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Arachin Daf 25

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Daf Notes is currently being dedicated to the neshamot of

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

If one consecrates his (*ancestral*) field during the time that the laws of *Yovel* apply (*where the land is returned to its original owner by Yovel*), he must pay (*if he wishes to redeem it*) fifty *shekels* of silver for an area in which a *chomer* of barley may be planted.

[*S’dei Achuzah is a field in Israel that was inherited throughout the generations, from the time of Yehoshua. There are unique laws when someone consecrates this type of field. Usually, a field that is hekdesh, may be redeemed at full value (if redeemed by the owner, then he must pay an additional fifth of the value). However a S’dei Achuzah, has a specific price tag. Dimension: 75,000 square amos of land, which can be planted upon. This size enables one to plant a chomer (30 se’ah) of barley. Price: 50 shekalim for the entire 50 years of Yovel. This price is for each chomer. If the field is the size of ten chomers, then the price would be 500 shekalim for the entire 50 years. This is the amount one pays, regardless of the field’s real value. As mentioned, the price of 50 shekalim is for the entire 50 years. This means, in a case where a person redeemed the field within the first year after Yovel, then he has to pay that amount. However, if for example there are only 8 years left to Yovel, then he has to pay 8 shekalim (and 8 pundyons). If there are 4 years left, then he has to pay 4.*]

The *Mishna* continues: If there were there clefts ten *tefachim* deep, or rocks ten *tefachim* high, they are not measured with it (*and they must be redeemed according to their actual value*). If it was less than that, they are measured with it (*for it is expected that some of the land would not be suitable for planting*).

If he consecrated it two or three years before the *Yovel*, then he must pay a *sela* and a *pundyon* per year. If he says, “I shall pay for each year as it comes (*instead of paying at one time*),” we do not listen to him, but he must pay for all the years together. The same

laws apply whether the owner or anyone else redeems the field. The owner is different from any other person in that the owner must add one fifth (*when he redeems it*), whereas any other person does not need to add one fifth. (25a)

Clefts in a Field

The *Mishna* had stated: If there were there clefts ten *tefachim* deep (*they are not measured with it*).

The *Gemora* asks: But let these clefts or rocks be regarded as if they were consecrated by themselves (*and they can be redeemed according to the Torah’s calculation of a chomer of barley for fifty shekalim*)!?

The *Gemora* notes that we cannot answer that since they are less than a *beis kor*, they cannot be redeemed in that manner, for a *braisa* explicitly states that the Torah’s calculation for redemption applies even for fields much smaller than a *beis kor*.

Rav Ukva bar Chama answers: The *Mishna* is referring to clefts filled with water that are not suitable for planting at all (*and since the Torah states, “beis zera” – a field of seeds, we do not calculate in this manner when the land cannot be planted*).

The *Gemora* asks: If so, this *halachah* should apply even if the clefts are less than ten *tefachim*?

The *Gemora* answers: Clefts so small are considered “cracks of the land,” and rocks so small are considered “the spine of the land.” (25a)

Mishna

If one consecrated his ancestral field and redeemed it, it does not go out in the *Yovel* year (*to be divided up by the Kohanim, which would be the halachah if someone other than the owner had redeemed it*). If his son redeemed it, it goes out to his father in the *Yovel* year. If another person redeemed it, or one of the relatives, and he redeemed it from his hand (*the original owner purchased it from one of them*), it goes out of his hand in the *Yovel* year (*to be divided by the Kohanim, for his power cannot be stronger than that of the one he purchased it from*). If one of the *Kohanim* redeemed it, and it is in his hand (*by Yovel*), he may not say: Since it goes out to the *Kohanim* in the *Yovel* year, and it is in my hand, it is mine (*and not to the rest of the Kohanim*), but it goes out to all his brethren the *Kohanim*. (25a)

Redeeming a Field

The *Gemora* cites a *braisa* which cites a Scriptural verse proving that a son (*is the only exception, and not a brother*) who can redeem the field from *hekdesh*, and it will return to the owner (*by Yovel, and not to the Kohanim*).

The *Gemora* asks: Why do you say that this refers to a son and not a brother? This is because a son is in place of his father when it comes to *yi'ud* (*mitzvah to marry a Jewish maidservant purchased by the father*) and a Jewish servant (*if the father dies, the servant continues to work for the son*).

The *Gemora* counters: Perhaps we should include a brother and not a father, as a brother stands in place of his deceased brother regarding *yibum*!?

The *Gemora* answers: There is only a possibility of *yibum* when there is no son. When there is a son, *yibum* is not done. [*In other words, this shows that a son is closer than a brother in Torah law.*]

The *Gemora* asks: It is only because of this refutation; otherwise, we would have thought that a brother takes precedence over a son. But why should this be? Let us prove that a son takes precedence, for he takes his father's place in two areas (*yi'ud and a Jewish servant*), whereas a brother only takes precedence in one area (*e.g. by yibum*)!?

The *Gemora* answers: Regarding a Jewish servant, a son takes the place of his father (*and not a brother*) is only learned from *halachos* of *yibum*, where we say: There is only a possibility of *yibum* when there is no son. When there is a son, *yibum* is not done. [*Therefore, without the logic of yibum there would only be one place where we find that a son takes precedence, not two.*]

Rabbah bar Avuha inquired: Could a daughter preserve a field (*by redeeming it from hekdesh*) for her father? Since with regard to *yibum*, both son and daughter alike effect exemption (*if the brother has any child, there is no yibum obligation*), she therefore can preserve the field, or perhaps, since in respect of inheritance, the daughter, where there is a son, is considered an "other," she cannot preserve the field?

The *Gemora* cites a *braisa* taught in the academy of Rabbi Yishmael, in an attempt to resolve this: Whoever is considered as an "other" where there is a son (*regarding inheritance*) cannot preserve the field, and she too (*a daughter*), is considered as an "other" where there is a son (*and therefore she cannot preserve the field for her father*).

Rabbi Zeira inquired: Who can preserve the field for a (*married*) woman (*who consecrated a field that she brought into the marriage with her*)? Shall I say that her husband can preserve it for her, since he inherits her (*even if she has a son*), or perhaps the son can preserve it for her, because he (*when he inherits his mother*) takes prospective properties (*those that she will eventually receive*) as he does of assets that are held in actual possession? The *Gemora* leaves this question unresolved.

Rami bar Chama inquired of Rav Chisda: If one consecrates his (*ancestral*) field when there are less than two years (*remaining*) before the year of *Yovel* (*and someone else redeems it, by paying the full price of 50 shekalim*), does it go out to the *Kohanim* (*by Yovel, as is the usual law when the field is redeemed by someone other than the owner*)?

He replied: What do you think? Do you infer from the Scriptural verses that the law (*of going to the Kohanim*) applies only to a field which is subject to the law of deduction, but perhaps we should derive that any field which is redeemed (*in any manner at all*) goes to the *Kohanim*? (25b)



INSIGHTS TO THE DAF

Redeeming Half of a "Sedeh Achuzah"

The *Mishna* states that if a field contains ditches deeper than ten *tefachim*, or rocks higher than ten *tefachim*, those areas are not calculated together with the field in accordance with the prescribed formula of "Zera Chomer Se'orim." (*The Torah teaches (Vayikra 27:16) that one who consecrates his field (when the laws of Yovel are in force) may redeem his field by paying an amount calculated according to the formula of fifty silver Shekalim for every Chomer of barley seed that can be planted there.*) The *Gemora* asks that although the value of the pits and rocks are not calculated with the field, they should become *hekdesh* in their own right.

What is the *Gemora's* question? Why should those areas become *hekdesh* if they are not considered part of the field?

The **RASHBAM** (DH Likdeshu) explains that the fact that the ditches are not part of the field should not preclude them from being part of a *sedeh achuzah* (an ancestral field). The *Mishna's* statement that "they are not measured with it" (*with the rest of the field*) implies that they cannot have the *halachic* status of a *sedeh achuzah* at all, and are not able to be redeemed separately in accordance with the formula of fifty *shekalim* for every *beis kor*. The *Gemora* therefore asks why they cannot have the status of a *sedeh achuzah*.

TOSFOS (DH v'Amai) argues that this cannot be the *Gemora's* question. The Rashbam bases his understanding of the *Gemora's* question on the premise that if the ditches or rocks are considered a second *sedeh achuzah*, they should be able to be redeemed separately. However, the *Gemora* in Kiddushin (21a) states that one can redeem half of a *sedeh achuzah* and use the prescribed formula for the redemption. This teaches that whether the ditches and rocks are considered part of the field or they are considered a separate field, they still should be redeemed with the prescribed formula for a *sedeh achuzah*. Why does the *Gemora* ask a question which implies that *only* because the ditches and rocks are considered separate from the field are they able to be redeemed individually?

TOSFOS therefore explains that the *Gemora's* question is that even if the ditches and rocks are not considered part of the field, the *hekdesh* should take effect on the entire area because the owner consecrated his entire field. This implies that the ditches and rocks are considered a "field," albeit a separate field.

The **RASHBA** defends the Rashbam's opinion. When the *Gemora* in Kiddushin says that one can redeem half of a *sedeh achuzah*, it does not mean that he may pay part of the redemption money and thereby instantly re-acquire the corresponding part of his field. Rather, it means that he may pay part of the value of the field in order to *stop the transfer* of that part of the field to the *Kohanim* when the *Yovel* year arrives. He does *not* receive that part of the field back until *Yovel*. Accordingly, whether the ditches and rocks are considered part of the field or a separate field has a practical consequence. If the entire land is considered one field, then if the former owner redeems part of the field before *Yovel* he may choose some of the ditches and rocks as well (*if he so desires*). If, however, the ditches and rocks are considered a separate field and the former owner pays towards the redemption of the primary field (*without the ditches and rocks*), he may not choose to redeem the ditches and rocks. This is the difference between whether the field is considered one unit or two units with regard to the redemption of a *sedeh achuzah*.