דַּף יוֹמִי · עֲרָכִין · דַּף ל״ב

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

📖 THE SUGYA

We continue our sugya analyzing Hillel's takkanah regarding the redemption of a house in a walled city. The Gemara discusses what this takkanah teaches us about transactions made against a person's will versus in his presence, and how this applies to other areas of halachah like giving a get on condition of receiving money.

The Gemara then moves into the next Mishnayos detailing what structures inside a city wall qualify for the special halachos of batim be'ir chomah. We examine whether non-residential structures—such as bathhouses, olive presses, and fields—are included, as well as houses built right into the city wall itself. We also learn the defining criteria of an authentic walled city from the times of Yehoshua bin Nun, including specific historical cities across Eretz Yisrael.

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

עמוד א׳ DAF 32A

INFERENCE

מִדְּאִיצְטְרִיךְ לֵיהּ לְהִלֵּל לְתַקּוֹנֵי נְתִינָה בְּעַל כָּרְחוֹ הָוְיָא נְתִינָה,

The Gemara elaborates: **From** the fact **that Hillel needed to institute** the takkanah for houses in a walled city that **giving against** the buyer's **will is considered a** valid **giving,**

INFERENCE

הָא בְּעָלְמָא נְתִינָה בְּעַל כָּרְחוֹ לָא הָוְיָא נְתִינָה.

must it not be that in general, giving against a person's **will is not considered a** valid **giving?**

OBJECTION

מַתְקֵיף לַהּ רַב פָּפָּא, וְאִיתֵּימָא רַב אָשֵׁי:

Rav Pappa strongly objects to this, and some say it was **Rav Ashi** who objected:

ANSWER

וְדִילְמָא כִּי אִיצְטְרִיכָא לֵיהּ לְהִלֵּל לְתַקּוֹנֵי שֶׁלֹּא בְּפָנָיו,

But perhaps when Hillel needed to institute his ordinance, it was specifically to deposit the money in a court chamber when giving **not in his presence** (the buyer is hiding),

ANSWER

אֲבָל בְּפָנָיו — בֵּין מִדַּעְתּוֹ בֵּין בְּעַל כָּרְחוֹ הָוְיָא מַתָּנָה!

but in his presence, whether with his consent or whether against his will, it is always **a valid giving!**

STATEMENT

אִיכָּא דְּאָמְרִי, אָמַר רָבָא:

There are those **who say** a different version of this discussion, that **Rava said:**

INFERENCE

מִתַּקָּנָתוֹ שֶׁל הִלֵּל — ״הֲרֵי זֶה גִּיטֵּיךְ עַל מְנָת שֶׁתִּתְּנִי לִי מָאתַיִם זוּז״, וּנְתָנָהּ לוֹ, בֵּין מִדַּעְתּוֹ בֵּין בְּעַל כָּרְחוֹ — הֲוָיָא נְתִינָה.

From Hillel's ordinance we learn that if a man says to his wife, **"This is your bill of divorce on condition that you give me two hundred zuz," and she gave** it **to him, whether with his consent or whether against his will, it is** considered **a** valid **giving.**

EXPLANATION

וְכִי אִיצְטְרִיךְ לֵיהּ לְהִלֵּל לְתַקּוֹנֵי — שֶׁלֹּא בְּפָנָיו,

And when Hillel needed to institute his ordinance, it was specifically for paying **not in his presence;**

EXPLANATION

אֲבָל בְּפָנָיו — בֵּין מִדַּעְתּוֹ בֵּין בְּעַל כָּרְחוֹ הֲוָיָא נְתִינָה.

but in his presence, whether with his consent or whether against his will, it is naturally **a** valid **giving.**

OBJECTION

מַתְקֵיף לַהּ רַב פָּפָּא, וְאִיתֵּימָא רַב שִׁימִי בַּר אָשֵׁי:

Rav Pappa strongly objects to this, and some say it was **Rav Shimi bar Ashi** who objected:

ANSWER

וְדִילְמָא בֵּין בְּפָנָיו בֵּין שֶׁלֹּא בְּפָנָיו, מִדַּעְתּוֹ — אִין, בְּעַל כָּרְחוֹ — לָא,

But perhaps whether in his presence or whether not in his presence, if it is **with his consent, yes,** it is a valid giving, but if it is **against his will, no,** it is not a valid giving!

ANSWER

וְהִלֵּל מַאי דְּאִיצְטְרִיךְ לֵיהּ תַּקֵּין!

And Hillel only **instituted what was necessary for him** to fix, namely the common problem of buyers hiding on the last day, but forcing payment directly in front of him might indeed not be considered a valid giving!

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי׳ כָּל שֶׁהוּא לִפְנִים מִן הַחוֹמָה — הֲרֵי הוּא כְּבָתֵּי עָרֵי חוֹמָה, חוּץ מִן הַשָּׂדוֹת.

MISHNAH: Whatever is inside the wall of a city **has the status of the houses of walled cities** regarding redemption within the first year, **except for fields** located inside the city.

MISHNAH

רַבִּי מֵאִיר אוֹמֵר: אַף הַשָּׂדוֹת.

Rabbi Meir says: Even fields inside the city wall have the status of houses of walled cities.

MISHNAH

בַּיִת הַבָּנוּי בַּחוֹמָה — רַבִּי יְהוּדָה אוֹמֵר: אֵינוֹ כִּבָתֵּי עָרֵי חוֹמָה.

With regard to **a house that is built into the wall** itself, **Rabbi Yehuda says: It does not have the status of the houses of walled cities.**

MISHNAH

רַבִּי שִׁמְעוֹן אוֹמֵר: כּוֹתֶל הַחִיצוֹן הֵיא חוֹמָתוֹ.

Rabbi Shimon says: The outer wall of the house **is its wall,** so it is considered a house inside a walled city.

גְּמָרָא GEMARA

BRAISA

גְּמָ׳ תָּנוּ רַבָּנַן: בַּיִת — אֵין לִי אֶלָּא בַּיִת,

GEMARA: The Rabbis taught in a Braisa: From the word **"house"** written in the pasuk (Vayikra 25:30), **I have only** derived **a house** literally.

BRAISA

מִנַּיִן לְרַבּוֹת בָּתֵּי בַדִּים וּבָתֵּי מֶרְחֲצָאוֹת וּמִגְדָּלוֹת וְשׁוֹבָכִין וּבוֹרוֹת וְשִׁיחִין וּמְעָרוֹת?

From where do we include olive presses, bathhouses, towers, dovecotes, pits, ditches, and caves?

BRAISA

תַּלְמוּד לוֹמַר: "אֲשֶׁר בָּעִיר".

The verse states: "that is in the city," which comes to include all structures inside the city.

BRAISA

יָכוֹל שֶׁא�ֲנִי מְרַבֶּה אַף הַשָּׂדוֹת?

I might think **that I should include even fields** located inside the city wall?

BRAISA

תַּלְמוּד לוֹמַר: "בַּיִת", דִּבְרֵי רַבִּי יְהוּדָה.

The verse states: "house," to exclude a field; this is **the statement of Rabbi Yehuda.**

BRAISA

רַבִּי מֵאִיר אוֹמֵר: נֶאֱמַר "בַּיִת" — אֵין לִי אֶלָּא בַּיִת,

Rabbi Meir says: It says "house," from which **I have only** derived **a house;**

BRAISA

מִנַּיִן לְרַבּוֹת בָּתֵּי בַדִּים וּבָתֵּי מֶרְחֲצָאוֹת, וּמִגְדָּלוֹת וְשׁוֹבָכִין, וּבוֹרוֹת שִׂיחִין וּמְעָרוֹת, וַאֲפִילּוּ שָׂדוֹת?

from where do we include olive presses, bathhouses, towers, dovecotes, pits, ditches, caves, and even fields?

BRAISA

תַּלְמוּד לוֹמַר: "אֲשֶׁר בָּעִיר".

The verse states: "that is in the city," including everything situated inside the city.

QUESTION

וְאֶלָּא הָא כְּתִיב "בַּיִת"!

The Gemara asks: **But isn't it written "house"?** According to Rabbi Meir, what does the word "house" exclude?

ANSWER

אָמַר רַב חִסְדָּא אָמַר רַב קַטִּינָא: חוֹלְסִית וּמְצוּלָה אִיכָּא בֵּינַיְיהוּ,

Rav Chisda said that **Rav Kattina said:** The dispute **between them is** regarding **a quarry and a sand pit;** according to Rabbi Meir, these unbuilt areas are excluded by the word "house".

REFUTATION

וְהָתַנְיָא: חוֹלְסִית וּמְצוּלָה, רַבִּי מֵאִיר אוֹמֵר: כְּבָתִּים, רַבִּי יְהוּדָה אוֹמֵר: כִּשָּׂדוֹת.

The Gemara rejects this answer: **But isn't it taught in a Braisa:** Regarding **a quarry and a sand pit, Rabbi Meir says** they are treated **like houses, and Rabbi Yehuda says** they are treated **like fields?** So Rabbi Meir includes even quarries and sand pits!

STATEMENT

בַּיִת הַבָּנוּי בַּחוֹמָה, רַבִּי יְהוּדָה אוֹמֵר: אֵינוֹ כְּבָתֵּי עָרֵי חוֹמָה.

The Gemara turns to analyze the next clause of the Mishnah: Regarding **a house built into the wall, Rabbi Yehuda says it does not have the status of the houses of walled cities.**

EXPLANATION

אָמַר רַבִּי יוֹחָנָן: וּשְׁנֵיהֶם מִקְרָא אֶחָד דָּרְשׁוּ, "וַתּוֹרִידֵם בַּחֶבֶל בְּעַד הַחַלּוֹן כִּי בֵיתָהּ בְּקִיר הַחוֹמָה וּבַחוֹמָה הִיא יוֹשָׁבֶת".

Rabbi Yochanan said: Both of them expounded one verse regarding Rachav (Yehoshua 2:15): **"Then she let them down by a rope through the window, for her house was in the wall of the city, and she dwelt within the wall."**

EXPLANATION

רַבִּי שִׁמְעוֹן סָבַר כִּפְשָׁטֵיהּ דִּקְרָא,

Rabbi Shimon holds like the simple meaning of the verse, that her house was attached to the wall, yet called a house within the walled city;

EXPLANATION

וְרַבִּי יְהוּדָה סָבַר: ״בַּחוֹמָה הִיא יוֹשָׁבֶת״ וְלֹא בְּעִיר חוֹמָה.

and Rabbi Yehuda holds that **"she dwelt within the wall"** means she lived inside the thickness of the wall itself, **and not in a walled city.**

מִשְׁנָה MISHNAH

MISHNAH

מַתְנִי׳ עִיר שֶׁגַּגּוֹתֶיהָ חוֹמָתָהּ, וְשֶׁאֵינָהּ מוּקֶפֶת חוֹמָה מִימוֹת יְהוֹשֻׁעַ בִּן נוּן, אֵינָהּ כְּבָתֵּי עָרֵי חוֹמָה.

MISHNAH: A city whose rooftops are its wall, or one that is not surrounded by a wall from the days of Yehoshua bin Nun, does not have the status of the houses of walled cities.

MISHNAH

וְאֵלּוּ הֵן בָּתֵּי עָרֵי חוֹמָה: שָׁלֹשׁ חֲצֵרוֹת שֶׁל שְׁנֵי בָתִּים, מוּקֶפֶת חוֹמָה מִימוֹת יְהוֹשֻׁעַ בִּן נוּן,

And these are the houses of walled cities: A city containing at least **three courtyards of two houses** each, which has been **surrounded by a wall from the days of Yehoshua bin Nun,**

MISHNAH

כְּגוֹן קַצְרָה הַיְשָׁנָה שֶׁל צִיפּוֹרִי, וְחַקְרָה שֶׁל גּוּשׁ חָלָב, וְיוֹדְפַת הַיְשָׁנָה, וְגַמְלָא, וּגְדוֹד, וְחָדִיד, וְאוֹנוֹ, וִירוּשָׁלַיִם, וְכֵן כְּיוֹצֵא בָּהֶן.

such as the old fort of Tzippori, the citadel of Gush Chalav, old Yodfat, Gamla, Gedod, Hadid, Ono, Yerushalayim, and similar ones to these.

גְּמָרָא GEMARA

BRAISA

גְּמָ׳ תָּנוּ רַבָּנַן: ״חוֹמָה״ — וְלֹא שׁוּר אִיגָּר,

GEMARA: The Rabbis taught: The verse says **"a wall" — and not a line of rooftops.**

BRAISA

״סָבִיב״ — פָּרַט לְטִבֶּרְיָה שֶׁיַּמָּהּ חוֹמָתָהּ.

The verse says **"around it" — to exclude Tverya, whose sea is its wall** on one side.

BRAISA

רַבִּי אֱלִיעֶזֶר בַּר יוֹסֵי אוֹמֵר: ״אֲשֶׁר לוֹא חוֹמָה״ — אַף עַל פִּי שֶׁאֵין לוֹ עַכְשָׁיו וְהָיָה לוֹ קוֹדֶם לָכֵן.

Rabbi Eliezer bar Yosei says: "Which has no [lo] wall" — even though it does not have a wall **now, as long as it had** one **previously** in the days of Yehoshua bin Nun.

BRAISA

וְאֵלּוּ הֵן בָּתֵּי עָרֵי חוֹמָה כּוּ׳. תָּנָא: גַּמְלָא בַּגָּלִיל, וּגְדוֹד בְּעֵבֶר הַיַּרְדֵּן, וְחָדִיד וְאוֹנוֹ וִירוּשָׁלַיִם בִּיהוּדָה.

The Mishnah taught: **And these are the houses of walled cities, etc. A Tanna taught** in a Braisa: **Gamla is in the Galil, Gedod is in Ever HaYarden, and Hadid, Ono, and Yerushalayim are in Yehudah.**

QUESTION

מַאי קָאָמַר?

The Gemara asks: **What is he coming to tell us?** Why list their geographic regions?

עַמּוּד ב׳ DAF 32B

EXPLANATION

אָמַר אַבָּיֵי: הָכִי קָאָמַר —

Abaye said: This is what the Baraita **is saying:**

EXPLANATION

עַד גַּמְלָא בַּגָּלִיל, עַד גְּדוֹד בְּעֵבֶר הַיַּרְדֵּן, וְחָדִיד וְאוֹנוֹ וִירוּשָׁלַיִם בִּיהוּדָה.

All towns in the north **until Gamla in the Galilee** are included; all towns in the east **until Gedod in Transjordan** are included; **and Hadid and Ono and Yerushalayim** are included **in Yehudah.** The Baraita was listing the geographical border points of walled cities.

EXPLANATION

רָבָא אָמַר:

Rava said a different pshat:

EXPLANATION

גַּמְלָא בַּגָּלִיל, לְאַפּוֹקֵי גַּמְלָא דִּשְׁאָר אֲרָצוֹת;

The Mishnah mentions **Gamla in the Galilee** specifically **to exclude a Gamla of other lands** — meaning, a town named Gamla located in Yehudah or Transjordan that was not walled;

EXPLANATION

גְּדוֹד בְּעֵבֶר הַיַּרְדֵּן, לְאַפּוֹקֵי גְּדוֹד דִּשְׁאָר אֲרָצוֹת;

and it mentions **Gedod in Transjordan to exclude a Gedod of other lands;**

EXPLANATION

אִינָךְ דְּלָא אִיכָּא דִּכְוָתַיְיהוּ — לָא אִיצְטְרִיךְ לֵיהּ.

whereas **the other** cities listed in the Mishnah, **where there are no others like them** in other regions bearing the same name, the Tanna **did not need to** specify their region.

QUESTION

וִירוּשָׁלַיִם מִי מִיחַלַּט בַּהּ?

The Gemara asks: **And is** ownership of a house in **Yerushalayim permanently transferred** after one year, like other walled cities?

OBJECTION

וְהָתַנְיָא: עֲשָׂרָה דְּבָרִים נֶאֶמְרוּ בִּירוּשָׁלַיִם, אֵין הַבַּיִת חָלוּט בָּהּ!

But wasn't it taught in a Braisa: Ten things were said regarding Yerushalayim, and one of them is that **a house is not permanently transferred in it** to the buyer after a year!

ANSWER

אָמַר רַבִּי יוֹחָנָן: כִּירוּשָׁלַיִם דְּמוּקֶּפֶת חוֹמָה מִימוֹת יְהוֹשֻׁעַ בִּן נוּן, וְלֹא כִּירוּשָׁלַיִם,

Rabbi Yochanan said: The Mishnah means a city that is **like Yerushalayim** in **that it was surrounded by a wall from the days of Yehoshua bin Nun, but not like Yerushalayim** in all halocho-aspects;

EXPLANATION

דְּאִילּוּ יְרוּשָׁלַיִם אֵין הַבַּיִת חָלוּט בָּהּ, וְאִילּוּ הָכָא הַבַּיִת חָלוּט (בהן) [בָּהּ].

for whereas in **Yerushalayim a house is not permanently transferred in it, whereas here,** in cities that are merely similar to Yerushalayim in wall status, **a house IS permanently transferred in it.**

ANSWER

רַב אָשֵׁי אָמַר: לָאו אָמַר רַב יוֹסֵף תְּרֵי קָדֵשׁ הֲווֹ? הָכָא נָמֵי תְּרֵי יְרוּשָׁלַיִם הֲווֹ.

Rav Ashi said: Didn't Rav Yosef say regarding another sugya that **there were two** places named **Kadesh? Here too, there were two** places named **Yerushalayim** in Yehudah, and the Mishnah is talking about the other one where houses do become chaloat.

BRAISA

תַּנְיָא, רַבִּי יִשְׁמָעֵאל בְּרַבִּי יוֹסֵי:

It is taught in a Braisa: **Rabbi Yishmael son of Rabbi Yosei**

BRAISA

לָמָּה מָנוּ חֲכָמִים אֶת אֵלּוּ,

says: Why did the Sages enumerate these specific cities in the Mishnah?

BRAISA

שֶׁכְּשֶׁעָלוּ בְּנֵי הַגּוֹלָה מָצְאוּ אֵלּוּ וְקִידְּשׁוּם,

Because when the children of the Exile ascended from Bavel, **they found these** cities **and sanctified them,**

BRAISA

אֲבָל רִאשׁוֹנוֹת בָּטְלוּ מִשֶּׁבָּטְלָה קְדוּשַׁת הָאָרֶץ.

but the initial walled cities lost their status **once the sanctity of the Land was nullified** with the Churban.

INFERENCE

קָסָבַר: קִדּוּשָׁה רִאשׁוֹנָה קִידְּשָׁה לִשְׁעָתָהּ, וְלֹא קִידְּשָׁה לֶעָתִיד לָבֹא.

The Gemara notes: **He holds that the first sanctity sanctified** the land **for its time, but did not sanctify it for the future to come.**

OBJECTION

וּרְמִינְהִי: אָמַר רַבִּי יִשְׁמָעֵאל בְּרַבִּי יוֹסֵי: וְכִי אֵלּוּ בִּלְבַד הָיוּ?

The Gemara **raises a contradiction: Rabbi Yishmael son of Rabbi Yosei said** in another Braisa: **And were these the only ones** that existed?

PROOF

וַהֲלֹא כְּבָר נֶאֱמַר: "שִׁשִּׁים עִיר כָּל חֶבֶל אַרְגֹּוב... כָּל אֵלֶּה עָרִים בְּצוּרוֹת"!

But hasn't it already been stated in the pasuk: **"Sixty cities, all the region of Argob... all these were fortified cities"!**

BRAISA

אֶלָּא לָמָּה מָנוּ חֲכָמִים אֶת אֵלּוּ? שֶׁכְּשֶׁעָלוּ בְּנֵי הַגּוֹלָה מָצְאוּ אֵלּוּ וְקִידְּשׁוּם.

Rather, why did the Sages enumerate these specific ones? **Because when the children of the Exile ascended, they found these and sanctified them.**

QUESTION

קִידְּשׁוּם? הָא אָמְרִינַן דְּלָא צְרִיךְ לְקַדּוֹשֵׁי נַהוּ!

The Gemara interjects: Did they **sanctify them? But we say** right **afterwards** in this second Braisa **that it was not necessary to sanctify them** because the original kedushah remained!

ANSWER

אֶלָּא מְנָאוּם.

Rather, read it as: They found these and **counted them** in the Mishnah.

BRAISA

וְלֹא אֵלּוּ בִּלְבַד, אֶלָּא כֹּל שֶׁתַּעֲלֶה לְךָ מָסוֹרֶת בְּיָדְךָ מֵאֲבוֹתֶיךָ שֶׁמּוּקֶפֶת חוֹמָה מִימוֹת יְהוֹשֻׁעַ בִּן נוּן —

The Braisa continues: **And not these alone, but any** city **for which you have a mesorah in your hand from your fathers that it was surrounded by a wall from the days of Yehoshua bin Nun —**

BRAISA

כָּל מִצְוֹת הַלָּלוּ נוֹהֲגוֹת בָּהּ,

all these mitzvos of a walled city **apply to it,**

INFERENCE

מִפְּנֵי שֶׁקִּדּוּשָׁה רִאשׁוֹנָה קִידְּשָׁה לִשְׁעָתָהּ וְקִידְּשָׁה לֶעָתִיד לָבֹא!

because the first sanctity sanctified it for its time and sanctified it for the future to come! Now, this second Braisa clearly contradicts the first Braisa regarding Rabbi Yishmael son of Rabbi Yosei's shitta!

RESOLUTION

אִיבָּעֵית אֵימָא: תְּרֵי תַּנָּאֵי וְאַלִּיבָּא דְּרַבִּי יִשְׁמָעֵאל,

If you want, say: It is a machlokes between **two Tannaim as to** what was the shitta **according to Rabbi Yishmael.**

RESOLUTION

וְאִיבָּעֵית אֵימָא: חַד מִינַּיְיהוּ רַבִּי אֶלְעָזָר בַּר יוֹסֵי אַמְרַהּ,

And if you want, say: One of them, the second Braisa, **Rabbi Elazar bar Yosei said it,** not Rabbi Yishmael.

PROOF

דְּתַנְיָא: רַבִּי אֶלְעָזָר בַּר יוֹסֵי אוֹמֵר: "אֲשֶׁר לוֹא חוֹמָה" —

For it is taught in a Braisa, **Rabbi Elazar bar Yosei says:** The pasuk says, **"Which has [lo, written with an aleph, which literally means 'not'] a wall" —**

EXPLANATION

אַף עַל פִּי שֶׁאֵין לוֹ עַכְשָׁיו וְהָיָה לוֹ קוֹדֶם לָכֵן.

this comes to teach: **even though it does not have** a wall **now,** since it **had one previously** in the time of Yehoshua, it retains its halocho as a walled city, because the first kedushah remains forever.

QUESTION

מַאי טַעְמָא דְּמַאן דְּאָמַר: קְדוּשָּׁה רִאשׁוֹנָה קִידְּשָׁה לִשְׁעָתָהּ וְלֹא קִידְּשָׁה לֶעָתִיד לָבֹא?

The Gemara asks: **What is the ta'am of the one who says: The first sanctity sanctified for its time, but did not sanctify for the future to come?**

PROOF

דִּכְתִיב: "וַיַּעֲשׂוּ בְּנֵי הַגּוֹלָה הַשָּׁבִים מִן הַשְּׁבִי סוּכּוֹת וַיֵּשְׁבוּ בַסּוּכּוֹת כִּי לֹא עָשׂוּ מִימֵי יֵשׁוּעַ בִּן נוּן כֵּן בְּנֵי יִשְׂרָאֵל וְגוֹ' וַתְּהִי שִׂמְחָה גְּדוֹלָה מְאֹד".

For it is written: "And all the congregation of those who returned from captivity made sukkos and sat in sukkos, for since the days of Yeshua bin Nun the Children of Israel had not done so until that day; and there was very great joy."

OBJECTION

אֶפְשָׁר בָּא דָּוִד וְלֹא עָשׂוּ סוּכּוֹת עַד שֶׁבָּא עֶזְרָא?

The Gemara asks: Is it **possible** that **Dovid came,** and all the tzaddikim throughout the first Beis HaMikdash, **and they did not make sukkos until Ezra came?** That cannot be!

ANSWER

אֶלָּא מַקִּישׁ בִּיאָתָם בִּימֵי עֶזְרָא לְבִיאָתָם בִּימֵי יְהוֹשֻׁעַ,

Rather, the pasuk **compares their arrival in the days of Ezra to their arrival in the days of Yehoshua:**

EXPLANATION

מָה בִּיאָתָם בִּימֵי יְהוֹשֻׁעַ מָנוּ שְׁמִיטִּין וְיוֹבְלוֹת וְקִדְּשׁוּ עָרֵי חוֹמָה,

Just as their arrival in the days of Yehoshua, they counted Shemittin and Yovlos and sanctified walled cities from scratch,

EXPLANATION

אַף בִּיאָתָן בִּימֵי עֶזְרָא מָנוּ שְׁמִיטִּין וְיוֹבְלוֹת וְקִדְּשׁוּ עָרֵי חוֹמָה.

so too their arrival in the days of Ezra, they counted Shemittin and Yovlos and sanctified walled cities anew, because the original kedushah had ceased!

PROOF

וְאוֹמֵר: "וְהֵבִיאֲךָ ה' אֱלֹהֶיךָ אֶל הָאָרֶץ אֲשֶׁר יָרְשׁוּ אֲבוֹתֶיךָ וִירִשְׁתָּהּ",

And it says: "And Hashem your God will bring you to the land that your fathers possessed, and you shall possess it."

EXPLANATION

מַקִּישׁ יְרוּשָּׁתְךָ לִירוּשַּׁת אֲבוֹתֶיךָ —

This **compares your possession** in Ezra's time **to the possession of your fathers** in Yehoshua's time:

EXPLANATION

מָה יְרוּשַּׁת אֲבוֹתֶיךָ בְּחִידּוּשׁ כָּל דְּבָרִים הַלָּלוּ, אַף יְרוּשָּׁתְךָ בְּחִידּוּשׁ כָּל דְּבָרִים הַלָּלוּ.

Just as the possession of your fathers required the renewal of all these matters, so too your possession required the renewal of all these matters.

QUESTION

וְאִידַּךְ?

The Gemara asks: **And the other** Tanna, who holds that the first kedushah remains forever, how does he learn these pesukim?

ANSWER

דִּבְעוּ רַחֲמֵי עַל יֵצֶר הַעֲבוֹדָה זָרָה, וּבַטְּלֵיהּ,

The Gemara answers: That pasuk in Nechemyah means **that they prayed for mercy regarding the yetzer hara for avodah zarah and abolished it,**

EXPLANATION

וְאַגִּין זְכוּתָא עֲלַיְיהוּ כִּי סוּכָּה.

and that merit protected them like a sukkah. That is why the pasuk calls it a sukkah!

EXPLANATION

וְהַיְינוּ דְּקָא קָפִיד קְרָא עִילָּוֵיהּ דִּיהוֹשֻׁעַ, דִּבְכֹל דּוּכְתָּא כְּתִיב "יְהוֹשֻׁעַ", וְהָכָא כְּתִיב "יֵשׁוּעַ".

And that is why the pasuk is critical of Yehoshua — for everywhere else it is written "Yehoshua" with a hei, **and here it is written "Yeshua"** without the hei.

EXPLANATION

בְּשִׁלְמָא מֹשֶׁה לָא בְּעָא רַחֲמֵי, דִּלְאָ הֲוָה זְכוּתָא דְּאֶרֶץ יִשְׂרָאֵל,

Granted, Moshe did not pray for mercy to annul the yetzer hara of avodah zarah, **because there was not yet the merit of Eretz Yisrael;**

EXPLANATION

אֶלָּא יְהוֹשֻׁעַ דַּהֲוָה לֵיהּ זְכוּתָא דְּאֶרֶץ יִשְׂרָאֵל, אַמַּאי לָא לִיבְּעֵי רַחֲמֵי?

but Yehoshua, who DID have the merit of Eretz Yisrael, why did he not pray for mercy to abolish it in his day? Therefore the pasuk diminishes his name.

QUESTION

וְהָא כְּתִיב: "אֲשֶׁר יָרְשׁוּ אֲבוֹתֶיךָ וִירִשְׁתָּהּ"!

The Gemara asks: **But isn't it written: "Which your fathers possessed, and you shall possess it"** — which implied a renewal of kedushah like the fathers?

ANSWER

הָכִי קָאָמַר: כֵּיוָן דְּיָרְשׁוּ אֲבוֹתֶיךָ — יָרַשְׁתָּ אַתְּ.

The Gemara answers: **This is what it is saying: Once your fathers possessed it, you automatically possess it,** for the initial kedushah never ceased!

QUESTION

וּמִי מָנוּ שְׁמִיטִּין וְיוֹבְלוֹת?

The Gemara asks: **And did they really count Shemittin and Yovlos** in the second Beis HaMikdash to sanctify the land?

OBJECTION

הַשְׁתָּא מִשֶּׁגָּלוּ שֵׁבֶט רְאוּבֵן וְשֵׁבֶט גָּד וַחֲצִי שֵׁבֶט מְנַשֶּׁה בָּטְלוּ יוֹבְלוֹת,

Now, consider: **from the time that the tribe of Reuven, the tribe of Gad, and half the tribe of Menasheh were exiled, Yovlos were annulled;**

OBJECTION

עֶזְרָא דִּכְתִיב בֵּיהּ "כָּל הַקָּהָל כְּאֶחָד אַרְבַּע רִבּוֹא אַלְפַּיִם וְשֵׁשׁ מֵאוֹת וְשִׁשִּׁים" הֲוָה מָנֵי?

so in the time of **Ezra, about whom it is written: "The entire congregation together was forty-two thousand, three hundred and sixty"** — only a tiny fraction of Klal Yisrael — **could he count Yovlos?!**

PROOF

דְּתַנְיָא: מִשֶּׁגָּלוּ שֵׁבֶט רְאוּבֵן וְשֵׁבֶט גָּד וַחֲצִי שֵׁבֶט הַמְנַשֶּׁה בָּטְלוּ יוֹבְלוֹת,

For it is taught in a Braisa: From the time that the tribe of Reuven, the tribe of Gad, and half the tribe of Menasheh were exiled, Yovlos were annulled,

PROOF

שֶׁנֶּאֱמַר: "וּקְרָאתֶם דְּרוֹר בָּאָרֶץ לְכָל יֹשְׁבֶיהָ", בִּזְמַן שֶׁכֹּל יוֹשְׁבֶיהָ עָלֶיהָ, וְלֹא בִּזְמַן שֶׁגָּלוּ מִקְצָתָן.

as it is stated: "And you shall proclaim liberty throughout the land to all its inhabitants" — meaning Yovel applies only **at a time when ALL of its inhabitants are upon it, and not at a time when part of them were exiled!**

BRAISA

יָכוֹל הָיוּ עָלֶיהָ וְהֵן מְעוֹרָבִין, שֵׁבֶט בִּנְיָמִין בִּיהוּדָה וְשֵׁבֶט יְהוּדָה בִּבְנְיָמִין, יְהֵא יוֹבֵל נוֹהֵג?

The Braisa continues: You **might have thought that if they were upon it but they were intermingled — the tribe of Binyamin residing in Yehudah's territory and the tribe of Yehudah in Binyamin's — that Yovel should apply?**

PROOF

תַּלְמוּד לוֹמַר: "לְכָל יֹשְׁבֶיהָ" — בִּזְמַן שֶׁיּוֹשְׁבֶיהָ כְּתִיקוּנָן, וְלֹא בִּזְמַן שֶׁהֵן מְעוֹרָבִין!

The pasuk comes to teach: "To all its inhabitants" — at a time when its inhabitants are in their proper arrangement each on their own ancestral land, **and not at a time when they are intermingled!** How then could Ezra count Yovel?

ANSWER

אָמַר רַב נַחְמָן בַּר יִצְחָק: מָנוּ יוֹבְלוֹת לְקַדֵּשׁ שְׁמִיטִּין.

Rav Nachman bar Yitzchak said: They counted Yovlos not for the Yovel halochos themselves, but **to sanctify Shemittin** — so that the seven-year cycle of Shemittah would be aligned correctly.

SUMMARY

The Gemara first analyzes Hillel's ordinance regarding paying against the buyer's consent, bringing different leshonos on whether forced payment is valid generally or if Hillel specifically allowed depositing money in beis din when the buyer hides. Next, the Mishnah and Gemara discuss which structures are included under the status of a walled city house: the Tanna Kamma includes various non-residential structures like bathhouses and towers but excludes fields, while Rabbi Meir includes fields as well, and Rabbi Yehuda and Rabbi Shimon debate a house built directly into the wall based on the pasuk by Rachav. Finally, the Gemara clarifies the requirements for a city to be considered a walled city—must be surrounded by a wall since the days of Yehoshua bin Nun containing at least three courtyards with two houses each—and clarifies the geographical locations of the cities listed in the Mishnah.

לְמַעֲשֶׂה · WHAT TO TAKE HOME

Look at what the Gemara teaches us today about Kedushas Eretz Yisrael and the Bnei HaGolah. When Ezra and the Yidden came back from Bavel to rebuild the Bayis Sheini, they didn't just walk into a ready-made holy land. The Gemara brings the pasuk in Nechemia describing how they made Succos, comparing Ezra's time to the days of Yehoshua bin Nun. Why? Because when they returned, they had to actively renew the kedusha, counting Shemittin and Yovel, and establishing the batei ari choma all over again. They had to take ownership of their Yiddishkeit and sanctify the land through their own avodah.

There is a profound lesson for us here. We cannot simply live on past spiritual equity. A Yid might think, "My parents were erliche Yidden, I come from a chashuve mishpacha, I went to good yeshivos, I have a strong mesorah." That is all wonderful, but Kedushas Eretz Yisrael in Ezra's time required a fresh, conscious kabbalah. You can't just rely on the kedusha of the past; you have to bring your own chayus to it today.

Every single morning we wake up to a new day of avodas Hashem. Don't let your Yiddishkeit run on auto-pilot just because it was always there. Take one mitzvah or tefillah today and do it with a fresh, conscious head, making a brand-new kabbalah to sanctify your day.