

OVERVIEW of the Daf

1) Elaborating on the dispute in the Mishnah (cont.)

R' Nachman bar Yitzchok concludes his rejection of the explanation of the dispute between R' Meir on one side and R' Yehudah and R' Shimon on the other.

2) Kohanim and levi'im

The Gemara inquires why the Mishnah had to emphasize that kohanim and levi'im can sanctify their ancestral fields.

A possible answer is suggested and then rejected in favor of another answer.

הדרן עלך אין מקדישין

3) **MISHNAH:** The Mishnah discusses the halacha of one who consecrates a field when yovel is not in force and records a related incident.

4) Clarifying the Mishnah

The Gemara clarifies the meaning of the Mishnah's indication that we tell the land owner to submit the first bid.

It is noted that the Mishnah could have offered other explanations for why it is the owner who submits the first bid.

An explanation of the point of dispute between R' Yosi and Rabanan is suggested.

This suggestion is rejected and an alternative explanation is proposed.

It is noted that the incident recorded in the Mishnah follows Rabanan.

5) **MISHNAH:** The Mishnah discusses details related to the bidding process.

6) Standing by one's bid

R' Chisda asserts that the Mishnah's ruling that the one who bid fifty must give ten selaim to the Beis HaMikdash is limited to where the one who bid forty stands by his offer but if the one who bid forty also retracts his bid they both have to make up the loss to the Beis HaMikdash.

Four unsuccessful challenges to R' Chisda's assertion are recorded.

A Beraisa is cited in favor of R' Chisda's response to the fourth challenge. A second version of this latter exchange is recorded.

7) Adding a fifth

The Gemara unsuccessfully challenges the Mishnah's indication that adding a fifth is the determining factor that the owner should be awarded the field.

The Mishnah's ruling that if someone else bids 25 the owner must give 30 is challenged.

The Gemara answers that the owner bid 25 plus a dinar and that is why he is awarded the land.

This answer is unsuccessfully challenged.

R' Chisda asserts that if the consecrated object was appraised to be the value bid by the other bidder the owner will have to add a fifth to that bid.

A Beraisa is cited and explained that supports this qualification of R' Chisda.

The explanation is unsuccessfully challenged.

R' Sheishes explains the Mishnah's last ruling. ■

Distinctive INSIGHT

The owner's redeeming the field when Yovel is not in effect

המקדיש את שדהו בשעה שאין היובל אומרים לו פתח אתה ראשון

The Mishnah begins with the halacha of redeeming an ancestral field whose owner had consecrated it. The Mishnah illustrates a case involving a time when the counting for Yovel was not in effect. The Mishnah states that we approach the owner before anyone else, and we ask him to make an offer to redeem his own field. The advantage of asking the owner is that if he redeems his field, he will add a payment of a "fifth," whereas anyone else who redeems it will only pay face value of the price which is offered. Rashi explains the reason for the Mishnah's restricting its case to when Yovel is not in effect is that if the Yovel system was current, the field would have a set value for redemption of fifty shekel for each beis kur, and we would not have to ask the owner to suggest a price to redeem his field. Now that Yovel is not being practiced, the field is redeemed at actual value, which depends upon the price that can be raised.

Rambam (Hilchos Arachin 5:1) records the halacha of our Mishnah and writes that we approach the owner to redeem the field first, "because he is the master of the field. If he wishes to redeem it, that is fine. If he refuses to do so, we do not force him. This is true when Yovel is being practiced, because if the owner does not redeem the field, the property will be released to the kohanim at Yovel, and they will redeem it at its full value. If Yovel is not in effect, the field is not set to be given to the kohanim, and the field will have to be redeemed eventually. Here, we compel its owner to redeem the field at its full value."

Rambam explains that the reason our Mishnah deals with an era when Yovel is not being counted is that this is when we approach the owner and coerce him to redeem his field, but not when Yovel is in effect. Ra'aved notes that we always approach the owner first and offer him the mitzvah to redeem the field before anyone else. And, whether Yovel is being counted or not, the owner adds a fifth to his price of redemption. Rather, the Mishnah uses the illustration of when Yovel is not in effect due to the price offer being variable, and not due to the owner's priority of redemption.

Kesef Mishnah explains that Rambam deduced his understanding from the Mishnah itself which placed the term "at the time Yovel does not apply" at the very beginning of the Mishnah. This implies that the owner's being compelled to respond and redeem the field is also a function of this taking place at a time when Yovel is not in effect. If Yovel does apply, apparently the owner's participation is not so critical, as Rambam explains, because the kohanim will redeem the field if the owner does not. Rambam would agree that even when Yovel applies there is a mitzvah for the owner to redeem the field before anyone else, but the element of coercion would not be so critical. ■

*Today's Daf Digest is dedicated by Mr. & Mrs. Ira Arthur Clair
In loving memory of their father*

ר' שלום שכנא בן ר' ברוך ע"ה

HALACHA Highlight

Raising chickens in Yerushalayim

ור' יוסי כביצה נמי פרקינן

R' Yosi maintains that they could even redeem the sacred property with an egg

The Mishnah teaches that according to R' Yosi it is permitted to redeem kodoshim with an egg. The Gemara explains that the point of dispute between R' Yosi and Tanna Kamma is whether the one-fifth of the object used to redeem kodoshim must be equal to a perutah. Tanna Kamma maintains that since one-fifth of the value of an egg is not equal to a perutah an egg may not be used to redeem kodoshim. R' Yosi disagrees and maintains that an egg may be used even though one-fifth of its value is not equal to a perutah. Tosafos¹ explains that the novelty of R' Yosi's position is that the object does not have to be an important object and it is sufficient for the object to be worth a perutah. The reason R' Yosi used an egg to illustrate this halacha was to teach that an egg is worth a perutah. Piskei Tosafos² explains that in Yerushalayim eggs were worth a perutah since there was a prohibition against raising chickens in Yerushalayim out of concerns for tum'ah and since there were no chickens, eggs were very expensive.

Teshuvos Rama MiPano³ disputed the assertion that during the time of the Beis Hamikdash they were not allowed to raise chickens in Yerushalayim altogether. He asserts that the prohibition was to allow them to run wild but if one wanted to raise chickens and isolate them to a particular area that

REVIEW and Remember

1. Why was it necessary for the Mishnah to teach that kohanim and levi'im can consecrate their ancestral fields ?

2. Why does the owner win the bidding war when he bids the same as others ?

3. Explain R' Chisda's qualification to the Mishnah's ruling.

4. What is the point of dispute between Beis Shammai and Beis Hillel ?

was acceptable. This is evident from the fact that R' Shila (Yoma 20b) explains the phrase קריאת הגבר which signaled the beginning of the day in the Beis HaMikdash as the crowing of the rooster in the morning. Teshuvos Dovev Meisharim⁴ challenged this explanation since according to Rama MiPano there is no reason eggs should be equal to a perutah if chickens could be raised in Yerushalayim. He then suggests that although it was possible to raise chickens it was not common since generally chickens are left to roam around on their own and in Yerushalayim this was not permitted. Since practically people were not interested in raising chickens eggs were expensive. ■

¹ תנסי ד"ה ר' יוסי.

² פסקי תוספות אות ס"ט.

³ שו"ת רמ"ע מפאנו סי' פ"ה ד"ה שנית.

⁴ שו"ת דובב מישרים ח"ג סי' א' ד"ה ובאגב. ■

STORIES off the Daf

Consecrating One's Wealth

"המקדיש את שדהו בשעה שאין היוכל..."

Today's daf discusses the halachos of one who sanctified his field.

Sadly, there is always a need for charity, especially while we are in exile. The Ohr HaChaim, zt"l, explains that a wealthy man has been entrusted with more money so that he will support the poor and worthy institutions. But sometimes getting affluent people to support Torah can be very challenging.

Many great roshei yeshiva were very

good at finding the right angle to persuade even the simplest people to give money. When Rav Meir Shapiro of Lublin, zt"l, wanted to make an appeal for Yeshivas Chachmei Lublin he knew that he needed an excellent strategy. During that period most French Jews were very estranged from tradition and would surely avoid any overt appeal for the yeshiva.

Rav Shapiro publicized that he would be speaking about the strong connection between Polish Jews and their French counterparts. The French Jews were intrigued. When the time came for Rav Shapiro's lecture, the place was packed.

Rav Shapiro began to expound, "Hundreds of years ago there was a very great French scholar named Rashi. Rashi illuminated the pages of classic Jewish literature and was a beacon to all Jews from his time onward. There is a yeshiva in Poland where they specialize in learning Rashi called Yeshivas Chachmei Lublin. Unfortunately, due to a lack of funding, the yeshiva is in danger of closing. Please donate so that we can keep this institution afloat."

The people generously gave to support Yeshivas Chachmei Lublin! ■

■ דברי יונה, ח"א, עמי שכ"ז