



OVERVIEW of the Daf

1) Clarifying the Mishnah (cont.)

The reason why the Mishnah mentioned a Jew as the subject of an erch vow rather than a gentile is explained.

This explanation is unsuccessfully challenged.

2) **MISHNAH:** The Mishnah elaborates on the previous Mishnah's statement that the consecration of an ancestral field has elements of leniency and stringency.

3) Consecrating a field full of trees

R' Huna rules that when one redeems a field full of trees he redeems the trees for their value and the land at the fixed rate for redeeming land.

The Gemara unsuccessfully challenges R' Huna's implication that people consecrate property in a generous manner.

R' Nachman presents two unsuccessful challenges to R' Huna's position.

On the third attempt R' Huna is forced to agree that R' Shimon maintains that people consecrate property in a miserly manner.

The Gemara unsuccessfully challenges this interpretation of the Baraisa.

4) Consecration

R' Pappa discusses the laws of ancestral fields as they apply to stony plots.

R' Pappa discusses the laws of trees that are located in ancestral fields.

R' Pappa's ruling concerning the consecration of trees in an ancestral field is unsuccessfully challenged.

5) Dispute between Tanna Kamma and R' Eliezer

A Baraisa elaborates on the dispute between Tanna Kamma and R' Eliezer concerning the redemption of a purchased field.

The Gemara inquires whether he accepts the gezeirah shavah but rejects Tanna Kamma's application, or does he reject the gezeirah shavah altogether.

Rava proves that Tanna Kamma rejects the gezeirah

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Distinctive INSIGHT

A field bought from the father and then consecrated

תלמוד לומר אם את שדה מקנתו אשר לא משדה אחוזתו, שדה שאינה ראויה להיות שדה אחוזה, יצתה זו שראויה להיות שדה אחוזה

The law distinguishes between consecrating a field of one's ancestral possessions (שדה אחוזה) and consecrating a field which he had bought. An ancestral field may be redeemed at a rate of fifty shekel for each beis kur of land, pro-rated over the 49 years of the Yovel cycle. A bought field which is consecrated is redeemed at its full value. Someone bought his own father's ancestral field and the son then consecrated it. The father then died, and the son wished to redeem the field. Based upon their interpretation of the posuk, R' Yehuda and R' Shimon say that the field has the law of an ancestral field, and it may now be redeemed based upon the more lenient, fixed pro-rated scale of 50 shekel over the remaining of the 49 years until Yovel. R' Meir disagrees and says that the field is viewed as an ancestral field only if the father died before the son consecrated the field. Certainly, at that point the son already was in line to inherit the field. However, if the son consecrated the field before the father died, he may redeem it only as a purchased field, which is at its full value.

Ritva explains that R' Meir agrees that although the field was acquired by the son through a purchase, it reverts to being his ancestral possession with the death of the father, because at that point the son no longer has to return the field when the Yovel year arrives. Before the father's death, if the son would have sold the land, it would have gone back to his father (the original owner) at Yovel. Now if it is sold, it will be returned to the son at Yovel. R' Meir understands that this is the lesson of the posuk. Rashbam (Bava Basra 72b) explains that the rule of selling a purchased land only applies if that particular field is not an ancestral field at that moment. The land which was bought will revert to being an inherited field, but R' Meir says that this is applied only in the most reasonable extension of the case, and that is where the son consecrated the field only after the father already died. This is where the field that was bought is now ruled to be an ancestral one.

Rashbam (ibid.) explains that R' Yehuda and R' Shimon understand that even if the son consecrated the field before the father died, that field was fit to be ancestral land and it would not return to the father at Yovel if the father would die at any point before Yovel. In this case, where the father did die, the field has the status of being redeemed as an ancestral plot, at a fixed pro-rated scale of 50 shekel per beis kur of land until Yovel. ■

REVIEW and Remember

1. What is the rate for redemption for an ancestral field?

2. Explain המקדיש בעין רעה מקדיש.

3. What is the point of dispute between Tanna Kamma and R' Eliezer?

4. How is the humiliation payment calculated?

HALACHAH Highlight

Reciting a **מי שברך** for a gentile

אסור לאדם שיאמר כמה נאה כנעני זה

It is prohibited for someone to say, "How handsome is this Canaanite."

The Mishnah (13b) discusses one who makes an erech vow of a Jew and teaches that it does not make a difference if he vowed the erech value of the handsomest or ugliest man amongst the Jewish People since the erech value is fixed. The Gemara explains that the reason the Mishnah chose to discuss Jews was to teach an incidental halacha, namely, that it is prohibited for one to say, "How handsome is this Canaanite." This halacha is codified in Shulchan Aruch¹ where it states that one may not relate the praise of an idolater, even to comment positively about his physical appearance is prohibited and certainly to praise his deeds or to extol something he said is prohibited. If, however, one's intent is to praise God with his compliments of the idolater it is permitted.

Teshuvus Arugas HaBosem² was asked to comment about the following incident. A bunch of people were once sitting together at a chanukas habayis and a powerful idolater was there who had the power to do good or bad to the Jews with regards to taxes. When they began to recite a **מי שברך** for the people in attendance someone suggested that this idolater should also be blessed out of concerns for peace - **דרכי שלום**. Another person present protested the suggestion claiming that it is prohibited to recite a **מי שברך** for idolaters. The one who submitted the question contended that it should be permitted and cited the ruling³ that we give tzedaka to poor idolaters to promote peace. Teshuvus Arugas HaBosem referenced Magen Avrohom⁴ who ruled that when an idolater is present during birkas hamazon one should add the words **בני ברית** after the phrase **כלנו יחד** since it is prohibited to bless idolaters. He then

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shavah altogether.

A Baraisa is cited that supports Rava's ruling but not based on his reasoning.

6) **MISHNAH:** The Mishnah elaborates on the case of a muad ox that kills a non-Jewish slave.

7) **The author of the Mishnah**

Since the Mishnah specifies a muad the implication is that the halacha would be different for a tam. This seems to indicate that the Mishnah does not follow R' Akiva's position.

The Gemara reconciles the Mishnah with R' Akiva's position.

8) **MISHNAH:** The Mishnah elaborates on the case of the violator and seducer.

9) **Humiliation and depreciation**

The Gemara questions the Mishnah's indication that the violator and seducer must pay for humiliation and depreciation in addition to the fifty sela penalty.

R' Ze'eira offers a logical explanation for the Mishnah's ruling.

Abaye successfully challenges this logic. ■

contends that this restriction is in force only when one blesses the idolater and does not expect something in return. It is permitted to bless an idolater if one's intent is to derive benefit for oneself or for the Jewish People with that blessing. He added that although it is permitted to recite the **מי שברך** for the idolater he should not be included in the **מי שברך** recited for the Jews present; rather a separate **מי שברך** should be recited on his behalf. ■

1. שוייע ווייד סי קנייא סעי י"ד.
2. שויית ערוגת הבשם אוי"ח סי ל"ג.
3. שוייע ווייד סי קנייא סעי י"ב.
4. מגי"א סי קפ"ט סק"א. ■

STORIES Off the Daf

A Silent Atonement

הכל לפי המבייש והמתבייש

Today's daf discusses the halachos that apply to a person who has shamed his fellow Jew.

Rav Raphael of Barshad, zt"l, was always careful to see the good in every Jew. Judging others favorably was part of his very nature. Another important characteristic of Rav Raphael was that he was always happy when embarrassed by oth-

ers. To him, this was the biggest favor that one can receive from anyone. The Ramak, zt"l, writes in Tomer Devorah, that since being shamed is likened to being killed, one who is silent in the face of humiliation has atoned for all of his sins. Like dying, even the worst sins are wiped away if one endures disgrace quietly.

The Ramak adjures people to take this to heart. "Everyone falls short in one way or the other and requires atonement for his failings. What is better? To suffer pain and illness—which cause a person to lose precious time from learning—or to be shamed? Enduring humiliation is a mat-

ter of having the right attitude and truly understanding that the humiliation has saved him from much worse. If one achieves this understanding he will not hold it against the person who shamed him. On the contrary, he received a gift from the one who embarrassed him."

When people would come to Rav Raphael about having endured shame, he would explain the greatness of enduring embarrassment and that this had saved the person much worse troubles. When the person was consoled, he would laugh with pure joy and say, "How wonderful!"¹ ■

1. אמרי פנחס השלם, ח"א, ע"י קכ"ג ■