

OVERVIEW of the Daf

1) Consecrated field (cont.)

The Gemara cites two contradictory Beraisos regarding the redemption of a consecrated field and then resolves the contradiction.

2) **MISHNAH:** The Mishnah discusses halachos related to the sale and redemption of a house in a walled city.

3) Redeeming a house in a walled city

It is noted that the Mishnah that ruled that the seller may immediately redeem his house is inconsistent with Rabbi's position that the redemption must wait two days after the sale.

The exchange between Rabbi and Rabanan regarding their respective expositions is recorded.

4) Interest

In contrast to the Mishnah that states that the redemption payment is similar to interest a Beraisa declares that it is actual interest.

R' Yochanan resolves this difficulty by differentiating between the position of R' Yehudah and the position of Rabanan.

R' Yochanan identifies the practical difference between their respective positions.

Rava offers an alternative explanation of the difference between the two positions.

5) Clarifying the Mishnah

The Gemara clarifies different statements in the Mishnah.

A Beraisa clarifies how we determine the redemption date when the buyer sells the house to a second person.

R' Elazar and R' Yochanan disagree about to whom the house passes permanently at the end of that year.

R' Yochanan's position that it passes to the second buyer is unsuccessfully challenged.

Tangentially the Gemara records two exchanges between R' Abba bar Mamal and Ravina.

The necessity for both rulings is explained.

6) The dispute regarding the meaning of the term תמימה

A Beraisa elaborates on the dispute between Rabbi and Chachamim regarding the meaning of the term תמימה.

7) Land given as a gift

A Beraisa discusses the source that land given as a gift is passed permanently to the recipient.

The rabbis and R' Pappa debate whether this Beraisa follows R' Meir or not and the Gemara's conclusion is that it does not follow R' Meir.

8) Sanctifying a house in a walled city

A Beraisa discusses sanctifying a house in a walled city.

The sources for these rulings are identified.

The last phrase of the cited pasuk is explained.

9) **MISHNAH:** The Mishnah presents the background to Hillel's enactment regarding the redemption of one's house in a walled city.

10) Giving against one's will

Rava infers from Hillel's enactment that generally giving something against the will of the recipient does not constitute "giving." ■

Distinctive INSIGHT

To the date and until the hour

רובן ההוא מיבעיא ליה שנת ממכרו שלו ולא שנת של מנין עולם, וימים מיבעי להו למעת לעת וכו' ■

The Mishnah teaches that if someone sells a house in a walled city during the time when Yovel is being counted, the seller has up to a full year to redeem the house from the buyer. This halacha is found in the Torah in Vayikra (25:29-30). The Gemara immediately notes that the Mishnah allowing a full year, including the day of the sale, is not according to Rebbe, because Rebbe holds that the seller may not redeem the house for at least two days from the sale.

The reason for the difference of opinions in this regard is based upon how various phrases in the pesukim are interpreted. The two key phrases are "for days (ימים) he may redeem it," and "until the end of the year of its sale (ממכרו)."

According to the conclusion of the Gemara, Rabbanan, the authors of our Mishnah, learn that the phrase "its sale" teaches that the redemption may take place for a full year from the date of sale, and that for this halacha we do not say that the "year" comes to an end at the end of Elul and the beginning of Tishrei. The phrase "days" teaches us further that the final deadline for redemption is calculated from the very hour of the sale (מעת לעת). For example, if the sale took place at noon on Rosh Chodesh Nisan, we do not say that with the arrival of the next Rosh Chodesh Nisan the sale is final. Rather, the seller has until noon of that day of the next year to redeem his house.

Rebbe understands the phrase "days" teaches that the sale of the house must be for at least two days. The phrase "until the end of the year of its sale" teaches us that the calculation of a year does not end with Tishrei, but that it is calculated until the anniversary date of the sale. In addition, Rebbe agrees and learns a second lesson from this phrase, that the deadline extends until the exact hour of the sale.

Tosafos cites the opinion of R' Elchonon that to extend the deadline of allowing redemption until the very hour of the anniversary of the sale only applies in regard to a house in a walled city, as this is where we find a posuk which teaches this rule. However, we do not apply this rule to other instances of calculating a year (see earlier, 18b). Tosafos in Niddah (47b) also applies this rule to the age of an animal for kodoshim, where the animal must be one year old. Mishneh LeMelech (Ishus 2:21) explains that R' Elchonon only means to exclude the other items listed in the Gemara (18b), as the rule of "to the hour" for kodoshim is found in the Gemara in Zevachim (25b).

Tosafos himself cites a view which disagrees and holds that we use the measure of "to the hour" in all cases where a year is calculated until the anniversary of a date and not with Tishrei, and not only for a house in a walled city. ■

*Today's Daf Digest is dedicated in memory of our mother
רבקה בת זעליג
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HALACHA Highlight

The time it takes to forget in a leap year

המוכר בית בבתי ערי חומה

One who sells a house in a walled city

The Mishnah teaches that one who sells a house in a walled city may redeem the house immediately and if necessary he has twelve months to redeem the house. Ramban¹ explains that it is painful for a person to have to sell his house and he is embarrassed when he is forced to do so. Therefore, the Torah wanted to provide him the opportunity to redeem his house and retake possession of it. However, after moving to a new place and settling in there for a year he has essentially abandoned hope of redeeming his old house and it no longer harms him if he cannot return to his old house. It is this sense of abandonment that explains why he does not take back his home during yovel.

What is evident from Ramban's comment is that after a year a person sufficiently forgets what he used to have so that he is no longer attached to that thing. The Mishnah, however, deduces from a pasuk that in a leap year the seller has thirteen months to redeem his house rather than only twelve months. Chasam Sofer² infers from this that the time it takes to forget something in a leap year is thirteen months rather than twelve months. Thus, when the Gemara Berachos (58b) states that someone who passed away is not forgotten for twelve months it would turn out that in a leap year it would take thirteen

REVIEW and Remember

1. What is derived from the word תמימה ?

2. What is the point of dispute between R' Yehudah and R' banan ?

3. Explain: צד אחד ברבית.

4. What is derived from the word לצמתת ?

months to forget the deceased. He then notes that Shvus Yaakov³ questions the logic of this phenomenon. How could it be that just because it happens to be a leap year it takes longer to forget the deceased? Chasam Sofer explains that the passage of a year includes all the events that occur over the course of the year, festivals and fast days, etc. and in a leap year it takes thirteen months for all those events to transpire. For example, if one sold his house on Rosh Chodesh Nissan the twelve months passes on Rosh Chodesh Adar II. However, when Purim arrives he will be distressed since this is the first Purim that he is not celebrating in his old home. Not until all the events of a year have transpired could we conclude that the owner has given up on returning to his home. ■

¹ רמב"ן על התורה ויקרא כ"ה: כ"ט.
² שו"ת חת"ס אהע"ז ח"א סי' קי"ט.
³ שו"ת שבות יעקב ח"ב סי' קכ"ה. ■

STORIES off the Daf

The Walled Cities

"הגיע יום שנים עשר ולא נגאל היה חלוט לו..."

The Ishbitzer Rebbe, zt"l, explains the deeper meaning of yovel and why houses within cities walled since the time of Yehoshua bin Nun do not return during yovel. "Yovel teaches that everything has a time. God doesn't remain angry at anyone forever. Even if someone's sins force him to sell his portion or to be sold as a slave, this cannot be forever. Eventually he will be redeemed and his inherited field will re-

turn to him. But batei arei chomah are an exception. This alludes to the two chomos, the two barriers—teeth of bone and lips of flesh—that God gave us to rein in what we say, as discussed on Arachin 15. As the verse states in Mishlei: 'עיר פרוצה אין חומה איש שאר אין מעצר לרוחו.' Indulging one's arrogance by failing to hold back one's anger at his friend is no simple matter. If the victim remained silent in the face of his rage, the sinner's merits are transferred to the recipient of his anger.

"Unlike sins between man and his Creator, sins between man and his fellow do not have an automatic limit. These misdemeanors remain until his friend forgives him. One has only limited time to beg his friend's forgiveness.

Failure to do so causes his merits to remain with his friend. His inability to accept his wrongdoing and make it up to his friend causes him losses he would never have imagined."

But the rebbe concluded with words of chizzuk. "Nevertheless, we find that kohanim and leviim can always sell and always redeem. This teaches that even if one has sinned, if he begins to serve God in earnest, he can always redeem what he has lost. Through the dynamic change he gains through his avodah he always has another chance!"¹ ■

¹ מי שלוח, בהר. יסוד זה שע"י גאון עובר זכויות מובא גם באחרות צדיקים, שער ענוה. ■

