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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 the *Yovel* arrived and it was not redeemed, the *Kohanim* enter it and pay its worth (*according to the fixed rate prescribed by the Torah*); these are the words of Rabbi Yehudah. Rabbi Shimon says: They enter but do not pay. Rabbi Eliezer says: They neither enter nor pay, but it is called an abandoned field, until the second *Yovel*. If by the time the second *Yovel* arrived it was not redeemed it is called “a twice abandoned field” until the third *Yovel*. The *Kohanim* never enter until (*the Yovel after*) someone else has redeemed it. (25b)

Scriptural Sources

Rabbi Yehudah’s derives his opinion through the following *gezeirah shavah*: It is written *kodesh* by the law of a consecrated house (*where it is stated: And if a man shall consecrate his house to be kodesh to Hashem*) and here (*where it is written: when the field goes out in Yovel, it shall be kodesh to Hashem*): just as a house never leaves the possession of the Temple treasury without payment (*as it is written: and the Kohen shall evaluate it*), so also does an ancestral field not leave the Temple treasury without payment. [*Therefore, if someone else redeemed it before Yovel, then since its value was paid to the Temple treasury, the field goes to the Kohanim by Yovel free of payment; but if the field was not redeemed by the Yovel year, the Kohanim must pay its full value.*]

Rabbi Shimon derives his opinion through a *gezeirah shavah* from the lamb offerings of *Shavuos* (*where it is written: they shall be kodesh to Hashem for the Kohen*): just as there it is without payment (*that they receive the lambs*), so also is it here without payment.

Rabbi Yehudah, however, does not derive from there, for he prefers to learn the ancestral field from a consecrated house, since both are consecrated to the Temple maintenance, whereas the *Shavuos* lambs are consecrated to the altar.

Rabbi Shimon prefers to learn the law of the ancestral field from the *Shavuos* lambs rather than from the consecrated house, since an ancestral field and the *Shavuos* lambs are both gifts to the *Kohanim*, whereas a consecrated house is not a gift to the *Kohanim*. (25b – 26a)

Rabbi Eliezer’s Opinion

The *Mishna* had stated: Rabbi Eliezer says: They neither enter nor pay (*but it is called an abandoned field, until the second Yovel*).

Abaye cites a *braisa* which serves as a source for Rabbi Eliezer’s viewpoint: (*a field which was not redeemed by its original owner before Yovel*) shall not be redeemed. One might have thought that this means that it shall not be redeemed (*by the owners*) even to be considered as a purchased field from the Temple (*where, if someone else will buy it, it will remain in their possession until the next Yovel, and then, it will be divided by the Kohanim*); therefore the Torah says: (*it shall not be redeemed*) any more. This means that it cannot be redeemed by the owner so as to be considered what it was before (*an ancestral field*), but it can be redeemed to become to him like a field acquired by purchase (*which will go to the Kohanim by Yovel*).

[*The Gemora analyzes the braisa:*] Now, to when does this refer? It cannot be to the first *Yovel*, for why then can it not be redeemed? It is still his ancestral field (*and the owner can redeem it and preserve his ownership rights to it*)!? It obviously refers to (*a case where the owner is redeeming it before*) the second *Yovel*. But according to which *Tanna* is this teaching? It cannot be according

to either Rabbi Yehudah or Rabbi Shimon, for surely (*according to them*) it goes out to the *Kohanim* (at the first Yovel)! You must therefore say it is in accordance with Rabbi Eliezer (*who maintains that if a field is not redeemed by the first Yovel, it does not go to the Kohanim, and that is why it is still available to be redeemed in the second cycle*), which proves that Rabbi Eliezer derives his reason from here (*the verse mentioned in the braisa*).

The *Gemora* asks: But is this explanation reasonable? How then do Rabbi Yehudah and Rabbi Shimon interpret the term 'any more' in the verse?

Rather, the *braisa* here is dealing with a case where the ancestral field went out to the *Kohanim* (by Yovel), and the *Kohen* (who acquired it) thereupon consecrated it, and now the (original) owner comes to redeem it. You might have thought that it cannot be redeemed (by the owner) even to be considered as a purchased field from the Temple; therefore the Torah says: (*it shall not be redeemed*) any more. This means that it cannot be redeemed by the owner so as to be considered what it was before (*an ancestral field*), but it can be redeemed to become to him like a field acquired by purchase (*which will go to the Kohanim by Yovel*). [All the *Tannaim* can agree to this, for the *Kohen*, who acquired the field by the first Yovel, consecrated it, it can be redeemed during the second Yovel cycle; accordingly, the *braisa* cannot serve as a source for R' Eliezer.]

This interpretation can be supported from the following *braisa*: In the year of Yovel the (acquired) field shall return to the one from whom it was bought. [An acquired field which was consecrated never goes to the *Kohanim* by Yovel; this is because the one who acquired it only owns it until Yovel. At Yovel, it returns to its original owner. In this case, the one who consecrated the field redeemed it himself.] One might have thought that it shall go back to the treasurer from whom he bought it, therefore the verse states: to the one to whose ancestral heritage of the land belongs. [It is returned to the original owner – to the one who sold the field to the one who consecrated it.] Now the Torah could have only said: to the one to whose ancestral heritage of the land belongs. For what purpose does it say: to the one from whom it was bought? It teaches us the following: an ancestral field went out to the *Kohanim* (by Yovel), and the *Kohen* (who acquired it) thereupon sold it and the purchaser consecrated it, and a different person came and redeemed it. One might have thought that it shall revert

to the original owners; therefore it is written: to the one from whom it was bought (it returns to the *Kohen* who acquired it by the first Yovel).

The *Gemora* notes that it was necessary to state: it shall not be redeemed (*which teaches us the law that the original owner cannot redeem a field that it should revert to being his ancestral field once a Kohen acquired it by the first Yovel*), and it was necessary to state: to the one from whom it was bought (*which teaches us the law that an ancestral field, which went out to the Kohanim by Yovel, and the Kohen who acquired it thereupon sold it and the purchaser consecrated it, and a different person came and redeemed it, it shall not revert to the original owners*). For if the Torah had written only: it shall not be redeemed, one would have said that this (*that it does not go back to the original owner*) applies only to the case where it does not come back (*to a former owner, for it goes to all the Kohanim; it does not go back to the Kohen who acquired it by Yovel and then consecrated it; therefore, it doesn't go back to the original owner either*), but here, where it reverts (*to a former owner; for it reverts back to the Kohen who acquired it by the first Yovel, and, who afterwards sold it and the purchaser consecrated it*), perhaps it shall revert to the original owner; therefore the Torah wrote: to the one from whom it was bought. And if the Torah had written only: to the one from whom it was bought, one would have said that this (*that it does not go back to the original owner*) applies only to the case where the owner did not pay its value (*for he was not the one who redeemed it from hekdesch*), but here, where he (*the original owner*) paid its value, perhaps it shall be placed in his possession (*and it should revert to being his ancestral field*); therefore the Torah wrote: it shall not be redeemed. And if the Torah had written: it shall not be redeemed, but had not written: any more, I would have thought that it cannot be redeemed at all (*by the original owner*); therefore the Torah said: any more, i.e., it cannot be redeemed by the owner so as to be considered what it was before (*an ancestral field*), but it can be redeemed to become to him like a field acquired by purchase (*which will go to the Kohanim by Yovel*).

The *Gemora* asks: Now what of it (*where is the source for R' Eliezer's ruling that if a field is not redeemed by the first Yovel, it does not go to the Kohanim*)?

Rava answers: It is written: And when the field goes out in Yovel, implying that (it will go to the *Kohanim*) when it goes out (on Yovel)

of the possession of another (*who redeemed it; but where it was not redeemed at all, it does not go out to the Kohanim*).

They inquired (*according to R' Eliezer*): Is the (*original*) owner in the second Yovel cycle (*if he redeems it then*) considered like “another” (*and when the second Yovel comes about, the field will go to the Kohanim*), or not (*and he will regain his ancestral rights to the field*)?

The *Gemora* attempts to resolve this from the following *braisa*: *It (a field which was not redeemed by its original owner before Yovel) shall not be redeemed*. One might have thought that this means that it shall not be redeemed (*by the owners*) even to be considered as a purchased field from the Temple (*where, if someone else will buy it, it will remain in their possession until the next Yovel, and then, it will be divided by the Kohanim*); therefore the Torah says: (*it shall not be redeemed*) *any more*. This means that it cannot be redeemed by the owner so as to be considered what it was before (*an ancestral field*), but it can be redeemed to become to him like a field acquired by purchase (*which will go to the Kohanim by Yovel*).

[*The Gemora analyzes the braisa*:] Now, to when does this refer? It cannot be to the first Yovel, for why then can it not be redeemed? It is still his ancestral field (*and the owner can redeem it and preserve his ownership rights to it*)!? It obviously refers to (*a case where the owner is redeeming it before*) the second Yovel. But according to which *Tanna* is this teaching? It cannot be according to either Rabbi Yehudah or Rabbi Shimon, for surely (*according to them*) it goes out to the *Kohanim* (*at the first Yovel*)! You must therefore say it is in accordance with Rabbi Eliezer (*who maintains that if a field is not redeemed by the first Yovel, it does not go to the Kohanim, and that is why it is still available to be redeemed in the second cycle*), which proves that Rabbi Eliezer maintains that the owner, in the second Yovel, is considered as if he were “another” (*and that is why he loses his ancestral rights to the field*).

The *Gemora* asks: But is this explanation reasonable? How then do Rabbi Yehudah and Rabbi Shimon interpret the term ‘*any more*’ in the verse?

Rather, the *braisa* here is dealing with a case where the ancestral field went out to the *Kohanim* (*by Yovel*), and the *Kohen* (*who acquired it*) thereupon consecrated it, and now the (*original*) owner

comes to redeem it. You might have thought that it cannot be redeemed (*by the owner*) even to be considered as a purchased field from the Temple; therefore the Torah says: (*it shall not be redeemed*) *any more*. This means that it cannot be redeemed by the owner so as to be considered what it was before (*an ancestral field*), but it can be redeemed to become to him like a field acquired by purchase (*which will go to the Kohanim by Yovel*). [*All the Tannaim can agree to this, for the Kohen, who acquired the field by the first Yovel, consecrated it, it can be redeemed during the second Yovel cycle; accordingly, the braisa cannot serve as a source for R' Eliezer.*]

This interpretation can be supported from the following *braisa*: *In the year of Yovel the (acquired) field shall return to the one from whom it was bought*. [*An acquired field which was consecrated never goes to the Kohanim by Yovel; this is because the one who acquired it only owns it until Yovel. At Yovel, it returns to its original owner. In this case, the one who consecrated the field redeemed it himself.*] One might have thought that it shall go back to the treasurer from whom he bought it, therefore the verse states: *to the one to whose ancestral heritage of the land belongs*. [*It is returned to the original owner – to the one who sold the field to the one who consecrated it.*] Now the Torah could have only said: *to the one to whose ancestral heritage of the land belongs*. For what purpose does it say: *to the one from whom it was bought*? It teaches us the following: an ancestral field went out to the *Kohanim* (*by Yovel*), and the *Kohen* (*who acquired it*) thereupon sold it and the purchaser consecrated it, and a different person came and redeemed it. One might have thought that it shall revert to the original owners; therefore it is written: *to the one from whom it was bought (it returns to the Kohen who acquired it by the first Yovel)*.

The *Gemora* notes that it was necessary to state: *it shall not be redeemed (which teaches us the law that the original owner cannot redeem a field that it should revert to being his ancestral field once a Kohen acquired it by the first Yovel)*, and it was necessary to state: *to the one from whom it was bought (which teaches us the law that an ancestral field, which went out to the Kohanim by Yovel, and the Kohen who acquired it thereupon sold it and the purchaser consecrated it, and a different person came and redeemed it, it shall not revert to the original owners)*. For if the Torah had written only: *it shall not be redeemed*, one would have said that this (*that it does not go back to the original owner*) applies only to the case where it

does not come back (to a former owner, for it goes to all the Kohanim; it does not go back to the Kohen who acquired it by Yovel and then consecrated it; therefore, it doesn't go back to the original owner either), but here, where it reverts (to a former owner; for it reverts back to the Kohen who acquired it by the first Yovel, and, who afterwards sold it and the purchaser consecrated it), perhaps it shall revert to the original owner; therefore the Torah wrote: to the one from whom it was bought. And if the Torah had written only: to the one from whom it was bought, one would have said that this (that it does not go back to the original owner) applies only to the case where the owner did not pay its value (for he was not the one who redeemed it from hekdesch), but here, where he (the original owner) paid its value, perhaps it shall be placed in his possession (and it should revert to being his ancestral field); therefore the Torah wrote: it shall not be redeemed. And if the Torah had written: it shall not be redeemed, but had not written: any more, I would have thought that it cannot be redeemed at all (by the original owner); therefore the Torah said: any more, i.e., it cannot be redeemed by the owner so as to be considered what it was before (an ancestral field), but it can be redeemed to become to him like a field acquired by purchase (which will go to the Kohanim by Yovel).

The Gemora asks: Now what of it (if a field is not redeemed by the first Yovel, can the original owner redeem it and his ancestral rights to the field will be restored)?

The Gemora resolves this from the following braisa: Rabbi Eliezer says: If the owner redeemed it in the second Yovel (cycle), it goes out to the Kohanim in the next Yovel.

Ravina said to Rav Ashi: But did we not learn in the Mishna that Rabbi Eliezer said that the Kohanim never enter until (the Yovel after) someone else has redeemed it (which implies that if the owner himself would redeem it, it would not go to the Kohanim)?

He replied: The owner is considered as "someone else" in the second Yovel.

There were those who said the proof as follows: Rabbi Eliezer says: If the owner redeemed it in the second Yovel (cycle), it does not go out to the Kohanim in the next Yovel.

Ravina said to Rav Ashi: This can be supported from our Mishna where Rabbi Eliezer said that the Kohanim never enter until (the Yovel after) someone else has redeemed it (which implies that if the owner himself would redeem it, it would not go to the Kohanim)?

Rav Ashi replied: If we would know it only from our Mishna, I might have thought that the owner is considered as "someone else" in the second Yovel (and he cannot regain his rights); therefore we are informed otherwise. (26a – 26b)

DAILY MASHAL

Who Belongs to Whom

People say that one of the great dayanim in previous generations was called to judge a din Torah concerning a field. At a certain phase of the discussion, the dayan went to see the field, leaned down and listened to the ground. To the amazement of those present, he explained, "Each of you claimed 'It all belongs to me'. I listened to the ground and it also lays a claim: 'Both of you belong to me'" (Miginzacheinu Ha'atik).