

Now that *K'layim* are included, etc.

השתא כלאים איתרבו כולי -

Overview

The גמרא explained that we cannot say that both times או are inclusive (one for כלאים and one for נדמה), for once we know that כלאים are included, so נדמה is certainly included. questions the need for this ק"ו, in order to prove that the או is not coming to be מרבה a נדמה.

asks: תוספות

ואם תאמר בלא קל וחומר דכלאים איכא למפרך -

And if you will say; even without this ק"ו from כלאים we can still challenge the view that או is לרבות (a נדמה) -

דמה צריך לרבות דממילא מתרבי כל כמה דלא מעטיה קרא -

For why is it necessary to add the word או in order to include a נדמה, since a נדמה is automatically included as long as the פסוק does not exclude it; explains תוספות -

דהא כי אמר דאתו אויין למעט צריך קרא למעוטי -

For when we assume that the two או are excluding (כלאים and נדמה) we need a verse (או) to exclude נדמה also-

ואף על גב דממעטינן כלאים לא הוה ממעטינן נדמה אי לאו דמעטיה קרא¹ -

For even though we are excluding כלאים with one או, we would not have excluded נדמה, unless the verse excluded it with the second או -

answers: תוספות

ויש לומר דבלא שום קרא הוה מרבינן נדמה שדומה במקצת סימנין -

And one can say; that without any פסוק (או), we would have included a נדמה who has partially similar characteristics to his parents -

וממעטינן נדמה שאין דומה כלל -

And we would exclude a נדמה who is not similar at all to the parent -

דהוה ילפינן בתחת תחת² ממעשר ומעשר בהעברה העברה³ דבכור -

For we would have derived this through the תחת תחת of גזירה שוה, and מעשר,

¹ In a case where we are excluding כלאים, nevertheless if there is no second או, we would not exclude נדמה, meaning that נדמה is included in this פסוק, so in a case where we are including כלאים, there is no reason to require a ריבוי for נדמה; it is obviously included!

² [See העברה] It says תחת by תחת (in כב,כו) קדשים and it says תחת by תחת (in מעשר בהמה) מעשר (שמות [בא] יג,יב) בכור by והעברת (ויקרא [בחקותי כז,לב] מעשר by יעבור) פטר רחם; so, we say just as by בכור a נדמה is פסול (if he is not at all similar; see later טמא ד"ה תוס' on this עמוד) the same applies to מעשר and קדשים.

we would have derived **מעשר בכור** through the גז"ש of **העברה העברה**, all this is if there was no **או** -

והשתא' כי אמר דאתי או למעט ממעט נדמה אפילו אותו שנדמה במקצת סימנים -

But now when we say that או comes to exclude, we exclude even the נדמה who has some similar characteristics (which we would not have excluded if not for the **או**) -

וכי אמרי אתא לרבוויי בעי לרבוויי נדמה אפילו אותו שאין דומה כלל -

And when we say that או comes to include, we wish to include even a נדמה who is not similar at all (which we would not have included if not for the **או**) -

ולהכי דייק השתא כלאים איתרבי נדמה אפילו אין דומה כלל⁵ מבעיא:

So therefore, the גמרא infers, now that כלאים is included, so it is obvious that even a נדמה who is not similar at all is also included.

Summary

There are two types of נדמה and if there would be no **או** we would include a נדמה who is partially similar to the parent, and exclude a נדמה who is not similar at all.

Thinking it over

According to this תוספות, if there would be only one 'או'; what would we include, and what would we exclude (regarding נדמה וכלאים)?⁶

⁴ answer is that there are two types of נדמה, one who is partially similar to the parent, and the other who is not similar at all to the parent. If there was no **או** to be מרבה or to be ממעט, we would have included a נדמה, who is partially similar to the parent, but we would exclude a נדמה who is not at all like the parent. So, if the **או** excludes, it excludes even a נדמה who is partially similar, and if the **או** includes, it includes even a נדמה who is not similar at all. Therefore, we cannot ask that **או** cannot be מרבה a נדמה (since a נדמה is included), for that is only a נדמה who is קצת דומה, but not a נדמה who is not דומה at all, so the **או** could be מרבה this נדמה, who is כלל דומה. Therefore, the question can only be based on כלאים, that if כלאים is included, then every נדמה should certainly be included even a נדמה who is כלל דומה. ⁵ כלאים is a an animal born from two different species (כשב ועז), however נדמה is from the same species but it has a different appearance. If כלאים is included so נדמה should certainly be included.

⁶ See נחלת משה and רשב"א.