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Arachin Daf 33

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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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

### **Initial Sanctification**

The *Gemora* asks: What is the reason of the one who holds the initial sanctification was for that time, but not for the future?

The *Gemora* answers: It is because it is written: *And the entire congregation that was returning from captivity made sukkahs, and dwelt in the sukkahs; for since the days of Yehoshua the son of Nun, the Children of Israel had not done so. And there was very great gladness.* Now, the *Gemora* asks: Is it possible that when David came (or when Shlomo came), they made no sukkahs, until Ezra came (how could they all have avoided fulfilling the mitzvah of sukkah)? Rather, it compares their arrival (to Eretz Yisroel) in the days of Ezra to their arrival in the days of Yehoshua: just as at their arrival in the days of Yehoshua, they counted the years of *Shemittah* and *Yovels* (they began to count it, and they began to fulfill the mitzvah of ma’aser), and they consecrated the cities surrounded by walls, so too as well at their arrival in the days of Ezra, they counted the years of *Shemittah* and *Yovels* (they began to count it, and they began to fulfill the mitzvah of ma’aser), and they consecrated the cities surrounded by walls. [Evidently, Yehoshua’s consecration of the Land was no longer in force at the time of Ezra, and it was necessary to resanctify the Land.] And it also says: *Hashem, your God, will bring you to the Land which your fathers possessed, and you shall possess it.* The verse is comparing your possession of the Land with that of your fathers: just as your forefathers’ possession of the Land brought about a renewal of all these things, so too shall your possession of the Land bring about a renewal of all these things.

The *Gemora* asks: And how does the other opinion (who holds that the initial sanctification was for that time, but not for the future) understand the verse?

The *Gemora* answers: Ezra prayed for mercy regarding the Evil Inclination for idolatry and he removed it, and his merit then shielded them like a *sukkah*.

And regarding the other verse, they explain it as follows: Since your forefathers possessed it, you will also possess it (without a need to resanctify it). (32b)

### **Counting Yovels**

The *Gemora* asks: But (when the exiles returned from Bavel in the time of Ezra) did they count the years of *Shemittah* and *Yovel*? If even after the tribe of Reuven, the tribe of Gad and half the tribe of Menasheh went into exile (during the existence of the first temple), the *Yovels* were suspended (for the laws of *Yovel* apply only when all twelve Tribes are living in the Land); should Ezra, in connection with whom it is written: *The entire congregation together was forty-two thousand three hundred and sixty (which was but a fraction of the Jewish population),* have counted them? For it was taught in a *braisa*: When the tribe of Reuven, the tribe of Gad and half the tribe of Menasheh went into exile, the *Yovels* were suspended, as it is written: *And you shall proclaim freedom throughout the land for all its inhabitants, i.e., only at the time when all its inhabitants thereof dwell on the Land, but not at the time when some of them are exiled.* One might have thought that if they were there, but intermingled, (e.g.) the tribe of Binyamin with that of Yehudah and the tribe of Yehudah with that of Binyamin, that the laws of *Yovel* should apply; therefore it is written: *for all its inhabitants,*

which means: only at the time when all its inhabitants are there as they ought to be, but not when they are intermingled!?

Rav Nachman bar Yitzchak said: They counted the *Yovels* to keep the years of *Shemittah* holy (for though the *Yovels* had been suspended, the years of *Shemittah* were still observed; consequently, they had to count the *Yovels* in order to be able to observe the years of *Shemittah* in their proper time, for the year of *Yovel* was not included in the seven years cycle).

The *Gemora* asks: That is well according to the view of the Rabbis who hold that the *Yovel* year is not included in the counting (of the seven year cycle, and therefore, it was necessary to count the year of the *Yovel* in order to start the next cycle in the following year), but according to Rabbi Yehudah, who holds that *Yovel* is counted for both cycles (as the fiftieth year of one cycle and as the first year of the subsequent *Shemittah* cycle), why was it necessary to count the *Yovels*? It would have been enough if the years of *Shemittah* alone had been counted!?

The *Gemora* concludes that this is not in accordance with the view of Rabbi Yehudah.

The *Gemora* asks: But did they not count the years of *Shemittah* and *Yovels* (when the tribe of Reuven, the tribe of Gad and half the tribe of Menasheh went into exile)? Is it not written: *At the end of seven years you shall let go his Hebrew brother, that has been sold to you, and when we asked: Why 'at the end of seven years'? Is it not written: He shall serve you for six years (and then he is set free)?* And to this Rav Nachman bar Yitzchak replied: Six for one who had been sold, and seven for one who had his ear pierced (the ear of the servant who refuses to go free and who must then serve his master up to the year of the *Yovel*, is pierced; if such a pierced servant has completed seven years and the eighth was a *Yovel* year, he went out free). [This verse of Yirmiyah refers to the time of Tzidkiyah, long after Sancheriv had exiled a large part of the people, and yet the laws of *Yovel* were still in force!?

Rabbi Yochanan answers: Yirmiyah brought them back (and therefore the laws of *Yovel* applied), and Yoshiyah the son of Amon ruled over them.

The *Gemora* cites the Scriptural sources that those who were exiled indeed returned, and that Yoshiyahu ruled over them. (32b – 33a)

## Mishna

Houses in open towns have the enhanced rights of houses in a walled city and of ancestral fields: they can be redeemed at once, and at any time within the twelve months like houses (in a walled city), and they go out (to the owners) in the year of *Yovel* or by payment through a deducted price (based upon the cost price, and the amount of years remaining until *Yovel*) like (ancestral) fields. (33a)

## Houses in Open Towns

The *Gemora* cites a *braisa*, which proves through analogy to an ancestral field that houses in open towns go out (to the owners) in the year of *Yovel* or by payment through a deducted price (based upon the cost price, and the amount of years remaining until *Yovel*). Nevertheless, they can be redeemed during the first two years of the sale (just like a house in a walled city). The *braisa* concludes: Since you have enhanced their rights like that of fields, as well as those of houses in walled cities, one might have thought that they do not go out in the year of *Yovel*, therefore it is written: *And they shall go out in Yovel*.

Rav Ze'ira asks: What does the *braisa* mean to say (is it not obvious that they will go out to the owners in *Yovel*, for they are compared to ancestral fields)?

Rav Huna answers: This was necessary to be stated only for the case of one who consecrates a house among the houses in an open town, and someone else redeemed it from *hekdesch*, and *Yovel* came in its second year (since it was redeemed). With what will you compare it to? If you compare it to a house in a

walled city, it becomes the perpetual possession of the purchaser (*after the first year, and the subsequent coming of Yovel plays no role*), and if you compare it to an ancestral field, it goes out to the *Kohanim*. It was for this case that it was necessary to say: *And they shall go out in Yovel (and it returns to the owner)*.

Rav Ze'ira asked: Why speak about a case where someone else redeemed it? It should return to the owner (*based upon this verse*) even if it was not redeemed!?

Abaye said: [*If it was not redeemed, it would not go to the owners by Yovel*] lest people say that consecrated property goes out (*from its sanctity*) without redemption.

Abaye provides the source for this: It is derived from the law of a *Levi*: If a *Levi* whose rights are enhanced where he sold a field (*for he can redeem it immediately*), has his rights weakened where he consecrated an object (*for it will not go back to him unless he pays for it*); then regarding a *Yisroel* whose rights are weakened where he sold a field (*that he cannot redeem it for the first two years*), should his rights certainly be weakened with regard to an object which he consecrated himself! [*We derive that objects cannot leave hekdesch unless there is a redemption!*]

The *Gemora* provides a *braisa* as the source for the law that a *Levi's* consecrated field is not returned to him by *Yovel*.

The *Gemora* notes that Rav Huna's ruling (*that one who consecrated a house in an open town, and someone else redeemed it from hekdesch, and Yovel came in its second year, it is returned to the owner*) conflicts with Rabbi Oshaya, for Rabbi Oshaya said that the Torah specified that an ancestral field (*which has been consecrated and redeemed*) goes out to the *Kohanim* in *Yovel*, but all other consecrated houses (*such as one in an open town*) – when they are redeemed from *hekdesch*, remain where they are (*by the redeemer – even after Yovel*).

The *Gemora* asks: so why then does the Torah say: *And they shall go out in the Yovel?*

Rav Pappa answered: This is necessary but for the case of one who **sells** a house among the houses in an open town, and *Yovel* came in its second year (*since it was sold*). With what will you compare it to? If you compare it to a house in a walled city, it becomes the perpetual possession of the purchaser (*after the first year, and the subsequent coming of Yovel plays no role*), and if you compare it to an ancestral field, it requires completion (*of the two years that a buyer keeps the field until the seller is permitted to redeem it*). It was for this case that it was necessary to say: *And they shall go out in Yovel (and it returns to the owner)*.

The *Gemora* cites a *braisa* which is in accordance with Rav Huna and serves as a refutation of Rabbi Oshaya: If one consecrates a house among the houses in an open town, then he may redeem it at once, and he may redeem it forever. If someone else redeemed it from *hekdesch*, and *Yovel* arrived and it had not been redeemed (*by its original owner*), it reverts in the year of *Yovel* to the owner. (33a – 33b)

## Mishna

The following are considered houses in open towns: (*a city in which there are*) two courtyards - each having two houses, even though they have been surrounded by a wall since the days of Yehoshua ben Nun - they are regarded as houses in an open town. (33b)

## Scriptural Source

The *Gemora* provides a *braisa* as the source for the law that a city consisting of only two courtyards - each having two houses, even though they have been surrounded by a wall since the days of Yehoshua ben Nun - they are regarded as houses in an open town (*and they therefore can be redeemed even after the first year, and if they are not redeemed, they are returned to the owner by Yovel*). [*If, however, there are three courtyards - each having two houses, and they have been surrounded by a wall since the days of Yehoshua ben Nun - they are regarded as houses in a walled city.*] (33b)



## INSIGHTS TO THE DAF

### *Sent out of a Walled City*

The *Gemora* mentions that there is a special sanctity regarding cities in *Eretz Yisroel* that were surrounded by a wall in the times of Yehoshua. Rashi writes some of these *halachos*: One who sells a house inside a walled city has one year to redeem the house, but if he chooses not to redeem the house, it becomes the property of the buyer permanently; sending a *metzora* outside the city; and that the open space (1,000 cubits) surrounding the city should be left uncultivated.

Why does a *Metzora* need to leave a city that is surrounded by a wall, but may otherwise remain in all other cities--as long as they are unwalled? The Be'er Yosef provides a fascinating *p'shat* based on the Chazal in Erachin (15b) which states that Hashem provided for the tongue two protections -- two walls: one of flesh--the lips, and one of bone--the teeth. A *metzora* breached his very own walls of protection by speaking *lashon hora*; he cannot therefore remain in a city protected by a wall!

Hakhel Note: An average city has only one wall--yet Hashem in his benevolence gives us a truly enhanced fortification--a dual safeguard! How can a person be so imprudent, so unwise, so as to take down not only one wall made for his own protection--but two! We will add one other point, as well. One of the most famous *Metzora* scenes in Tanach is that of Gechazi and his sons outside the city of Shomron (the Haftorah for Parshas *Metzora*)--perhaps a lesson to us that the sin of Lashon Hora is easily spread within or among a family (Miriam and Aharon speaking regarding Moshe Rabbeinu provides a similar lesson)--and this may be why it is easier to succeed at taking down the 'double wall'--it is an unfortunate and misguided team effort, and one family member encourages the next in what to the casual observer may otherwise be described as a self-defeating struggle. If one sees a weakness in his family--or in a particular family member (even if that family member is himself) -- he should bolster the fortifications--so that the security of the

entire family is not breached--and the lips and tongue can take their noble places in protecting home, life and family!

### *The Chosen City*

Tosfos (in Megillah 10a) cites the opinion of Rabbeinu Chaim that even if one maintains that the initial sanctification of the Beis HaMikdash was not for all time and it would be forbidden to offer sacrifices on the site of the Temple Altar, one is nonetheless prohibited from offering a sacrifice on a private altar.

Rashi disagrees and holds that if the sanctity of the Beis HaMikdash ceased by its destruction, it would be permitted to offer sacrifices on a private altar nowadays.

The commentators ask on Rabbeinu Chaim: If the sanctity ceased after the destruction, why would it be forbidden to offer sacrifices on a private altar? After the destruction of Shiloh, *bamos* became permitted, so why not after the destruction of the Beis HaMikdash?

Minchas Chinuch (254:7) writes that although Yerushalayim has lost its sanctity in regards to offering sacrifices and eating *kodoshim*, the city remains the "chosen place" and the third Beis HaMikdash will be built there. This is why private altars are still forbidden. This is the distinction between Shiloh and Yerushalayim. Shiloh was not the chosen city and when the Tabernacle was destroyed, there was no vestige of sanctity left in the city and *bamos* became permitted. Minchas Chinuch states that this is the explanation as to why we are still subject to a prohibition of fearing the *Mikdash* nowadays, since it is still the chosen place although it has not retained its sanctity.

## DAILY MASHAL

### *Sukkah – Abolishing Idolatry*

The *Gemora* in *Avodah Zarah* (daf 3a) relates: The nations will then plead: Offer us the Torah anew and we shall observe it. The

Holy One, Blessed be He, will say to them: You fools of the world; he who bothered himself to prepare before *Shabbos* can eat on *Shabbos*, but he who has not bothered himself before *Shabbos*, what shall he eat on *Shabbos*? Nevertheless, I have an easy *mitzvah*, which is called *sukkah*; go and perform it.

Immediately, every one of them will go and build a *sukkah* on the top of his roof; and the Holy One, Blessed be He, will pierce them with the heat of the sun in the Summer season, and every one of them will kick his *sukkah* and leave, as it is written: *Let us cut their cords, and cast away their ropes from us.*

Why was the *mitzvah* of *sukkah* chosen to be the defining distinction between the Jews and the idolaters?

In the sefer *Imrei Chein*, Reb Yehudah Levenberg explains as follows: The *Gemora* in *Sukkah* cites a dispute between Rabbi Akiva and Rabbi Eliezer regarding the explanation of the verse that states: *so that your generations will know that I caused the Children of Israel to dwell in Sukkos when I took them from the land of Egypt.* Which *Sukkos* is the Torah referring to? Rabbi Akiva maintains that the verse refers to the booths that Hashem made for the Jewish People when they were sojourning in the Wilderness. Rabbi Eliezer, however, maintains that the verse refers to the Clouds of Glory that encompassed the Jewish People in the Wilderness.

The *Gemora* in *Taanis* (9a) states that Hashem performed three miracles for the Jewish People in the Wilderness. Hashem provided the Jewish People with a traveling well of water that was in the merit of Miriam. The Jewish People were further provided with manna that fell from heaven and sustained them and the manna was in the merit of Moshe. The Clouds of Glory that protected the Jewish People were in the merit of Aharon. The commentators wonder why there is only a festival commemorating the miracle of the Clouds of Glory while there is no festival that commemorates the miracles of the traveling well and the falling of the manna from heaven.

The Vilna Gaon and Reb Tzadok HaKohen from Lublin in *Pri Tzaddik* posit that in truth, we are not commemorating any of the above-mentioned miracles. Rather, the explanation is that following the sin of the Golden Calf, Hashem removed the

Clouds of Glory that were protecting the Jewish People and only after Moshe gained atonement for the Jewish People on Yom Kippur did the Clouds of Glory return. Nonetheless, the Clouds of Glory did not actually return until the fifteenth of Tishrei when the Jewish People commenced the construction of the Mishkan, the edifice that reflected their atonement. Thus, the festival of *Sukkos* is not necessarily a commemoration of the Clouds of Glory. Rather, the festival of *Sukkos* commemorates the return of the Clouds of Glory and the atonement that the Jewish People received on Yom Kippur.

This demonstrates the connection between the *mitzvah* of *sukkah* and the atonement received for the sin of the Golden Calf.

Our *Gemora* cites a scriptural verse which states that they performed the *mitzvah* of *sukkah* that year in a manner that it had not been performed since the days of Yehoshua ben Nun. One of the explanations given to this cryptic verse is that the Men of the Great Assembly succeeded in abolishing the evil inclination for idolatry. What is the connection between the two? The answer could be like we have been explaining. The *mitzvah* of *sukkah* was the *mitzvah* which first combated the inclination to worship idols; that is why it was chosen to inform us that the desire to worship idols had been abolished, and that is why it is used as the defining distinction between the Jews, who serve Hashem, and the gentiles, who worship idols.