דַּף יוֹמִי · עֲרָכִין · דַּף כ״ג

Daf Yomi · The Full Daf · Elucidated Talmud · Navy & Gold Edition · with Rashi

📖 THE SUGYA

On this daf, we open with a fascinating Mishnah dealing with a case where a person sanctified all his property to Hekdesh while still owing a כתובה to his wife. Rabbi Eliezer is concerned about potential trickery—he suspects the husband might fabricate a divorce just to pull funds out of Hekdesh to pay his wife, only to remarry her afterwards. To prevent this collusion, Rabbi Eliezer mandates that the husband must take a strict נדר forbidding benefit from her before divorcing. Rabbi Yehoshua, on the other hand, rules that no such vow is necessary. The Mishnah also brings a parallel ruling from Rabban Shimon ben Gamliel regarding a guarantor for a כתובה.

The Gemara then dives deep into the underlying סברה behind this machlokes. The shakla v'tarya explores whether we suspect a person will commit an act of conspiracy against Hekdesh or a third-party guarantor. We examine various types of vows—such as a נדר taken in public or with public consent—and how the halachos of seeking absolution (שאלה) for Hekdesh come into play according to Beis Shammai and Beis Hillel. Along the way, the Sugya relates a famous story involving Abaye, Rava, and a young talmid chacham who was in dire financial straits, unpacking the halachic boundaries of financial workarounds and the precise liabilities of a guarantor (ערב) versus an unconditional guarantor (קבלן).

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

עַמּוּד א׳ DAF 23A

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי׳

MISHNAH:

MISHNAH

הַמַּקְדִּישׁ נְכָסָיו

One who consecrates his property to Hekdesh, **and** there **was upon him** an outstanding **kethubah debt of his wife** for which his property was encumbered,

MISHNAH

רַבִּי אֱלִיעֶזֶר אוֹמֵר: כְּשֶׁיְּגָרְשֶׁנָּה יְדוֹר הֲנָאָה,

Rabbi Eliezer says: When he divorces her, he must take a vow forbidding benefit from her upon himself, preventing him from ever remarrying her,

MISHNAH

רַבִּי יְהוֹשֻׁעַ אוֹמֵר: אֵינוֹ צָרִיךְ.

while **Rabbi Yehoshua says: He does not need to** take such a vow.

MISHNAH

כֵּיוֹצֵא בְּדָבָר אָמַר רַבָּן שִׁמְעוֹן בֶּן גַּמְלִיאֵל:

On a similar note, Rabban Shimon ben Gamliel said:

MISHNAH

אַף הָעָרֵב לְאִשָּׁה בִּכְתוּבָּתָהּ וְהָיָה בַּעְלָהּ מְגָרְשָׁהּ יְדִירָנָּה הֲנָאָה,

Even regarding **a guarantor for a woman for her kethubah, and her husband was divorcing her** and could not pay, the husband **must take a vow forbidding benefit** from her upon himself before collecting from the guarantor,

MISHNAH

שֶׁמָּא יַעֲשֶׂה קִינּוּיָא עַל נְכָסִים שֶׁל זֶה וְיַחְזִיר אֶת אִשְׁתּוֹ.

lest he perform a conspiracy against the property of this guarantor—divorcing her so she can collect from the guarantor, **and** then **he will take back his wife** and benefit from that money.

גְּמָרָא GEMARA

GEMARA

גְּמָ׳

GEMARA:

QUESTION

בְּמַאי קָמִיפַּלְגִי?

Over what fundamental principle **do they disagree** in the Mishnah?

ANSWER

רַבִּי אֱלִיעֶזֶר סָבַר: אָדָם עוֹשֶׂה קִינּוּיָא עַל הַהֶקְדֵּשׁ,

Rabbi Eliezer holds: A person will commit a conspiracy against Hekdesh; therefore, we suspect he might illegitimately divorce her just to extract funds from Hekdesh, so a vow is required.

ANSWER

וְרַבִּי יְהוֹשֻׁעַ סָבַר: אֵין אָדָם עוֹשֶׂה קִינּוּיָא עַל הַהֶקְדֵּשׁ.

And Rabbi Yehoshua holds: A person will not commit a conspiracy against Hekdesh; hence, no preventative vow is necessary.

QUESTION

וְאֶלָּא הָא דְּאָמַר רַב הוּנָא:

But if so, consider **that which Rav Huna said:**

QUESTION

שֶׁכִּיב מְרַע שֶׁהִקְדִּישׁ כָּל נְכָסָיו,

If a **person on his deathbed consecrated all of his property,**

QUESTION

וְאָמַר: "מָנֶה לִפְלוֹנִי בְּיָדִי" — נֶאֱמָן,

and said, "So-and-so has a maneh [100 dinars] **in my possession** as a debt," **he is believed,** and that sum is paid out before Hekdesh takes the rest,

QUESTION

חֲזָקָה אֵין עוֹשֶׂה קִינּוּנְיָא עַל הֶקְדֵּשׁ,

because there is a **presumption that** a person **does not commit a conspiracy against Hekdesh;**

QUESTION

לֵימָא כְּתַנָּאֵי אַמְרַהּ לִשְׁמַעְתֵּיהּ?

shall we say that he stated his halachah in accordance with Tannaim—specifically like Rabbi Yehoshua, and against Rabbi Eliezer?

ANSWER

לָא, עַד כָּאן לָא פְּלִיגִי אֶלָּא בְּבָרִיא,

The Gemara answers: **No, they do not disagree except regarding a healthy person** who consecrates his property,

ANSWER

אֲבָל בְּשֶׁכִּיב מְרַע — דִּבְרֵי הַכֹּל אֵין אָדָם עוֹשֶׂה קִינּוּנְיָא עַל הַהֶקְדֵּשׁ.

but regarding a person on his deathbed, everyone agrees that a person will not commit a conspiracy against Hekdesh.

EXPLANATION

מַאי טַעְמָא? אֵין אָדָם חוֹטֵא וְלֹא לוֹ.

What is the reason? A person does not sin when it is not for his own benefit—since he is about to die, he gains nothing from this conspiracy.

STATEMENT

אִיכָּא דְּאָמְרִי: בְּבָרִיא דְּכוּלֵּי עָלְמָא לָא פְּלִיגִי דְּאֵין אָדָם עוֹשֶׂה קִינּוּנְיָא עַל הֶקְדֵּשׁ,

There are those who say a different version of the machlokes: **Regarding a healthy person, everyone agrees that a person does not commit a conspiracy against Hekdesh,**

EXPLANATION

וְהָכָא בְּנָדָר שֶׁהוּדַּר בְּרַבִּים קָמִיפַּלְגִי,

and here, they disagree regarding a vow that was taken in public, such as a vow imposed by beis din:

EXPLANATION

מָר סָבַר: יֵשׁ לוֹ הֲפָרָה,

One **Master** (Rabbi Yehoshua) **holds: It has** the possibility of **annulment** by a chacham, so making him vow does not prevent anything, as he will just have it annulled;

EXPLANATION

וּמַר סָבַר: אֵין לוֹ הֲפָרָה.

and the other **Master** (Rabbi Eliezer) **holds: It does not have annulment,** so the vow is an effective safeguard.

STATEMENT

וְאִיבָּעֵית אֵימָא: דְּכוּלֵי עָלְמָא נֶדֶר שֶׁהוּדַּר בָּרַבִּים יֵשׁ לוֹ הֲפָרָה,

And if you wish, say: Everyone agrees that a vow taken in public has annulment,

EXPLANATION

וְהָכָא בְּנֶדֶר שֶׁהוּדַּר עַל דַּעַת רַבִּים קָמִיפַּלְגִי.

and here, they disagree regarding a vow taken with the consent of the public (al daas rabbim).

QUESTION

וְאֶלָּא הָא דְּאָמַר אַמֵּימָר: נֶדֶר שֶׁהוּדַּר בָּרַבִּים יֵשׁ לוֹ הֲפָרָה, עַל דַּעַת רַבִּים אֵין לוֹ הֲפָרָה —

But if so, consider **that which Ameimar said: A vow taken in public has annulment,** but one taken **with the consent of the public has no annulment—**

QUESTION

לֵימָא כְּתַנָּאֵי אַמְרַהּ לִשְׁמַעְתֵּיהּ?

shall we say that he stated his halachah in accordance with Tannaim?

OBJECTION

וְתוּ, רַבִּי יְהוֹשֻׁעַ אוֹמֵר: "אֵינוֹ צָרִיךְ"? "אֵינוֹ מוֹעִיל" מִיבְּעֵי לֵיהּ!

And furthermore, why does **Rabbi Yehoshua say: "He does not need to"** take a vow? If his reason is that the vow can be annulled, **it should have said: "It is not effective"!**

RESOLUTION

אֶלָּא הָכָא בִּשְׁאֵלָה דְּהֶקְדֵּשׁ קָמִיפַּלְגִי.

Rather, here they disagree regarding requesting absolution for Hekdesh:

PROOF

וְהָתַנְיָא: הַמַּקְדִּישׁ נְכָסָיו וְהָיְתָה עָלָיו כְּתוּבַּת אִשָּׁה, רַבִּי אֱלִיעֶזֶר אוֹמֵר: כְּשֶׁהוּא מְגָרְשָׁהּ יִדּוֹר הַנָּאָה, רַבִּי יְהוֹשֻׁעַ אוֹמֵר: אֵינוֹ צָרִיךְ,

And indeed it was taught in a Braisa: One who consecrates his property and there was upon him his wife's kethubah, Rabbi Eliezer says: When he divorces her he must take a vow forbidding benefit, Rabbi Yehoshua says: He does not need to,

PROOF

וְאָמַר רַבִּי אֶלְעָזָר בְּרַבִּי שִׁמְעוֹן: הֵן הֵן דִּבְרֵי בֵּית שַׁמַּאי, הֵן הֵן דִּבְרֵי בֵּית הִלֵּל.

and Rabbi Elazar the son of Rabbi Shimon said: These very statements are the statements of Beis Shammai, and these very statements are the statements of Beis Hillel.

PROOF

שֶׁבֵּית שַׁמַּאי אוֹמְרִים: הֶקְדֵּשׁ טָעוּת הֶקְדֵּשׁ,

For Beis Shammai say: Hekdesh made in error is Hekdesh (meaning one cannot request absolution for consecration done under a mistaken assumption);

PROOF

וּבֵית הִלֵּל אוֹמְרִים: הֶקְדֵּשׁ טָעוּת אֵינוֹ הֶקְדֵּשׁ.

and Beis Hillel say: Hekdesh made in error is not Hekdesh (and one can seek absolution for his Hekdesh). Thus, according to Rabbi Yehoshua/Beis Hillel, he can simply undo the Hekdesh, so he has no reason to conspire!

STATEMENT

וְכֵן הָיָה רַבָּן שִׁמְעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר וְכוּ'.

The Gemara returns to the Mishnah: **And so Rabban Shimon ben Gamliel used to say, etc.**

STATEMENT

מֹשֶׁה בַּר עַצְרֵי עָרְבָא דְּכַלְתֵּיהּ הֲוָה,

The Gemara relates: **Moshe bar Atzrei was a guarantor for his daughter-in-law's** kethubah,

STATEMENT

וְרַב הוּנָא בְּרֵיהּ צוּרְבָּא מֵרַבָּנַן הֲוָה, וּדְחִיקָא לֵיהּ מִילְתָא.

and Rav Huna his son was a young scholar, and his financial situation was strained.

STATEMENT

אָמַר אַבָּיֵי: לֵיכָּא דְּנַסְבֵיהּ עֵצָה לְרַב הוּנָא,

Abaye said: Is there nobody who will give advice to Rav Huna

STATEMENT

דְּלִיגָּרֵשׁ לְדִבֵּיתְהוּ וְתֵיתְבַּע כְּתוּבְּתַהּ מֵאֲבוּהּ, וְלַהְדְּרַהּ מִיהֲדָרֵי.

that he should divorce his wife, and she will claim her kethubah from his father the guarantor, **and** then **he can take her back** and use the money?

OBJECTION

אֲמַר לֵיהּ רָבָא: וְהָאֲנַן "יְדִיר הַנָּאָה" תְּנַן!

Rava said to him: But didn't we learn in the Mishnah according to Rabban Shimon ben Gamliel that **he must take a vow forbidding benefit** upon divorcing, which prevents him from remarrying her?

RESOLUTION

וְאַבָּיֵי — אַטּוּ כֹּל דְּמְגָרֵשׁ בְּבֵי דִינָא מְגָרֵשׁ?

And Abaye replied: **Is that to say that everyone who divorces, divorces in beis din?** He could divorce her privately without beis din knowing to impose a vow!

STATEMENT

לְסוֹף אִיגַּלַאי מִלְּתָא דְּכֹהֵן הֲוָה.

In the end, it was revealed that he was a kohen, who is forbidden to marry any divorcée, so he could not remarry her anyway.

STATEMENT

אָמַר אַבָּיֵי: בָּתַר עַנְיָא אָזְלָא עַנְיוּתָא.

Abaye said: Poverty follows the poor man—even his workaround fell through.

QUESTION

וּמִי אָמַר אַבָּיֵי הָכִי?

The Gemara asks: **And did Abaye really say this** sneaky advice?

QUESTION

וְהָאָמַר אַבָּיֵי: אֵיזֶהוּ רָשָׁע עָרוּם? זֶה הַמַּשִּׂיא עֵצָה לְמְכוֹר בִּנְכָסִים, כְּרַבָּן גַּמְלִיאֵל.

But didn't Abaye say: Who is a cunning wicked person? This is one who gives advice to sell property, like Rabban Gamliel's case (tricking someone out of property)?

ANSWER

בְּרֵיהּ שָׁאנֵי, וְצוּרְבָּא מֵרַבָּנַן שָׁאנֵי.

The Gemara answers: **His son is different** (since a father naturally wants to help his son), **and a young scholar is different** (it is a mitzvah to assist him financially).

QUESTION

וְתֵיפּוֹק לֵיהּ דְּעָרֵב דִּכְתוּבָּה לָא מִשְׁתַּעְבַּד!

The Gemara asks: **And let him derive** that she couldn't collect anyway, **because a guarantor for a kethubah is not obligated** to pay unless specific conditions are met!

עַמּוּד ב׳ DAF 23B

ANSWER

קַבְּלָן הֲוָה.

The Gemara answers: Moshe bar Atzrei **was an unconditional guarantor** (a kablan) for the kesubah, accepting direct liability himself rather than mere contingent liability.

QUESTION

הָנִיחָא לְמַאן דְּאָמַר: קַבְּלָן, אַף עַל גַּב דְּלֵית לֵיהּ נְכָסִים לְלוֹוֶה — מִשְׁתַּעְבַּד,

The Gemara challenges: **This works out well according to the one who says** that regarding a **kablan, even though the borrower does not have property** at the time of the obligation, **he still becomes obligated** to pay out of his own pocket,

QUESTION

אֶלָּא לְמַאן דְּאָמַר: אִית לֵיהּ — מִשְׁתַּעְבַּד, לֵית לֵיהּ — לָא מִשְׁתַּעְבַּד, מַאי אִיכָּא לְמֵימַר?

but according to the one who says that if the debtor **has** property, the kablan **becomes obligated**, but if **he does not have** property, the kablan **does not become obligated** (since he never intended to step in where the primary debtor has nothing), **what is there to say?** Since Rav Huna had no assets, how could his father become obligated as a kablan?

ANSWER

אִיבָּעֵית אֵימָא: רַב הוּנָא הֲוָה לֵיהּ וְאִישְׁתְּדוּף,

If you want, say: Rav Huna had property at the time of the wedding, **and** only later **it became blighted** and lost.

ANSWER

וְאִיבָּעֵית אֵימָא: אַבָּא לְגַבֵּיהּ בְּרֵיהּ שַׁעְבּוּדֵי מְשַׁעְבֵּד נַפְשֵׁיהּ.

And if you want, say: A father, toward his son, obligates himself unconditionally under all circumstances, even if the son has no property at all.

STATEMENT

דְּאִיתְּמַר: עָרֵב דִּכְתוּבָּה — דִּבְרֵי הַכֹּל לָא מִשְׁתַּעְבַּד,

As it was stated by the Amora'im: Regarding an ordinary **guarantor for a kesubah, everyone agrees** that **he does not become obligated**, because he is just doing a mitzvah to help the couple marry and never really meant to commit his assets;

STATEMENT

קַבְּלָן דְּבַעַל חוֹב — דִּבְרֵי הַכֹּל מִשְׁתַּעְבַּד,

a **kablan for a creditor** of a regular loan, **everyone agrees** that **he becomes obligated** unconditionally;

STATEMENT

עָרֵב דְּבַעַל חוֹב וְקַבְּלָן דִּכְתוּבָּה — פְּלִיגִי.

where **they argue** is regarding an ordinary **guarantor for a creditor** of a loan, **and a kablan for a kesubah.**

EXPLANATION

אִיכָּא לְמַאן דְּאָמַר: אִית לֵיהּ נְכָסֵי לְלוֹוֶה — מִשְׁתַּעְבַּד, לֵית לֵיהּ — לָא מִשְׁתַּעְבַּד,

There is one who says: If **the borrower has property** at that time, the guarantor **becomes obligated**; but if **he does not have** property, **he does not become obligated.**

EXPLANATION

וְאִיכָּא לְמַאן דְּאָמַר: אַף עַל גַּב דְּלֵית לֵיהּ — מִשְׁתַּעְבַּד.

And there is one who says: Even though he does not have property, the guarantor **becomes obligated** nevertheless.

RULING

וְהִלְכְתָא בְּכוּלְּהוּ, אַף עַל גַּב דְּלֵית לֵיהּ נָמֵי מִשְׁתַּעְבַּד,

And the halachah in all of these cases is: **even though** the principal **does not have** property, the guarantor **also becomes obligated,**

RULING

לְבַר מֵעָרֵב דִּכְתוּבָּה, דְּאַף עַל גַּב דְּאִית לֵיהּ לָא מִשְׁתַּעְבַּד.

except for an ordinary **guarantor for a kesubah, where even though** the husband **has** property, the guarantor **does not become obligated.**

EXPLANATION

מַאי טַעְמָא? מִצְוָה קָעָבֵיד, וְלָא מִידֵּי חַסְרֵיהּ.

What is the reason? He is doing a mitzvah to help the marriage, **and he did not cause her to lose anything** of her own, since she did not lend money out of her pocket.

STATEMENT

הָהוּא גַּבְרָא דְּזַבְּנִינְהוּ לְנִכְסֵיהּ, וְקָא (גרשה) [מְגָרְשָׁהּ] לִדְבֵיתְהוּ.

The Gemara relates: There was **a certain man who sold his property, and** later **was divorcing his wife,** leaving no assets to pay her kesubah.

QUESTION

שַׁלְחַהּ רַב יוֹסֵף בְּרֵיהּ דְּרָבָא לְקַמֵּיהּ דְּרַב פָּפָּא: עָרֵב תְּנַן, הֶקְדֵּשׁ תְּנַן, לוֹקֵחַ מַהוּ?

Rav Yosef the son of Rava sent this question **before Rav Pappa: We learned in the Mishnah** that the husband must vow that benefit from her is forbidden to him if she collects her kesubah from a **guarantor; we learned in the Mishnah** he must vow if she collects from **consecrated property;** but if she collects from a **buyer** who bought his fields, **what is** the halachah? Does he also have to vow?

ANSWER

אֲמַר לֵיהּ: תַּנָּא כִּי רוֹכְלָא נִיחַשֵּׁיב וְנֵיזִיל?

Rav Pappa **said to him: Should the Tanna go on reckoning like a peddler** listing every single item in his pack? Obviously the same rule applies to a buyer!

STATEMENT

נְהַרְדָּעֵי אָמְרִי: דְּתְנַן תְּנַן, דְּלָא תְּנַן לָא תְּנַן.

However, the Sages of **Neharde'a say: What we learned in the Mishnah, we learned; what we did not learn in the Mishnah, we did not learn** — he does not make a vow when she collects from a buyer.

EXPLANATION

אָמַר רַב מְשַׁרְשְׁיָא: מַאי טַעְמָא דְּנְהַרְדָּעֵי?

Rav Mesharshiya said: What is the reason of the Sages of **Neharde'a?**

EXPLANATION

בְּשִׁלְמָא הֶקְדֵּשׁ — מִשּׁוּם רֵיוַח דְּהֶקְדֵּשׁ,

Granted, regarding **consecrated property,** the husband must vow **because of the profit of heqdesh,** so people do not conspire to drain heqdesh funds and then remarry;

EXPLANATION

עָרֵב נָמֵי — מִצְוָה הוּא דַּעֲבַד, וְלָאו מִידֵּי חַסְרֵיהּ.

regarding a **guarantor also,** he must vow because the guarantor **did a mitzvah and did not cause her to lose anything,** so we protect him from collusion;

EXPLANATION

אֶלָּא לוֹקֵחַ, מִכְּדֵי מִידָּע יָדַע דְּכֹל חַד וְחַד אִיכָּא עֲלֵיהּ כְּתוּבָּה, אַמַּאי נֵיזִיל וְנִיזְבּוֹן? אִיהוּ הוּא דְּאַפְסֵיד אַנַּפְשֵׁיהּ!

But a buyer, after all, knows that every single married man **has a kesubah obligation upon him; why should he go and buy** land encumbered by a kesubah? **It is he who caused his own loss!** Thus, we do not require the husband to take a vow to protect such a buyer.

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי' הַמַּקְדִּישׁ נְכָסָיו, וְהָיְתָה עָלָיו כְּתוּבַּת אִשָּׁה וּבַעַל חוֹב — אֵין הָאִשָּׁה יְכוֹלָה לִגְבּוֹת כְּתוּבָּתָהּ מִן הַהֶקְדֵּשׁ, וְלֹא בַּעַל חוֹב אֶת חוֹבוֹ,

MISHNAH: One who consecrates his property, and there was a debt **of his wife's kesubah and** a debt to **a creditor upon him, the wife cannot collect her kesubah directly from heqdesh, nor** can **the creditor** collect **his debt** directly from heqdesh.

MISHNAH

אֶלָּא הַפּוֹדֶה פּוֹדֶה עַל מְנָת לִיתֵּן לְאִשָּׁה בִּכְתוּבָּתָהּ וּלְבַעַל חוֹב אֶת חוֹבוֹ.

Rather, the one who redeems the property **redeems it on condition to give the wife for her kesubah and the creditor for his debt,** so it is redeemed at a low price taking these liens into account.

MISHNAH

הִקְדִּישׁ תִּשְׁעִים מָנֶה וְהָיָה חוֹבוֹ מֵאָה מָנֶה — מוֹסִיף עוֹד דִּינָר, וּפוֹדֶה אֶת הַנְּכָסִים הָאֵלּוּ עַל מְנָת לִיתֵּן לָאִשָּׁה כְּתוּבָּתָהּ וּלְבַעַל חוֹב אֶת חוֹבוֹ.

If **he consecrated ninety maneh worth of property, and his debt was one hundred maneh** (so that taking the debt into account, the land has no value to redeem), the creditor **adds one more dinar** as a loan to the debtor, **and he redeems these properties on condition to give the woman her kesubah and the creditor his debt.**

גְּמָרָא GEMARA

QUESTION

גְּמָ׳ לְמָה לִי לְמֵימַר ״הַפּוֹדֶה פּוֹדֶה״?

GEMARA: Why do I need the Mishnah **to say**

ANSWER

מִשּׁוּם דְּרַבִּי אַבָּהוּ, דְּאָמַר רַבִּי אַבָּהוּ: שֶׁלֹּא יֹאמְרוּ הֶקְדֵּשׁ יוֹצֵא בְּלֹא פִּדְיוֹן.

The Gemara answers: It is **because of** that **which Rabbi Abbahu** said, **for Rabbi Abbahu said:** The requirement for redemption is **so that people should not say that heqdesh leaves** to non-sacred status **without redemption.**

STATEMENT

מַתְנִיתִין דְּלָא כְּרַבָּן שִׁמְעוֹן בֶּן גַּמְלִיאֵל, דְּתַנְיָא: רַבָּן שִׁמְעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: אִם הָיָה חוֹבוֹ כְּנֶגֶד הֶקְדֵּשׁוֹ — פּוֹדֶה, וְאִם לָאו — אֵינוֹ פּוֹדֶה.

The Gemara notes: **Our Mishnah is not according to Rabban Shimon ben Gamliel, as it is taught in a Braisa: Rabban Shimon ben Gamliel says: If his debt was corresponding to** the value of **his consecrated property, he redeems** it in this nominal manner; **and if not, he does not redeem** it in this nominal manner.

QUESTION

וְרַבָּנַן, עַד כַּמָּה?

The Gemara asks: **And according to the Rabbis** of our Mishnah, **up to how much** can the debt exceed the value of the property for this method to work?

ANSWER

אָמַר רַב הוּנָא בַּר יְהוּדָה אָמַר רַב שֵׁשֶׁת: עַד פַּלְגָא.

Rav Huna bar Yehuda said that **Rav Sheshet said: Up to half** of the debt; if the property is worth less than half the debt, it cannot be redeemed in this manner.

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי׳ אַף עַל פִּי שֶׁאָמְרוּ חַיָּיבֵי עֲרָכִין מְמַשְׁכְּנִין (אוֹתוֹ) [אוֹתָן],

MISHNAH: Even though they said that **those who owe Arakhin valuations are distrained** and their property seized by the Beis Din,

MISHNAH

נוֹתְנִין לוֹ מָזוֹן שְׁלֹשִׁים יוֹם, וּכְסוּת שְׁנֵים עָשָׂר חֹדֶשׁ, מִטָּה מוּצַעַת, וְסַנְדָּלָיו, וּתְפִלָּיו — לוֹ,

we **leave him food for thirty days, and clothing for twelve months, a made bed, his sandals, and his tefillin** — all this **for him** personally,

MISHNAH

אֲבָל לֹא לְאִשְׁתּוֹ וּלְבָנָיו.

but not for his wife and for his children.

MISHNAH

אִם הָיָה אוּמָּן — נוֹתֵן לוֹ שְׁנֵי כְּלֵי אוּמָּנוּת מִכָּל מִין וּמִין,

If he was a craftsman, Beis Din gives him two tools of his craft of each and every type;

MISHNAH

חָרָשׁ — נוֹתְנִין לוֹ שְׁנֵי מַעֲצָדִין וּשְׁנֵי מְגֵירוֹת.

if he was a carpenter, they give him two axes and two saws.

MISHNAH

רַבִּי אֱלִיעֶזֶר אוֹמֵר: אִם הָיָה אִיכָּר — נוֹתֵן לוֹ צִמְדּוֹ, חַמָּר — נוֹתֵן לוֹ חֲמוֹרוֹ.

Rabbi Eliezer says: If he was a farmer, Beis Din gives him his yoke of oxen; if he was a donkey driver, Beis Din gives him his donkey.

MISHNAH

הָיָה לוֹ מִין אֶחָד מְרוּבֶּה וּמִין אֶחָד מוּעָט — אֵין אוֹמֵר לִמְכּוֹר אֶת הַמְרוּבֶּה וְלִיקַּח מִן הַמּוּעָט,

If he had many of one type of tool and a few of another type, we do not say to sell some of the type of which he has many and buy from the type of which he has few,

MISHNAH

אֶלָּא נוֹתְנִין לוֹ שְׁנֵי מִינִין מִן הַמְרוּבֶּה וְכֹל שֶׁיֵּשׁ לוֹ מִן הַמּוּעָט.

rather they give him two of the type of which he has many, and all that he has of the type of which he has few.

MISHNAH

הַמַּקְדִּישׁ נְכָסָיו — מַעֲלִין לוֹ תְּפִילָּיו.

One who consecrates his property, they separate his tefillin for him so they are not included in the consecration.

גְּמָרָא GEMARA

QUESTION

גְּמָ׳ מַאי טַעְמָא? דְּאָמַר קְרָא:

GEMARA: What is the reason that we leave him his basic needs? As the verse states:

SUMMARY

The daf begins by analyzing the machlokes between Rabbi Eliezer and Rabbi Yehoshua regarding whether we force a husband who sanctified his assets to take a vow upon divorcing his wife so he cannot remarry her and profit from Hekdesh. The Gemara presents several ways to understand their dispute, questioning whether a person is suspected of conspiring against Hekdesh, whether a נדר made in public or with public consent can be annulled, and whether the disagreement actually aligns with Beis Shammai and Beis Hillel regarding mistaken consecration (הקדש בטעות). Finally, the Gemara discusses Rabban Shimon ben Gamliel's ruling on a guarantor for a כתובה, bringing a Ma'aseh with Moshe bar Atzrei and analyzing the specific halachic obligations of a regular ערב compared to a קבלן.

לְמַעֲשֶׂה WHAT TO TAKE HOME

The Gemara in our sugya brings down a famous fundamental sevara: "Ein adam chotei v'lo lo", a person does not sin when he gets nothing out of it. When a person is standing at the end of his life, facing Truth, he has no interest in playing games or plotting a trick against Hekdesh. Why? Because the yetzer hara only has power when there is a imagined personal gain. When a person sees clearly that he is leaving this world with nothing in his hands, the urge to cheat or deceive simply vanishes.

This isn't just a lammdishe sevara in choshpat mishpat or hilchos hekdesh; it is a profound mirror for our own daily avodah. So much of our internal turmoil, our bad middos, and our missteps come from a phantom sense of "what am I going to get out of this?" We chase after honor, we hold onto silly grudges, or we slide on halachah because the yetzer hara paints a picture that this small aveirah will bring us pleasure, respect, or financial relief. But the sugya is teaching us to pause and cut through the illusion: if you step back and look at it through the lens of emunah, does this actually bring any real, lasting good to your neshama?

Take this sevara into your day today. Before you react in anger, before you take a shortcut in business, or before you speak a word of lashon hara to make yourself feel important, ask yourself with simple honesty: am I sinning for absolutely nothing? Recognize the trick of the yetzer hara for what it is, realign your focus with Yiras Shamayim, and choose to do the right thing purely for Hashem.

Today, when a temptation or an urge to act selfishly arises, stop for five seconds and tell yourself: "This aveirah gives me nothing true, my only real profit is doing the ratzon of Hashem."