דַּף יוֹמִי · עֲרָכִין · דַּף כ״ח

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

📖 THE SUGYA

We begin this sugya by finishing up the previous discussion regarding redemption of dedicated property, specifically how the treasurer calculates the bids when the original owner bids against an outside buyer, and what happens if the owner's bid together with his added fifth does not exceed the outsider's offer.

From there, the Mishnah introduces the dinim of cherem—consecrating one's property to the Mikdash or for the Kohanim. We learn that Hashem does not want a person to bankrupt himself by declaring all of his possessions cherem at once. The Gemara delves into the pesukim that limit what a person can declare cherem, analyzing the boundaries of human ownership and how the Torah protects a Yid's financial stability. Along the way, the Gemara also explores the takkanah of Usha regarding how much money one may give away to tzedakah.

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

עַמּוּד א׳ DAF 28A

QUESTION

הֵיכִי דָּמֵי?

The Gemara asks: **How is it speaking** in this case where the owner's bid takes precedence?

ANSWER

דַּאֲמוּר בְּעֶשְׂרִים וְאֶחָד — הַבְּעָלִים קוֹדְמִין,

Where the owner **said he would buy it for twenty-one** sela, in which case the owner's fifth addition of five sela and a dinar brings his total bid to twenty-six sela and a dinar, so **the owner takes precedence** over the other person's bid of twenty-six sela;

STATEMENT

וְאִם לָאו — אוֹמֵר לוֹ: הִגַּעְתִּיךָ.

and if not — if the owner's bid plus his fifth does not exceed the other person's bid — then the treasurer **says to** the other person: **It has reached you**, meaning the field becomes yours for your bid, plus the fifth you must add.

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי׳

MISHNAH:

MISHNAH

מַחֲרִים אָדָם מִצֹּאנוֹ וּמִבְּקָרוֹ, וּמֵעֲבָדָיו וּמִשְׁפְחוֹתָיו הַכְּנַעֲנִים, וּמִשְּׂדֵה אֲחוּזָתוֹ,

A person may declare cherem (consecrate) from his flock and from his cattle, and from his Canaanite slaves and maidservants, and from his ancestral field,

MISHNAH

וְאִם הֶחֱרִים אֶת כּוּלָּם אֵינָם מוּחָרָמִים, דִּבְרֵי רַבִּי אֱלִיעֶזֶר.

and if he declared cherem all of them, they are not cherem; this is the statement of Rabbi Eliezer.

MISHNAH

אָמַר רַבִּי אֶלְעָזָר בֶּן עֲזַרְיָה: מָה אִם לַגָּבוֹהַּ אֵין אָדָם רַשַּׁאי לְהַחֲרִים כָּל נְכָסָיו, עַל אַחַת כַּמָּה וְכַמָּה שֶׁיְּהֵא אָדָם חָס עַל נְכָסָיו!

Rabbi Elazar ben Azarya said: If for the Most High a person is not permitted to declare cherem all his possessions, all the more so that a person should be sparing with his possessions and not give everything away to others!

גְּמָרָא GEMARA

GEMARA

גְּמָ׳

GEMARA:

QUESTION

מְנָא הָנֵי מִילֵּי?

The Gemara asks: From where are these words in the Mishnah derived?

ANSWER

דְּתָנוּ רַבָּנַן: ״מִכָּל אֲשֶׁר לוֹ״ — וְלֹא כָּל אֲשֶׁר לוֹ,

The Gemara answers: As the Rabbis taught in a Braisa: The verse states, "Notwithstanding, no devoted thing that a man shall devote to Hashem of all that he has" — this teaches: and not all that he has;

PROOF

״מֵאָדָם״ — וְלֹא כָּל אָדָם,

"of man" — and not every man (i.e. not all his slaves);

PROOF

״מִבְּהֵמָה״ — וְלֹא כָּל בְּהֵמָה,

"or of animal" — and not every animal;

PROOF

”מִשְּׂדֵה אֲחוּזָּה” — וְלֹא כָּל שְׂדֵה אֲחוּזָּה.

"or of his ancestral field" — and not all of his ancestral field.

BRAISA

יָכוֹל לֹא יַחֲרִים, וְאִם הֶחֱרִים יְהוּ מוּחָרָמִין? תַּלְמוּד לוֹמַר: ”אַךְ”, דִּבְרֵי רַבִּי אֱלִיעֶזֶר.

I **might** have thought that **he should not declare cherem** all of them lechatchilah, **but if he did declare cherem** all of them, **they should be cherem? Therefore the verse states: "Notwithstanding [Ach]"** (which acts as a limitation to exclude and invalidate the consecration); this is **the statement of Rabbi Eliezer.**

BRAISA

אָמַר רַבִּי אֶלְעָזָר בֶּן עֲזַרְיָה: מָה אִם לַגָּבוֹהַּ אֵין אָדָם רַשַּׁאי לְהַחֲרִים כָּל נְכָסָיו, עַל אַחַת כַּמָּה וְכַמָּה שֶׁיְּהֵא אָדָם חָס עַל נְכָסָיו!

Rabbi Elazar ben Azarya said: If for the Most High a person is not permitted to declare cherem all his possessions, all the more so that a person should be sparing with his possessions!

EXPLANATION

וּצְרִיכָא,

The Gemara notes: **And it is necessary** to have each of these extractions in the verse,

EXPLANATION

דְּאִי כְּתַב רַחֲמָנָא ”מִכָּל אֲשֶׁר לוֹ”, הֲוָה אָמֵינָא: כֹּל דְּאִית לֵיהּ לָא לַחֲרִים, אֲבָל מִין אֶחָד לַיחְרְמֵיהּ כּוּלֵּיהּ, כְּתַב רַחֲמָנָא ”מֵאָדָם” — וְלֹא כָּל אָדָם.

for if the Merciful One had written only **"of all that he has", I would have said: He should not declare cherem everything that he has** overall, **but one type of property he may declare cherem entirely; therefore the Merciful One wrote "of man" — and not every man,** to teach that he cannot consecrate all of one type either.

EXPLANATION

וְאִי כְּתַב רַחֲמָנָא ”מֵאָדָם”, דְּלָא סַגִּיא לֵיהּ בְּלָא עֲבוֹדָה, אֲבָל שָׂדֶה — סַגִּיא לֵיהּ בְּדִיסְתּוֹרָן.

And if the Merciful One had written only **"of man",** I would say that he may not consecrate all his slaves **because it is impossible for him** to live **without labor, but as for a field — it is possible for him** to live **by sharecropping [distoran],** so he might be allowed to dedicate all his fields.

EXPLANATION

וְאִי אַשְׁמְעִינַן הָנֵי תַּרְתֵּי, מִשּׁוּם דְּהָכָא חִיּוּתָא וְהָכָא חִיּוּתָא, אֲבָל מְטַלְטְלִין — לַיחְרְמִינְהוּ כּוּלְּהוּ,

And if it had informed us only **these two** categories (slaves and fields), I would say that one cannot consecrate all of them **because here there is livelihood and here there is livelihood, but movable property — let him declare all of it cherem,** as his basic livelihood does not depend directly on it.

EXPLANATION

צְרִיכִי.

Therefore all of these derivations **are necessary.**

QUESTION

״בְּהֵמָה״ לְמָה לִי?

The Gemara asks: **Why do I need** the verse to state **"animal"?**

ANSWER

לְכִדְתַנְיָא: יָכוֹל יַחֲרִים אָדָם בְּנוֹ וּבִתּוֹ, עַבְדּוֹ וְשִׁפְחָתוֹ הָעִבְרִיִּים, וּשְׂדֵה מִקְנָתוֹ?

The Gemara answers: It is needed **for that which was taught** in a Braisa: I **might** have thought that **a person may declare cherem his son and his daughter, his Hebrew slave and maidservant, or his purchased field?**

PROOF

תַּלְמוּד לוֹמַר: ״בְּהֵמָה״, מָה בְּהֵמָה יֵשׁ לוֹ רְשׁוּת לְמוֹכְרָהּ, אַף כֹּל שֶׁיֵּשׁ לוֹ רְשׁוּת לְמוֹכְרָהּ.

Therefore the verse states: "animal" — just as an animal is something he has authority to sell, so too anything that he has authority to sell may be declared cherem, excluding these over which he has no right of sale.

QUESTION

וַהֲלֹא בִּתּוֹ קְטַנָּה יֵשׁ לוֹ רְשׁוּת לְמוֹכְרָהּ, יָכוֹל יַחֲרִימֶנָּה?

The Braisa asks: **But doesn't he have authority to sell his minor daughter?** I **might** think that **he can declare her cherem?**

ANSWER

תַּלְמוּד לוֹמַר: ״בְּהֵמָה״, מָה בְּהֵמָה יֵשׁ לוֹ רְשׁוּת לְמוֹכְרָהּ לְעוֹלָם, אַף כֹּל שֶׁיֵּשׁ לוֹ רְשׁוּת לְמוֹכְרָהּ לְעוֹלָם.

Therefore the verse states: "animal" — just as an animal is something he has authority to sell forever (at any age), **so too anything that he has authority to sell forever** may be declared cherem, excluding his daughter whom he cannot sell after she reaches majority, and a purchased field which is sold only until the Yovel.

STATEMENT

אָמַר רַבִּי אֶלְעָזָר בֶּן עֲזַרְיָה: אִם לַגָּבוֹהַּ אֵין אָדָם רַשַּׁאי כּוּ׳.

We learned in the Mishnah that **Rabbi Elazar ben Azarya said: If for the Most High a person is not permitted** to declare cherem all his possessions, all the more so he should be sparing with his possessions, etc.

QUESTION

הַיְינוּ תַּנָּא קַמָּא!

The Gemara challenges: **This is identical to** the opinion of **the Tanna Kamma** (Rabbi Eliezer)! What is Rabbi Elazar ben Azarya adding?

ANSWER

אִיכָּא בֵּינַיְיהוּ דְּרַבִּי אִילָא, דְּאָמַר רַבִּי אִילָא: בְּאוּשָׁא הִתְקִינוּ, הַמְבַזְבֵּז אַל יְבַזְבֵּז יוֹתֵר מֵחוֹמֶשׁ.

The Gemara answers: **There is a difference between them regarding** the statement **of Rabbi Ila; as Rabbi Ila said: In Usha they enacted** a takkanah: **One who dispenses** his money for tzedakah **should not dispense more than a fifth.** Rabbi Eliezer only forbids giving away all of one's property, whereas Rabbi Elazar ben Azarya forbids giving even more than one-fifth.

STATEMENT

מַעֲשֶׂה בְּאֶחָד שֶׁבִּקֵּשׁ לְבַזְבֵּז יוֹתֵר מֵחוֹמֶשׁ, וְלֹא הִנִּיחוּ לוֹ חֲבֵרָיו.

An incident occurred with a certain person who wanted to dispense more than a fifth of his wealth to tzedakah, **and his colleagues did not allow him** to do so.

STATEMENT

וּמַנּוּ? רַבִּי יְשֵׁבָב,

And who was this colleague who stopped him? It was **Rabbi Yeshevav.**

STATEMENT

וְאָמְרִי לַהּ: רַבִּי יְשֵׁבָב, וְלֹא הִנִּיחוּ לוֹ חֲבֵירָיו. וּמַנּוּ? רַבִּי עֲקִיבָא.

And some say it: It was **Rabbi Yeshevav** himself who wanted to dispense more than a fifth, **and his colleagues did not allow him. And who was** that colleague? It was **Rabbi Akiva.**

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי׳

MISHNAH:

MISHNAH

הַמַּחֲרִים בְּנוֹ וּבִתּוֹ, וְעַבְדּוֹ וְשִׁפְחָתוֹ הָעִבְרִים, וּשְׂדֵה מִקְנָתוֹ — אֵין מוּחָרָמִין,

One who declares cherem his son or his daughter, or his Hebrew slave or maidservant, or his purchased field — they are not cherem,

MISHNAH

שֶׁאֵין אָדָם מַחֲרִים דָּבָר שֶׁאֵינוֹ שֶׁלּוֹ.

because a person cannot declare cherem a thing that is not his.

MISHNAH

הַכֹּהֲנִים וְהַלְוִיִּם אֵין מַחֲרִימִין, דִּבְרֵי רַבִּי יְהוּדָה.

Kohanim and Levi'im may not declare cherem any of their possessions; this is **the statement of Rabbi Yehuda.**

MISHNAH

רַבִּי שִׁמְעוֹן אוֹמֵר: הַכֹּהֲנִים אֵין מַחֲרִימִין — שֶׁהַחֲרָמִין שֶׁלָּהֶן,

Rabbi Shimon says: Kohanim may not declare cherem — because cherem property is theirs (given to Kohanim, so a Kohen cannot dedicate to the Mikdash what is designated for his own tribe),

MISHNAH

וְהַלְוִיִּם מַחְרִימִין — שֶׁאֵין הַחֲרָמִין שֶׁלָּהֶן.

but Levi'im may declare cherem — because cherem property is not theirs (it goes to Kohanim).

MISHNAH

אָמַר רַבִּי: נִרְאִין דִּבְרֵי רַבִּי יְהוּדָה בְּקַרְקָעוֹת, שֶׁנֶּאֱמַר: "כִּי אֲחֻזַּת עוֹלָם הִיא לָהֶם",

Rebbi said: The words of Rabbi Yehuda appear logical regarding real estate, as it is stated: "For it is an everlasting possession for them" (Leviticus 25:34, forbidding them to alter the status of their land),

MISHNAH

וְדִבְרֵי רַבִּי שִׁמְעוֹן בְּמִטַּלְטְלִין, שֶׁאֵין הַחֲרָמִין שֶׁלָּהֶן.

and the words of Rabbi Shimon appear logical **regarding movable property, as cherem property is not theirs** (so Levi'im may dedicate movables).

גְּמָרָא GEMARA

GEMARA

גְּמָ׳

GEMARA:

QUESTION

וְרַבִּי יְהוּדָה, בִּשְׁלָמָא כֹּהֲנִים אֵין מַחְרִימִין — שֶׁחֲרָמִין שֶׁלָּהֶן,

The Gemara asks: **And according to Rabbi Yehuda, it is understandable that Kohanim may not declare cherem — because cherem property is theirs;**

QUESTION

אֶלָּא לְוִיִּם, בִּשְׁלָמָא מְקַרְקְעֵי לָא מַחְרְמִי — דִּכְתִיב: "כִּי אֲחוּזַּת עוֹלָם הִיא לָהֶם",

but as for Levi'im: it is understandable that real estate they cannot declare cherem — as it is written: "For it is an everlasting possession for them";

QUESTION

אֶלָּא מִטַּלְטְלֵי לֵיחְרְמֵי!

but movable property, let them declare cherem! Why does Rabbi Yehuda forbid Levi'im from dedicating movables?

ANSWER

אָמַר קְרָא: "מִכֹּל אֲשֶׁר לוֹ... וּמִשְּׂדֵה אֲחֻזָּתוֹ" — מַקִּישׁ מִטַּלְטְלִין לְקַרְקָעוֹת.

The Gemara answers: **The verse states: "Of all that he has... or of his ancestral field" — comparing movable property to real estate;** just as a Levi cannot dedicate real estate, he cannot dedicate movables either.

QUESTION

וְרַבִּי שִׁמְעוֹן, בִּשְׁלָמָא כֹּהֲנִים — כִּדַאֲמַרַן,

The Gemara continues to ask: **And according to Rabbi Shimon, it is understandable regarding Kohanim — as we said** (that cherem property is theirs);

QUESTION

אֶלָּא לְוִיִּם, בִּשְׁלָמָא מְטַלְטְלִים לַחֲרִים — דְּלָא מַקֵּישׁ,

but as for Levi'im: it is understandable that movables they may declare cherem — as he does not make this comparison between movables and real estate;

QUESTION

אֶלָּא מְקַרְקְעֵי אַמַּאי? הָכְתִיב "אֲחֻזַּת עוֹלָם הִיא לָהֶם"!

but real estate, why does Rabbi Shimon allow them to declare cherem? **Isn't it written: "It is an everlasting possession for them"?**

ANSWER

מַאי "מַחֲרִימִין" נָמֵי דְּקָאָמַר? מִטַּלְטְלֵי.

The Gemara answers: **What does he mean when he says "Levi'im may declare cherem"?** He means **movable property** specifically, not real estate.

OBJECTION

וְהָא מִדְּקָתָנֵי סֵיפָא: אָמַר רַבִּי: נִרְאִין דִּבְרֵי רַבִּי יְהוּדָה בִּמְקַרְקְעֵי וְדִבְרֵי רַבִּי שִׁמְעוֹן בִּמְטַלְטְלֵי, מִכְּלָל דְּרַבִּי שִׁמְעוֹן מְקַרְקְעֵי נָמֵי קָאָמַר?

The Gemara objects: **But from that which is taught in the end of the Mishnah: "Rebbi said: The words of Rabbi Yehuda appear logical regarding real estate, and the words of Rabbi Shimon regarding movable property" — it follows that Rabbi Shimon said real estate as well** (that Levi'im may dedicate land)! Otherwise, why would Rebbi say he agrees with Rabbi Yehuda regarding land?

RESOLUTION

הָכִי קָאָמַר: אָמַר רַבִּי: נִרְאִין דִּבְרֵי רַבִּי יְהוּדָה לְרַבִּי שִׁמְעוֹן בְּקַרְקָעוֹת, שֶׁאַף רַבִּי שִׁמְעוֹן לֹא נֶחְלַק אֶלָּא בִּמְטַלְטְלִין, אֲבָל בְּקַרְקָעוֹת מוֹדֶה לֵיהּ.

The Gemara resolves: **This is what he is saying: Rebbi said: The position of Rabbi Yehuda appears logical to Rabbi Shimon regarding real estate, as even Rabbi Shimon disagreed only regarding movable property, but regarding real estate he concedes to him** that a Levi cannot dedicate land.

STATEMENT

אָמַר רַבִּי חִיָּיא בַּר אָבִין: הֶחֱרִים מְטַלְטְלִין — נוֹתְנָן לְכָל כֹּהֵן שֶׁיִּרְצֶה, שֶׁנֶּאֱמַר: "כָּל חֵרֶם בְּיִשְׂרָאֵל

Rabbi Chiya bar Avin said: One who declared cherem movable property — gives them to whichever Kohen he wishes, as it is stated: "Every devoted thing in Israel shall be yours" (Numbers 18:14).

PROOF

לְךָ יִהְיֶה״.

The Torah says regarding cherem dedicated items: **"It shall be yours,"** meaning to Aaron and his descendants, so one may give dedicated movable property to any kohen he chooses.

STATEMENT

הֶחְרִים שְׂדוֹתָיו — נוֹתְנָן לַכֹּהֵן שֶׁבְּאוֹתוֹ מִשְׁמָר,

However, if **he dedicated his fields, he gives them to the kohen who is in that watch** currently serving in the Beis HaMikdash,

PROOF

שֶׁנֶּאֱמַר: ״כִּשְׂדֵה הַחֵרֶם לַכֹּהֵן תִּהְיֶה אֲחֻזָּתוֹ״,

as it is stated: "Like a dedicated field, its possession shall be to the kohen,"

EXPLANATION

וְגָמַר ״לַכֹּהֵן״ ״לַכֹּהֵן״ מִגְּזֵל הַגֵּר.

and he learns a gezeirah shavah comparing the words **"to the kohen"** here to **"to the kohen" from** the case of **robbery of a convert** who died without heirs.

QUESTION

וְהָתָם מְנָלַן?

The Gemara asks: **And there,** regarding gezel hager, **from where do we know** that it goes specifically to the mishmar serving at that time?

PROOF

דְּתַנְיָא: ״לַה׳ לַכֹּהֵן״ — קָנָאוֹ הַשֵּׁם וְנָתָנוֹ לַכֹּהֵן שֶׁבְּאוֹתוֹ מִשְׁמָר.

As it was taught in a braisa: "To Hashem, to the kohen" — Hashem acquired it and gave it to the kohen who is in that watch.

QUESTION

אַתָּה אוֹמֵר לַכֹּהֵן שֶׁבְּאוֹתוֹ מִשְׁמָר, אוֹ אֵינוֹ אֶלָּא לְכָל כֹּהֵן שֶׁיִּרְצֶה?

The braisa continues: **Do you say** it means **to the kohen who is in that watch, or is it rather to any kohen he wishes?**

ANSWER

כְּשֶׁהוּא אוֹמֵר: ״מִלְּבַד אֵיל הַכִּפֻּרִים אֲשֶׁר יְכַפֵּר בּוֹ עָלָיו״, הֲרֵי בְּכֹהֵן שֶׁבְּאוֹתוֹ מִשְׁמָר הַכָּתוּב מְדַבֵּר.

When it says: "Besides the ram of atonement with which he shall make atonement for him," behold, the verse speaks of a kohen in that watch that is actively sacrificing the atonement offerings.

STATEMENT

שָׂדֶה הַיּוֹצְאָה לַכֹּהֲנִים בַּיּוֹבֵל, נוֹתְנָהּ לַמִּשְׁמָר שֶׁפָּגַע בּוֹ יוֹבֵל.

Rabbi Chiyya bar Avin continues: A consecrated **field that goes out to the kohanim in the Yovel** year because the owner didn't redeem it, **he gives it to the watch that Yovel occurs during** its week of service.

QUESTION

אִיבַּעְיָא לְהוּ: פָּגַע בּוֹ בְּשַׁבָּת, מַאי?

A dilemma was raised before them: If Yovel **occurs on Shabbos,** which is the day the watches switch, **what is** the halacha? Which watch gets it?

ANSWER

אָמַר רַב חִיָּיא בַּר אַמֵּי מִשְּׁמֵיהּ דְּחוּלְפָּנָא: נוֹתְנָהּ לַמִּשְׁמָר הַיּוֹצֵא.

Rav Chiyya bar Ami said in the name of Chulpana: He gives it to the outgoing watch that is finishing its week on that Shabbos.

PROOF

אָמַר רַב נַחְמָן בַּר יִצְחָק: תַּנְיָא, נִמְצֵאתָ אַתָּה אוֹמֵר, אֶחָד יוֹבֵל וְאֶחָד שְׁבִיעִית מְשַׁמְּטִין כְּאֶחָד, אֶלָּא שֶׁיּוֹבֵל בִּתְחִילָתוֹ וְהַשְּׁמִטָּה בְּסוֹפָהּ.

Rav Nachman bar Yitzchak said: It is taught in a braisa supporting this: **You turn out saying, both Yovel and Shemittah release as one, except that Yovel** releases **at its beginning and Shemittah at its end.** Thus, the field is released to the kohanim right at the start of Rosh Hashanah.

OBJECTION

אַדְרַבָּה, מִשּׁוּם הָכִי הַוַּאי!

The Gemara interrupts: **On the contrary! Because of that, it is** so! Why does the braisa say "except that" as if it's a contrast, when that is the very reason they release at the same moment?

RESOLUTION

אֵימָא: מִפְּנֵי שֶׁהַיּוֹבֵל כּוּ'.

The Gemara resolves: **Say** the braisa like this: **Because Yovel** releases at its beginning and Shemittah at its end, that is why they release together.

QUESTION

בִּשְׁלָמָא שְׁבִיעִית בְּסוֹפָהּ, דִּכְתִיב: "מִקֵּץ שֶׁבַע שָׁנִים תַּעֲשֶׂה שְׁמִטָּה",

The Gemara questions further: **Granted, Shemittah** releases **at its end, as it is written: "At the end of seven years you shall make a Shemittah,"**

QUESTION

אֶלָּא יוֹבֵל בִּתְחִילָתוֹ? בְּיוֹם הַכִּיפּוּרִים הוּא, דִּכְתִיב: "בַּיּוֹם הַכִּיפֻּרִים תַּעֲבִירוּ שׁוֹפָר בְּכָל אַרְצְכֶם"!

but does Yovel release **at its beginning? It is on Yom Kippur** that it takes effect, **as it is written: "On Yom Kippur you shall pass a shofar throughout all your land"!**

ANSWER

הָא מַנִּי? רַבִּי יִשְׁמָעֵאל בְּנוֹ שֶׁל רַבִּי יוֹחָנָן בֶּן בְּרוֹקָה הִיא, דְּאָמַר: מֵרֹאשׁ הַשָּׁנָה הוּא דְּחָיֵיל יוֹבֵל.

The Gemara answers: **Whose view is this? It is Rabbi Yishmael the son of Rabbi Yochanan ben Beroka, who said: From Rosh Hashanah Yovel takes effect.**

QUESTION

שַׁמְעָה חִזְקִיָּה בַּר בִּילְוָטִי, וַאֲזַל אֲמַר קַמֵּיהּ דְּרַבִּי אַבָּהוּ: וְלֵיקֵּישׁ מְטַלְטְלֵי לְקַרְקָעוֹת!

The Gemara returns to Rabbi Chiyya bar Avin's rule about dedicated property: **Chizkiyah bar Bilwoti heard it, and went and said before Rabbi Abbahu: But let us compare movable property to real estate,** and require it to go to the specific mishmar too!

ANSWER

לָאו תַּנָּאֵי הִיא? דְּאִיכָּא דְּמַקֵּישׁ, וְאִיכָּא דְּלָא מַקֵּישׁ, כְּמַאן דְּאָמַר: "לָא מַקְּשִׁינַן".

Rabbi Abbahu answered: **Is it not a dispute among Tanna'im? For there is one who compares them and there is one who does not compare them, and** Rabbi Chiyya bar Avin holds **like the one who says we do not compare them.**

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי' חֲרְמֵי כֹהֲנִים, אֵין לָהֶם פִּדְיוֹן, אֶלָּא נוֹתָנִים לַכֹּהֲנִים כִּתְרוּמָה.

MISHNAH: The cherem-dedications of kohanim have no redemption, but rather they are given to the kohanim like terumah.

MISHNAH

רַבִּי יְהוּדָה בֶּן בְּתֵירָא אוֹמֵר: סְתָם חֲרָמִים לְבֶדֶק הַבַּיִת, שֶׁנֶּאֱמַר: "כָּל חֵרֶם קֹדֶשׁ קָדָשִׁים הוּא לַה'".

Rabbi Yehuda ben Beteira says: Unspecified cherem-dedications go to Temple maintenance, as it is stated: "Every cherem is most holy to Hashem."

MISHNAH

וַחֲכָמִים אוֹמְרִים: סְתָם חֲרָמִים לַכֹּהֲנִים, שֶׁנֶּאֱמַר: "כִּשְׂדֵה הַחֵרֶם לַכֹּהֵן תִּהְיֶה אֲחֻזָּתוֹ".

And the Sages say: Unspecified cherem-dedications go to the kohanim, as it is stated: "Like a dedicated field, its possession shall be to the kohen."

MISHNAH

אִם כֵּן, לָמָּה נֶאֱמַר "כָּל חֵרֶם קֹדֶשׁ קָדָשִׁים הוּא לַה'"?

The Sages explain: **If so, why is it stated: "Every cherem is most holy to Hashem"?**

MISHNAH

שֶׁחָל עַל קָדְשֵׁי קָדָשִׁים וְעַל קָדָשִׁים קַלִּים.

To teach that cherem takes effect upon most holy sacrifices and upon lesser holy sacrifices.

MISHNAH

מַחְרִים אָדָם אֶת קָדָשָׁיו, בֵּין קָדְשֵׁי קָדָשִׁים בֵּין קָדָשִׁים קַלִּים, אִם נֶדֶר — נוֹתֵן דְּמֵיהֶן. וְאִם נְדָבָה, נוֹתֵן אֶת טוֹבָתָן.

A person can declare cherem on his consecrated animals, whether most holy or lesser holy; if it was a vow, he gives their value to the kohen, **and if it was a freewill offering, he gives their benefit of enjoyment.**

MISHNAH

"שׁוֹר זֶה עוֹלָה" — אוֹמְדִין כַּמָּה אָדָם רוֹצֶה לִיתֵּן בְּשׁוֹר זֶה לְהַעֲלוֹתוֹ עוֹלָה, אַף עַל פִּי שֶׁאֵינוֹ רַשַּׁאי.

How so? If he said, **"This ox is an olah," we estimate how much a person is willing to give for this ox to offer it as an olah, even though he is not permitted** to use it for anything else.

MISHNAH

הַבְּכוֹר, בֵּין תָּם בֵּין בַּעַל מוּם — מַחֲרִימִין אוֹתוֹ, וְכֵיצַד פּוֹדִים אוֹתוֹ? אוֹמְדִין כַּמָּה אָדָם רוֹצֶה לִיתֵּן בִּבְכוֹר זֶה לִיתְּנוֹ לְבֶן בִּתּוֹ אוֹ לְבֶן אֲחוֹתוֹ.

Regarding **a firstborn animal, whether unblemished or blemished, we may declare cherem on it. And how do we redeem it? We estimate how much a person is willing to give for this firstborn to give it to his daughter's son or his sister's son** who is a kohen.

SUMMARY

The Gemara first clarifies the bidding process for a dedicated field, establishing when the owner's bid takes precedence by including the fifth, and when the field is sold to the outside bidder. The sugya then transitions to the rules of cherem, bringing a Braisa that uses extractions from the pasuk "Ach kol cherem" to teach that a person cannot dedicate all of his property, nor all of any single category of property such as slaves, fields, or animals. The Gemara explains why each specific exclusion in the pasuk is necessary, and also derives that one can only declare cherem items over which he has absolute, permanent ownership—excluding one's children, Hebrew servants, or a field bought only until Yovel. Additionally, the Gemara discusses the takkanah of Usha limiting tzedakah donations to one-fifth of one's wealth, and concludes with a machlokes regarding whether Kohanim and Levi'im have the ability to declare their own property cherem.

לְמַעֲשֶׂה WHAT TO TAKE HOME

Look at the chiddush the Gemara brings on our daf. Rabbi Elazar ben Azarya learns a powerful kal va'chomer from the pesukim: if the Torah prohibits a Yid from consecrating all his possessions to הקדש for Hashem Himself, how much more so must a person be careful and protective with his own resources in daily life! This is where the famous takkanah of Usha comes from, as Rabbi Ila teaches, that even for a mitzvah as great as tzedakah, a person should not give away more than a fifth of his wealth.

Lichoshosh, a person might think that true chasidus or yiras Shamayim means completely emptying yourself out, giving away everything you own without a single thought for tomorrow. But the Torah is telling us something entirely different. Hashem doesn't want you to ruin your own stability in the name of a mitzvah. Hashem created you in this world with a job to do, and to do your avodah properly, you need yishuv hadaas, a secure home, and the baseline tools to live. Being responsible with your money and looking out for your own household isn't a lack of emunah or a worldly compromise, it is an explicit ratzon Hashem.

When we manage our resources with seder and responsibility, we are actually keeping the Torah's guidance for real, sustainable avodas Hashem. True mitzvos are not done through wild, emotional impulses that leave you dependent on others the next day, but through a thoughtful, disciplined cheshbon that allows you to keep giving, growing, and serving Hashem for the long haul.

Today, when you review your budget, make a donation, or spend on your family's needs, do it with clear yishuv hadaas. Remind yourself that taking proper, responsible care of your home is not a distraction from your avodah, it is part of the mitzvah itself.