

15.3.7

28a (משנה ה') → 30a (וקדושות)

- I 'ה משנה: הקדש on condition or for a duration
- a Conditional הקדש (these plants are הקדש if they are not cut [today]; this garment is הקדש if it isn't burnt [today])
- i Ruling: may be redeemed
  - ii Circumstance: there was a big wind (plants) or fire (garment); perhaps his נדר was premised on those destructive conditions and if they abated, נדר wouldn't be valid – קמ"ל
- b Durational הקדש (plants הקדש until they are cut; garment הקדש until it's burnt)
- i Ruling: may **not** be redeemed before being cut
    - 1 Caveat: if another redeemed them, they are redeemed
      - (a) Parallel: giving 2 פרוטות, one for immediate קידושין the other for קידושין after divorce –
        - (i) Question (רב הושעיא): are 2<sup>nd</sup> קידושין valid?
        - (ii) Answer (from our ruling): invalid, her divorce is parallel to "redeemed by others"
      - 2 However: if the owner redeemed them, they immediately return to קדושה
      - 3 If he redeemed them after being cut:
        - (a) בר פדא: they are redeemed (קדושה) can't be dissolved without פדיון
        - (b) עולא: no need for redemption after they are cut (קדושה) dissolves of its own accord
          - (i) challenge (עולא → רב המנונא): how did קדושה dissolve of its own accord?
          - (ii) support: if he gives a woman a פרוטה for temporary קידושין, they don't dissolve at end of period without a גט
            1. block (רבא): can't compare קדושת הגוף (woman) with קדושת דמים (value-קדושה – our case)
            2. Defense (אבני): קדושת הגוף also dissolves on its own, as evidenced by ruling if he points to animal and declares it to be an עולה for 30 days and after that a שלמים – it works
              - a. Block: that could be a case of קדושת דמים
              - b. Retort: 2<sup>nd</sup> clause: "after 30 days – עולה and from now, שלמים" also works is unnecessary unless one refers to קדוה"ג and the other קדושת דמים
                - i. Argument: if it can transfer from higher value (עולה) to lower (שלמים), certainly it can transfer from lower value to higher
                - c. Implication: בר פדא has been refuted and קדושת הגוף dissolves on its own → no need to redeem plants after they are cut
                  - i. Defense: בר פדא will explain 2<sup>nd</sup> clause as meaning "if he doesn't say שלמים from now, it becomes an עולה in 30 days", similar to delayed קידושין that are valid even if she spends the כסף קידושין in the meantime
                  - ii. Note: even according to authority who states that she may change her mind in the intervening period, הקדש is more severe; a declaration to הקדש::proper קנין
      - ii Challenge (language): רישא should state "they are sanctified"
        - 1 Answer: parallel construction with סיפא