

OVERVIEW of the Daf

1) Clarifying the Mishnah (cont.)

The Gemara continues to relate the incident of a person who sought to be redeemed after he sold himself to cannibals.

A description of how Reish Lakish annihilated the cannibals is recorded.

One last comment regarding Reish Lakish's lifestyle is presented.

2) **MISHNAH:** The Mishnah teaches that one who sells his field to an idolater must buy the first fruits and bring bikkurim from it for the benefit of society.

3) A non-Jew's property rights in Eretz Yisroel

Rabbah and R' Elazar disagree about the property rights of a non-Jew in Eretz Yisroel.

The Gemara identifies the point of dispute between them.

Rabbah suggests a proof that a gentile's ownership of land does not exempt the land from its ma'aser obligation.

The proof is rejected.

Two Beraisos are cited to support R' Elazar's position.

The proofs are rejected.

R' Chiya bar Avin suggests a proof for R' Elazar from our Mishnah.

R' Ashi rejects the proof.

4) A field for its produce

R' Yochanan asserts that someone who bought a field for its produce is obligated to bring bikkurim and read the related verses, whereas Reish Lakish holds that he must bring the bikkurim but does not read the verses.

Each one explains the rationale for his respective opinion.

R' Yochanan unsuccessfully challenges Reish Lakish's opinion.

According to a second version, Reish Lakish unsuccessfully challenged R' Yochanan's position.

Another unsuccessful challenge to R' Yochanan is recorded.

The Gemara begins to explain how this dispute relates to another dispute between R' Yochanan and Reish Lakish. ■

Distinctive INSIGHT

A husband's rights to bring bikkurim and read the verses

ולביתך מלמד שאדם מביא ביכורי אשתו וקורא

Rav Yochanan and Reish Lakish discuss the halacha of a person who owns a piece of land, and he sells the rights of its produce to someone else. Rav Yochanan holds that the buyer not only brings bikkurim from the produce of the land, but he also recites the accompanying verses when he offers these fruits. Reish Lakish contends that although the buyer is obligated to bring bikkurim from the produce of the land, he does not recite the accompanying verses which normally are said.

As a point of reference, the Gemara brings a Baraisa where we find the halacha that a husband brings bikkurim from the produce of the land of his wife (נכסי מלוג), and he must read the accompanying verses. We see, says Rav Yochanan, that the fact that the husband has rights to the produce alone, even without his owning the land itself, is enough reason for his being able to declare that the fruit is from "the land which you have given to me". Reish Lakish answers that it is only in this case of a husband owning rights to his wife's property where we allow reading of the verses together with the bikkurim, as the verse itself says "ולביתך". Any other buyer of produce of a land, in reference to whom no such verse appears, would not read the bikkurim verses.

The Rishonim note that the fact that the husband has rights to the produce of his wife's land is itself only due to a rabbinic enactment. A husband is granted this right to compensate him for his commitment to redeem his wife in case she would ever be captured for ransom (Keusvos 45b). How, then, can Reish Lakish say that the verse of "ולביתך" refers to this right of the husband?

Tosafos (ד"ה ולביתך) explains that Reish Lakish holds that the interest of a husband in his wife's property to which the verse refers is not the rights to the fruits granted to him by the rabbinic enactment, but rather the fact that most wives give their husbands the produce of the land they bring with them into the marriage. Ramban and Rashba write that the custom of old used to be that the woman officially wrote that she is giving her husband the produce from the fields she brought into the marriage. This was a formal condition between them, and the Torah therefore recognizes the rights of the husband to allow him to bring bikkurim and read the verses.

Tosafos explains that according to Reish Lakish, the buyer of fruit or the husband is technically exempt from even bringing bikkurim; however, due to a rabbinic ruling, he brings them, but he is unable to recite the verses, as they proclaim the offering is from "the land you have given to me". ■

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HALACHAH Highlight

May a renegade kohen perform a pidyon haben?

הוא זמנך דאיכא היתרא ואיסורא קמיה ושביק היתירא ואכל איסורא
 But there are times that permitted and prohibited [foods] are before him
 and he bypasses the permitted [food] and eats the prohibited [food.]

There was once a soldier who had a son. To his chagrin he was on the battlefield when it came time to do the pidyon haben so he would be unable to attend the festive occasion. Additionally, in the town in which he lived the only kohen was someone who was known to eat non-kosher food and publicly engaged in business activities on Shabbos. The father inquired whether the paternal grandfather should do the pidyon haben and whether it is permitted to do a pidyon haben with this kohen. Rav Moshe Yehudah Jacobowitz, author of Teshuvos Zichron Moshe¹, wrote that he would not discuss the first question since it is addressed explicitly by Chasam Sofer². The second question is the one he will attempt to answer.

Tosafos notes a contradiction whether one is permitted to give the different priestly gifts to a kohen who is an עַם הָאָרֶץ. Teshuvos Zichron Moshe resolves the contradiction by distinguishing between terumah and the other priestly gifts. Since eating terumah in a state of tumah carries the penalty of death in the hands of heaven it is treated more severely than the other gifts and thus may not be given to a kohen who is an עַם הָאָרֶץ. It would seem that the distinction between terumah and the other priestly gifts applies only when there is a founded concern that the kohen עַם הָאָרֶץ will do something improper with the gift that he receives. When dealing with a kohen who knowingly and willingly eats non-kosher food and violates Shabbos it is

REVIEW and Remember

1. How did Reish Lakish kill the Ludians?

2. Is land owned by a gentile in Eretz Yisroel exempt from ma'aser obligations?

3. What is the unique halachic status of Suriah?

4. Explain the dispute between R' Yochanan and Reish Lakish?

logical that even the other priestly gifts should not be given since it is almost certain that something improper will be done (e.g. the pidyon haben money will be used to purchase non-kosher food.)

Another reason the pidyon haben money should not be given to this kohen is based on the halacha³ that someone who intentionally violates a prohibition to anger Hashem is not redeemed from captivity and such a person certainly does not deserve pidyon haben money. The definition of one who violates a prohibition to anger Hashem is found in our Gemara that states that a person who has the option to do something in a permitted way and instead chooses a path that involves violating a prohibition is categorized as one who violates prohibitions out of defiance. ■

1. שו"ת זכרון משה סי' י"ח.
2. שו"ת חת"ס יו"ד סי' רצ"ג ורצ"ד.
3. שו"ע יו"ד סי' רנ"א סעי' ב'. ■

STORIES Off the Daf

"And they leave their strength to others..."

...ועזבו לאחרים חילם"

The Ponevezher Rav, zt"l, would often encourage people to learn diligently with the following anecdote:

When the Rav learned b'chavrusah with Rav Elchonon Wasserman, zt"l, they once needed a very rare work, but could not figure out how to procure it. After thinking about this for a short time they remembered that the Chofetz Chaim, zt"l, cites this work in the Mishnah Berurah. Presumably he owned it—they were sure he would lend it to them.

But when they requested this favor of the Chofetz Chaim his answer surprised them, "I never owned this sefer. When I needed it I borrowed it from the library of Reb Yaakov Broide, z"l, in Warsaw."

When the Chofetz Chaim saw the surprised expressions on their faces he raked the sefarim of his room with a piercing gaze and said, "There are also too many here. Before I am pained by books I lack, I feel pain because of the books I own."

Neither Rav Kahaneman nor Rav Wasserman understood this strange-seeming sentiment. After a momentary pause the Chofetz Chaim explained, "These seforim cost money and money takes time to earn... Time is life and life is time... Even if I receive a sefer as a gift this

also takes time since one owes the giver hakaras hatov and must repay this with time. Instead of using one's time to learn, one spends his hours obtaining seforim to sit on his shelf... This is the meaning of the Gemara in Gittin 47, 'When Reish Lakish died he left over a kav of saffron for his heirs. He applied to his situation the verse, 'And they leave their strength to others.' Why was he so pained to leave even such a small asset for his children? The reason is precisely what I said; obtaining goods takes time and time is life. In his last moments it became clear that he would not need the saffron. This is the חיל, the strength that he left for others—the time spent to acquire even the least amount of material goods.'" ■

1. הרב מפנוביז, חלק א', עמוד ס"ט

