

OVERVIEW of the Daf

1) Property of kohanim

A Beraisa discusses the property of kohanim.

The logic of the Beraisa is challenged.

Rami bar Chama suggests an explanation of the Beraisa.

This explanation is successfully challenged.

R' Nachman suggests another explanation of the Beraisa. ■

הדרן עלך המוכר שדהו



וסליקא לה מסכת ערכין



REVIEW and Remember

1. What is done when levi'im inherit a walled city?
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2. What happens to a cherem field that a kohen sanctifies after he receives it?
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3. Who receives an ancestral field that was consecrated and redeemed?
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4. Why was it necessary to compare a kohen's cherem field to an ancestral field?
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Today's Daf Digest is dedicated as a zechus for a שלימה

for

שושנה בת עליזה

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pared to the ancestral land of a yisrael. However, land received from ancestral land may always be redeemed, and these are not distributed among the kohanim when Yovel arrives. Also, he says that if a kohen sells such land, it may be redeemed even within the first two years of the sale.

The Achronim note that this view is in conflict with Rashi (26a) who writes that a field consecrated by a kohen is later divided among the other kohanim at Yovel. ■

Distinctive INSIGHT

Cherem and consecrated ancestral lands received by a kohen
אלא אמר ר' נחמן איצטריך סד"א הואיל וכתוב כי אחוזת עולם הוא להם הא נמי אחוזתו היא, קמ"ל אחוזתו - אחוזתו אין, חרמו לא

If someone consecrates an ancestral field and it is redeemed by someone else, when Yovel arrives the field is released to the kohanim. The Beraisa which leads to the conclusion of the massechta discusses the halacha of a cherem property which is given to a kohen. The posuk (Vayikra 27:21) states regarding the ancestral field of a yisrael which is given to the kohanim that it is holy "just like the property of cherem, it shall be his inheritance." The Beraisa understands that this verse is not coming to teach that the law of a consecrated land is similar to a cherem land, but rather that the halacha of a cherem land should be similar to that of ancestral land. This teaches us that just as ancestral land that was consecrated is divided among the kohanim when Yovel arrives, so too should cherem land which was received by a kohen and then consecrated be divided among the kohanim when Yovel arrives.

Rav Nachman teaches that the posuk is necessary, because we might have thought that a cherem gift to a kohen has the same halacha as the inheritance of the levi'im. The verse (Vayikra 25:34) teaches that a levi who consecrates part of his property always has the right to redeem it. We might have thought that this is the case with the cherem property of a kohen as well. The posuk therefore teaches that a cherem field consecrated by a kohen is divided by the kohanim at Yovel, just like the field of a yisrael, and it is only the ancestral field of a levi that has the right to be redeemed forever.

Although we have learned the halacha of a cherem property which was consecrated by a kohen, the Achronim inquire regarding an ancestral field of a yisrael which was divided among the kohanim, and a kohen consecrated his portion. Does this field have the law of a cherem land which is again divided among kohanim when Yovel arrives, or is its law similar to the law of the inheritance of a levi, which may be redeemed forever?

Minchas Chinuch (Mitzvah 357 #13) writes that this field has the same law as a cherem field, and it is divided among the kohanim when Yovel arrives. Once the Torah associates cherem with a field of a yisrael, and not with the inheritance of a levi, this approach applies to a land received by a kohen from the ancestral field of a yisrael as well.

Turei Even (Rosh HaShana 29a) disagrees and says that only cherem lands may not be redeemed, as they are com-

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HALACHA Highlight

Slaughtering for a Kara'ite on Yom Tov

קדשיו לאו ברשותו הכא ברשותו

Sacred items are not in his domain but here it is in his domain

The Gemara differentiates between a kohen who declares his field cherem and a kohen who offers his own korban. In the case of a korban the kohen receives his portion in exchange for the service of the korban. In the case of the cherem field it is not granted in exchange for one's service. Rashi¹ explains that the portion that is given to the kohen who offers a korban is payment for his service. Radvaz² cites the author of a pamphlet who explained the Gemara in Chullin (132b) that a kohen who does not admit to the service of the Beis HaMikdash is not given a portion of the korbanos. This author elaborated, since portions are given to kohanim as payment for their service, why should someone who does not admit to or recognize the sanctity of korbanos receive a portion? With this explanation the author rejected the opinion of Rabbeinu Shimshon who asserted that it is prohibited to slaughter for a Kara'ite on Yom Tov. His reasoning is that if a kohen who doesn't admit to the service of korbanos is not given a portion certainly a Kara'ite who does not recognize ritual slaughter should not receive a portion of that slaughter.

The author of the pamphlet explained that there is no parallel between the two cases. As mentioned a kohen is given a portion of a korban as payment for the work that he performed and thus one who rejects korbanos does not deserve a portion. Receiving meat from a slaughtered animal is not payment for anything, therefore, it is only gentiles that are excluded by the exposition of Chazal but Kara'ites and even Tzedukim are not excluded.

Radvaz rejected the position of the author of the pamphlet and reframed the position of Rabbeinu Shimshon as follows. A kohen who does not admit to the service receives no portion of the service and one may not slaughter for a Tzeduki or Kara'ite who does not agree that one may slaughter on Yom Tov for food. Since they do not recognize the halacha that one may slaughter for food on Yom Tov we apply to them the rule that one may not slaughter for gentiles since they also do not recognize the permission to slaughter on Yom Tov for food. Mishnah Berurah² in the name of Teshuvah Rabbeinu Betzalel, to whom Radvaz sent his teshuvah, writes that there are authorities who permit slaughtering for Kara'ites and authorities who prohibit slaughtering for Kara'ites and he does not issue a final ruling about the matter. ■

¹ שו"ת הרדב"ז ח"ב סי' תשצ"ו.
² מ"יב סי' תקי"ב סק"ב. ■

STORIES off the Daf

The False Kohen

"לכהן תהיה אחזתו..."

Today's daf discusses until when a kohein can redeem his inherited field.

A certain man was assumed to be a kohen for many years and redeemed many bechoros. One day he was confronted with an unexpected visitor to town who claimed upon his arrival that this kohen was really no kohen at all! To the surprise of everyone in the town, the man who

had been assumed to be a kohen for so many years admitted that he was not a kohen. People wondered what the halachah was in such a case. Was this man still considered a kohen? Did all the many bechoros that he had redeemed need a new pidyon? Although they figured he was now like a yisrael in every regard since presumably he had nothing to gain by accepting this man's testimony – and this is the halachah whenever someone believes one witness—they decided to consult with a competent posek.

When this question reached the Chavas Yair, zt"l, he ruled that the

man was not to be believed. "Perhaps this man is really a kohen but wants to marry a divorcee or the like. It is definitely possible that he set the entire thing up for sinful reasons. Therefore he is to be treated with all the stringencies of a kohein...and of a yisrael! All the children he redeemed should be redeemed again l'chumrah, but he may not marry a divorcee or become defiled to go to a funeral just like a kohen!"¹ ■

¹ שו"ת חו"י קי"ג ■