

19.01.18

20a (ת"ר אם בגפו) → 21b (לקרוב קרוב קודם)

Note: in *פרשת בהר*, the redemption of several pledges/sales is presented. A field of ancestral holdings (*שדה אחוזה*) may be redeemed after 2 years from the sale, and at *יובל* it returns to the owners. A house in a walled city (*בית בערי חומה*) may be redeemed until the end of the first year from the sale. If someone is *מקדיש* his ancestral field, the property may be redeemed at any point but at *יובל*, it becomes the permanent property of the *כהנים*.



- I Charitable reading of פסוקים in re: liberation of עבד עברי
- v. 1 – חכמים – he leaves with his body as is → doesn't leave as a result of the loss of limbs
 - Dissent: ר"אב"י: he can only be given שפחה כנענית if he is currently married and has children
 - sv. 3-4: interpreted liberally so that עבד always pays lower amount to buy himself out
 - Reason: v. 5 have to care for עבד עברי like ones' self.
 - Challenge: perhaps this only refers to his treatment while in your care
 - However: re: exiting, we should be stringent as per extended homily of ר' יוסי בר חנינא (vv. 2, 6-11)
 - Answer: ר"ב - vv. 3-4 generate contradiction – resolved along lines of appreciation vs. depreciation
- II Questions posed to ר' חנינא by ששת ר' חנינא
- Half-redemption #1: can an ע"ע sold to a non-Jew be half-redeemed (if someone pays ½ value)
 - Lemma1: גאולתו: (v. 12)::גאולתו: (in case of שדה אחוזה) militate against
 - Lemma2: perhaps we only utilize that ג"ז leniently
 - Answer: cannot be half-redeemed (just as we don't sell an ע"ע for half a theft-payment)
 - Note: אב"י points out that there could be a חומרא if we allow ½ payments – if his value fluctuates
 - Half-redemption #2: if someone sells a house in a walled city – can he redeem half?
 - Answer: from ר"ש – v. 13 allows ½ redemption (and a loan for redemption)
 - Dissent: רבנן (as evidenced by argument in re: מקדיש vs. מוכר a שדה אחוזה vs. selling house in חומה ערי חומה)
 - Multiple challenges to the common denominator of these three – resolution: מקדיש has an advantage over the others, in that it can be redeemed during the 2nd year (see note)
 - Block: ע"ע sold to a non-Jew disproves this, as he can't be redeemed in halves; may be redeemed in 2nd yr.
 - Can a house in a walled city be redeemed by relatives
 - Answer: may not be redeemed
 - Series of challenges: rulings indicating that בתים may be redeemed by relatives (v. 14)
 - Answer: refers to בתי חצרים
 - Block: that is written explicitly (v. 15)
 - Answers
 - to establish a hierarchy of redemption (who has priority to redeem as per v. 16)
 - to establish it as an obligation