or your brother-in-law.

Take this to heart today: stop looking at how someone else is learning, how someone else is davening, or how someone else manages their home. Look at your own "species", the exact tools, strengths, and conditions Hashem gave to YOU, and focus purely on making that elevated and kadosh.