

4.4.6

56b (סוף הפרק) → 57b (ופורצין פרצות) 56b

(1)	וְאִם כָּבֵשׁ יָבִיא קֶרְבָּנוּ לְחֻטָּאת נִקְבָּה תְּמִימָה יְבִיאָנָה: וְיִקְרָא ד, לב
(2)	אִם כָּשָׁב הוּא מְקַרֵּב אֶת קֶרְבָּנוּ וְהִקְרִיב אֹתוֹ לִפְנֵי ה': וְאִם עָז קֶרְבָּנוּ וְהִקְרִיבוּ לִפְנֵי ה': וְיִקְרָא ג, ז, יב

I. Analysis of משנה ח': people of Jericho and the חכמים (con't)

- a. Quote from **ברייתא**: they would cut down fences to allow the poor to eat fruit that fell on שבת – during drought years
- i. גזירת משתמש במחובר (עולא) רשב"ל: dispute regarding bent over trees (accessible limbs) – issue revolves around
- אנשי יריחו: no concern lest they climb and tear off dates from branches (חכמים held that concern nonetheless)
 - גשר: regarding “regular” fallen trees – all agree to permit
- ii. מוקצה (רבין) רשב"ל: dispute regarding fallen dates – issue revolves around
- אנשי יריחו: that which is מוכן for birds (ripe dates on trees) is מוכן for people; חכמים – מוכן for birds → לאדם
 - מכבדות (bent over trees): consensus to prohibit (lest they cut off from branches)
- b. Quote from **משנה**: they would give פאה from vegetables
- i. source (פאה א: ד): obligation of פאה is defined by אוכל, נשמר, גידולו מן הארץ, אוכל
- אוכל: excludes dye plants
 - נשמר: excludes that which is ownerless (הפקר)
 - גידולו מן הארץ: excludes mushroom and fungi
 - לקיטתו כאחת: excludes figs which have two harvest seasons
 - מכניסו לקיום: excludes vegetables
- ii. דב: dispute was about turnips, which are preserved with other agent
- אנשי יריחו: preserved via an agent is still considered לקיום; חכמים – only considered thus if stored as is
 - Supporting **ברייתות**: which we assume represent 3 opinions
 - ד"קו: give פאה from turnips and cabbage
 - ד' יוסי: even from קפלוט
 - ד"קב: give פאה from turnips and קפלוט
 - ד' ש: even from cabbage
 - Assumption: 3 opinions here (ת"ק, ת"ק, ר' יוסי+ר"ש, who agree that all 3 are חייב)
 - Rejection: ת"ק ר"ש is ת"ק ר' יוסי and ת"ק ר"ש is ת"ק ר' יוסי; "אף" is a response to 1st item

II. Background to הקדש חרובין ושקמה in Jericho

- a. **Stron-arming**: cycle of aggression led to legislation for fair distribution in מקדש
- b. **יריחו**: thugs would take sycamore branches by force; owners would be מקדיש them in response
- i. **אבא שאול**: commented on 4 households who “made life difficult” due to strong-arm tactics or slander
- Tangent: 4 “cries” heard in the courtyard of the מקדש – 2 calling for removal and 2 for installation
 - Removal: of יששכר איש כפר ברקאי and בני עלי
 - יששכר: was very fussy and desecrated קדשים
 - And: was undone by his arrogance /ignorance in settling dispute between king and queen (vv. 1-2)
 - Installation: יוחנן בן נרבאי and ישמעאל בן פיאכי (who fed many כהנים in his house)