

VII.

BABYLONIAN TALMUD

ARAKHIN

CHAPTER SEVEN

FOLIOS 24A-27A

The tractate now shifts its interest from the first fifteen verses of Leviticus Twenty-seven to the next ten, Lev. 27:16-25. Scripture distinguishes between a field which one purchases and one which is inherited (“a field of possession”). When the latter is dedicated to the Lord (“sanctified”), it is redeemed at a fixed valuation in relationship to the Jubilee year. If it is not redeemed, when the Jubilee releases it, it is possessed by the priests. Let us review the relevant verses:

If a man dedicates to the Lord part of the land which is his by inheritance, then your Valuation shall be according to the seed for it; a sowing of a homer of barley shall be valued at fifty shekels of silver.

If he dedicates his field from the year of jubilee, it shall stand at your full Valuation. But if he dedicates his field after the jubilee, then the priest shall compute the money-value for it according to the years that remain until the year of jubilee, and a deduction shall be made from your Valuation.

And if he who dedicates the field wishes to redeem it, then he shall add a fifth of the Valuation in money to it, and it shall remain his.

But if he does not wish to redeem the field, or if he has sold the field to another man, it shall not be redeemed any more. But the field, when it is released in the jubilee, shall be holy to the Lord, as a field that has been devoted; the priest shall be in possession of it.

If he dedicates to the Lord a field which he has bought, which is not part of his possession by inheritance, then the priest shall compute the Valuation for it up to the year of jubilee, and the man shall give the amount of the Valuation on that day as a holy thing to the Lord. In the year of jubilee the field shall return to him from whom it was bought, to whom the land belongs as a possession by inheritance.

Every Valuation shall be made according to the shekel of the sanctuary: twenty gerahs shall make a shekel.

7:1A-D

- A. They do not sanctify [a field of possession] less than two years before the year of Jubilee.
- B. And they do not redeem it less than a year after the year of Jubilee.

- C. [In redeeming the field] they do not reckon the months against the sanctuary.
- D. But the sanctuary reckons the months [to its own advantage].

- I.1** A. [To the rule at M. 7:1A-B, which states that an act of sanctification of a field cannot take place within two years of the Jubilee year,] *the following objection was raised [from an authoritative teaching that indicates one may do so]:*
- B. People may consecrate [fields] whether before or after the Jubilee year [without limit], but in the Jubilee year itself, one should not consecrate a field. And if one has declared a field to be consecrated, it is not regarded as consecrated. [There is a clear contradiction in the teaching at hand.]
 - C. *Both Rab and Samuel said, ["The meaning of the Mishnah-passage is] people may not consecrate a field so that it is redeemed at a rate for less than two years. [No matter when the act of consecration takes place, the redemption fee covers two years of crops.]*
 - D. "And since people may not so consecrate as to redeem a field for the going rate of less than two years, a person should be mindful of his property and not consecrate a field in a span of time less than two years [prior to the Jubilee]."

I.2. A. *It has been stated:*

- B. He who consecrates his field in the Jubilee year itself —
- C. Rab said, "It is consecrated, and the man has to pay fifty [sheqels to redeem it]."
- D. Samuel says, "It is not consecrated in any aspect."
- E. *R. Joseph raised the following objection, "Now in regards the matter of sale, in which Samuel differs from Rab, one may construct an argument a fortiori [to support Samuel's view that one may not sell such a field, namely:] If a field that already has been sold reverts to its former owner [in the Jubilee year], a field that has not been sold — all the more so that it should not be subject to sale. [For if it were sold, it would simply revert automatically to the seller in the Jubilee year.]*
- F. *"But as regards the present case [of consecrating the field], is it possible to construct an argument a fortiori? [No. For as we shall see, the field does not always revert to the former owner in the Jubilee year. If the owner does not redeem it, then the priests must redeem it. Accordingly, one cannot infer as Samuel does that a field dedicated during the Sabbatical year automatically reverts to the owner. On the contrary, the owner must redeem it.]*
- G. *"For surely we have learned in the Mishnah: **If the Jubilee year arrived and the field was not redeemed, 'The priests enter into possession of it but pay its price,' the words of R. Judah [M. 7:4A-B].** [So there is no argument a fortiori at hand to sustain Samuel's position.]"*
- H. *Samuel concurs with R. Simeon, who has said [in the same passage:] **R. Simeon says, "They [priests] enter into possession of it but do not pay [the price of the field]."** [Here, the field automatically, without any redemption, passes to the ownership of the priests. Therefore we may construct the following argument a fortiori: One that already has been consecrated automatically goes forth in the Jubilee year. One that has not already been consecrated — is it not an argument a fortiori that it should not be subject to consecration at all?!]*

- I. **[24B]** *And Rab reasons that, ultimately does not the field return to the owner? [Surely not.] It returns to the priests, and the priests acquire possession from the table of the Most High. [So an act of consecration is valid, even in the Jubilee year, and contrary to Simeon's view, Rab maintains that this is not really an alienation of the field from the sanctuary at all, since the field never ultimately reverts to the owner anyhow.]*
- J. *What is the scriptural basis for Rab's view [at C]?*
- K. It is because Scripture has said, "If from the year of the Jubilee he shall sanctify his field" (Lev. 27:17) — inclusive of the Jubilee year.
- L. *And Samuel [replies], "Is it written, 'And if in the year of the Jubilee...'? 'From the Jubilee year' is what is written, meaning, from the year after the Jubilee year."*
- M. *To be sure, in Rab's view, we find written, "If from the year of Jubilee" and also "and if after the Jubilee" (Lev. 27:17, 18). [Accordingly, if the field was consecrated in the Jubilee year, the full fifty sheqels are paid in the redemption price. If the redemption took place after the Jubilee year, then there is a reduction from the full price.]*
- N. *But in Samuel's view, what is the meaning of [the other verse:] "after the Jubilee"? It means, "After the year after the Jubilee" [thus accommodating his view of matters].*
- O. *An objection was raised [from I.1B]: People may consecrate fields whether before or after the Jubilee year without limit, but in the Jubilee year itself, one should not declare a field to be consecrated. And if one has declared a field to be consecrated, it is not regarded as consecrated. [This surely contradicts Rab at II C.]*
- P. Rab will reply to you, "The meaning is that to be sure people may not consecrate a field so that it is redeemed at a rate governed by the rule of deduction. But the field indeed is holy so that one has to pay the full fifty sheqels [covering the entire fifty years]."
- Q. Does this then bear the inference that, if one consecrates the field before the Jubilee, it is sanctified so as to be redeemed at the deduction-rate? *But lo, Rab and Samuel both have said [I.1C], "People may not consecrate a field so that it is redeemed at a [deduction-] rate for less than two years."*
- R. *Rab may reply to you, "Now who is represented here? It is the rabbis, but I follow the view of Rabbi, who has said, 'When we speak of 'first,' the first day is included, so too when we speak of 'seventh,' the seventh is included. Here too, when Scripture speaks of 'From the year,' the Jubilee year is included [just as was stated above, K]."*
- S. *But if this is rabbis' view, where does the pondion come in? [Jung, p. 144, n. 7: If Scripture refers to the second year after the Jubilee [as Rab maintains], so that fifty sheqels are payable for forty-eight years, the redeemer must add one pondion to each sheqel. But according to Rabbi, Scripture speaks of the year of Jubilee itself, so that fifty sheqels are payable for fifty years, i.e., just a sela per year. How then does the pondion come in at all?]*
- T. *And if you wish to propose that [Rabbi] does not require [the pondion], have we not learned: **If one has sanctified the field two or three years before the***

Jubilee year, Rabbi says, “I maintain that one pays a sela and a pondion” [Cf. M. 7:2I].

- U. *Rabbi accords with the principle of R. Judah, who has said, “The fiftieth year counts on both fifty-year cycles. [Thus there are forty-nine years for each of which the redeemer has to pay a sheqel and a pondion.]*
- V. *Does it follow that Samuel [who maintains that it is only after the Jubilee year that the redemption at a reduction takes place] takes the view that Rabbi concurs with rabbis? [Jung, p. 145, n. 1: That the Jubilee year is not included in the cycle of forty-nine years, so that there are full forty-nine years between one Jubilee and another apart from the Jubilee year itself.]*
- W. *For if [Rabbi’s] view were to accord with that of R. Judah, he should read, “One sela and two pondions” [since we assign the year to both cycles, hence one sela covering the year, but a pondion for the preceding cycle and a pondion for the cycle now commencing].*
- X. *Accordingly, we must conclude that, in Samuel’s view, Rabbi [who demands only one pondion] concurs with rabbis [vis à vis Judah].*
- Y. *Come and hear: **And they do not redeem it less than a year after the year of Jubilee [M. 7:1B].***
- Z. *Now that statement poses no problem to the view of Samuel [that an act of consecration in the Jubilee year itself is invalid], so, it follows, people do not redeem a field less than a year after the end of the Jubilee year, [since there would be no field subject to redemption prior to that point, there having been no valid act of consecration during the year itself.]*
- AA. *But as to Rab, what can be the meaning of, **Less than a year after the year of Jubilee?***
- BB. *Do you reason that the language means literally “after the Jubilee year”? What is the meaning of “after the Jubilee year”? [25A] It is “in the midst of the Jubilee, for so long as a year has not been completed, one does not deduct it [Jung, p. 145, n. 6: from the total of remaining years to the next Jubilee, and he who redeems must pay for the incomplete years a full sheqel with its pondion. The Mishnah thus means that after the Jubilee all redemptions must be made on the basis of complete years.]*
- CC. *What then does he wish to tell us? Is it that they do not reckon with months so far as the sanctuary is concerned? But lo, that principle is explicitly expressed, as follows: **In redeeming the field they do not reckon the months against the sanctuary [M. 7:1C].***
- DD. *His intent is to indicate the reason for the rule. That is, what is the reason that **They do not redeem it less than a year after the year of Jubilee [M. 7:1B]? It is because in redeeming a field they do not reckon the months against the sanctuary [M. 7:1C].***

II.1 A. In redeeming the field, they do not reckon the months etc. [M. 7:1C]:

- B. *Our rabbis have taught on Tannaite authority:*
- C. *How do we know that in redeeming the field they do not reckon the months against the sanctuary?*

- C. As it is said, “Then the priest himself shall compute the money-value for it according to the years [that remain until the year of Jubilee]” (Lev. 27:18).
- D. It is years that you compute, and you do not compute months.
- E. And how do we know that if you wish to compute the months and treat them as a full year, you may do so?
- F. *What would be an example of such a computation?*
- G. *For instance, if one consecrated the field in the middle of the forty-eighth year?)*
- H. Scripture has said, “And the priest himself shall compute...” (Lev. 27:18) — in any way [advantageous to the Temple, along the lines of M. 7:1D].

The field of possession cannot be sanctified in the forty-eighth and forty-ninth year of the cycle, nor redeemed with a deduction in the first. Scripture speaks of years (Lev. 27:18), which must be at least two. If a person wants to redeem his field after the Jubilee, the reckoning in accord with the years remaining up to the Jubilee is made only at the end of a complete year. If he wants to redeem the field immediately following the jubilee, he pays the full fifty sheqels (Lev. 27:17). The payment required for redeeming the field of possession at the outset of the Jubilee-cycle thus is fifty sheqels for the specified area, that is, one sheqel per year (I). This sum then is diminished by one forty-ninth of the fifty sheqels as each year passes, one sheqel and one pondion (= 1/48th of a sheqel). The amount of money to be paid for redemption consists, therefore, of as many sheqels and pondions as the number of years up to the next Jubilee. The point of M. 7:1C-D is that two years and three months, for example, are not deemed as two years to the disadvantage of the Temple. One year and eleven months are reckoned as one year, not two full years. Units I.1-2 form a single, continuous discussion, even though, as is clear, unit I may be read by itself. Since Unit II refers back to it, however, we have to regard the entire construction as a sustained and brilliant exercise. The principles of the Mishnah-paragraph are elucidated in all their complexity through the inquiry into the theories of the great Amoraic masters, Rab and Samuel. Unit II.1 clarifies M. 7:1C-D’s scriptural foundations.

7:1E-K, 7:2

- E. He who sanctifies his field at the time of the Jubilee’s [being in effect] [compare M. 8:1]
- F. pays the fifty sheqels of silver [for every part of a field that suffices for] the sowing of a homer of barley.
- G. [If] there were there crevices ten handbreadths deep or rocks ten handbreadths high, they are not measured with it.
- H. [If they were in height] less than this, they are measured with it.
- I. [If] one sanctified it two or three years before the Jubilee, he gives a sela and a pondion for each year.
- J. If he said, “Lo, I shall pay for each year as it comes,” they do not pay attention to him.
- K. But he pays the whole at once.

M. 7:1

- A. The same rule applies to the owner [of the field] and every [other] man [in regard to what is paid (M. 7-11-K) for the redemption of the field].
- B. What is the difference between the owner and every other man?
- C. But: the owner pays the added fifth, and no other person pays the added fifth [M. 8:1]. — M. 7:2

- I.1 A. [...pays the fifty sheqels of silver [for every part of a field that suffices for] the sowing of a homer of barley:] *A Tannaite authority taught [with reference to M. 7:1F]: A field that will take a kor of seed, not one that yield a kor of produce.*
- B. Seed sown by hand, and not sown by oxen.
- C. Levi repeated [the following teaching:] “Not [sown] too thick nor too thin but in an ordinary manner.”

II.1 A. If there were there crevices ten handbreadths deep, etc. [M. 7:1G]:

- B. *But let them be considered as sanctified as autonomous areas [of the field, since they are not regarded as part of the arable field for purposes of redemption, and let them be redeemed on their own].*
- C. *And if you wish to propose that, since they do not take a kor of seed, they are not subject to consecration, has it now been taught [to the contrary]:*
- D. “A field...” (Lev. 27:16).
- E. Why does Scripture say, “A field”?
- F. Since it is said, “Fifty sheqels of silver for every part of a field that suffices for the sowing of a homer of barley” (Lev. 27:16), I know only that [the law applies] to a case such as is specified [in Scripture, that is, to a field of the specified size]. How do I know that the law encompasses a field suitable for sowing only a letekh of seed or a half letekh, a seah of seed or a tirqab or a half-tirqab?
- G. Scripture says, “A field” — of any dimensions. [Accordingly, the question phrased at B is a valid one.]
- H. *Said Mar Uqba bar Hama, “Here we deal with crevices filled with water, which are not available for sowing seed anyhow. You may closely examine the language of the Mishnah to see that point, since it speaks of things that are similar to rocks.*
- I. *That does indeed prove it.*
- J. *But then, if that is the case, smaller [areas than ten handbreadths] should be subject to redemption as well.*
- K. *They are called small clefts of the earth or spines of the earth [and are taken into account as part of the field].*

III.1 A. If one sanctified it two or three years before the Jubilee [M. 7:11:]

- B. *Our rabbis have taught:*
- C. “And a deduction will be made from your valuation” (Lev. 27:18) — also from [the rate paid to the] sanctuary, so that, if the sanctuary had the usufruct of the field for a year or two years,
- D. or, further, if it did not enjoy the usufruct but it was in [the Temple’s] possession,
- E. one deducts a sela and a pondion for a year.

IV.1 A. If he said, “Lo, I shall pay, etc.... [M. 7:1J]:

- B. Our rabbis have taught: How do we know that if the owners said, “Lo, we shall pay for each year as it comes,” one pays no attention to them?
- C. Scripture says, “The priest shall compute the money-value” (Lev. 27:18) — so that the money is all together.

V.1 A. The same rule applies to the owner of the field and to every other man. What is the difference between the owner and every other man? But the owner pays the added fifth, and no other person pays the added fifth [M. 7:2].

M. 7:1E-F brings us to the measurement of the field sufficient for the sowing of a homer of barley. When the Jubilee-law is in force, the redemption-price is paid as just now specified. (When it is not in force it is paid in accord with the value of the field.) All E-F say is what is stated by Lev. 27:16-17. G-H's point is that ridges or crevices do not go into the measurement of the specified area. I goes over familiar ground. The fifty selas are paid for forty-nine years from one Jubilee to the next, a sela per year. The fiftieth sela is added, by having the forty-eight pondions of which it is made up divided among the forty-eight years. Thus the man pays a sela and a pondion per year, just as we have seen. J-K add the further qualification that the full sum must be paid at one time.

M. 7:2 restates the rule of Lev. 27:19: If he who dedicates the field wishes to redeem it, then he shall add a fifth of the valuation in money to it. If, therefore, there are twenty years remaining in the Jubilee-cycle, the man pays twenty selas and twenty pondions, plus five more of each, twenty-five selas and twenty-five pondions in all. M. thus reads the verse to exclude the person who has not dedicated his own field but who wishes to redeem a field dedicated by someone else; he does not pay the added fifth. The Talmud works its way through selected passages of the Mishnah and consistently supplies proof-texts for the Mishnah's rules. Only unit II undertakes a substantial inquiry.

7:3

- A. [If] he sanctified it and redeemed it, it does not go forth from his domain on the Jubilee.
- B. [If] his son redeemed it, it goes forth to his father on the Jubilee.
- C. [If] someone else redeemed it, or one of the relatives, and he redeemed it from his domain, it does go forth from his domain in the Jubilee.
- D. [If] one of the priests redeemed it, and lo, it is in his [the priest's] domain, he may not say, “Since it goes forth to the priests in the Jubilee, and since, lo, it is in my domain, it is mine.”
- E. But it goes forth and is divided among all his brethren, the priests.

I.1 A. [25B] Our rabbis have taught on Tannaite authority:

- B. “And if he will not redeem the field” (Lev. 27:20) — [referring to] the owner.
- B. Or “if he has sold the field” (Lev. 27:20) [referring to] the treasurer [of the sanctuary].
- C. “To another man” (Lev. 27:20) — [referring to] another man but not to [the seller's] son.

- D. You maintain that the meaning is, “to another man and not to the seller’s son,” but perhaps the meaning is, “to another man and not to the seller’s brother.”
- E. When Scripture states, “A man,” lo, reference is made to the brother.
- F. How then am I to interpret the reference to “another”? It must mean,” [Another] and not the son.”
- G. And why do you include the son and exclude the brother?
- H. I include the son, because he stands in his father’s stead in regard to designating [and betrothing a Hebrew handmaid to her master (Exo. 21: 9), for the son automatically inherits the father’s right] and in respect to the Hebrew slaves [who owes seven years; if the father, who bought him died, the slave serves out the remaining years to the son].
- I. To the contrary, I should include the brother, who stands in his brother’s stead for the purposes of Levirate marriage.
- J. [That hardly qualifies as an argument, for] the brother [only stands in his brother’s stead] for the purposes of Levirate marriage in a situation in which there is no son. Lo, if there is a son, there is no place for the Levirate brother at all!
- K. *Then derive the rule from the simple fact that the son [serves in his father’s stead] for two purposes but the brother [serves in his brother’s stead] for only one purpose. [May we conclude therefore that the Scripture refers to the son and not the brother?]*
- L. *[No, that will not do, for the matter of] the Hebrew slave [‘s service to the son and not the brother] derives from the same refutation. [That is, Scripture does not specify whether the slave passes to the son or brother. But based on the same reasoning as above at J, namely that] the brother only stands in his brother’s stead for the purposes of Levirate marriage. [When there is no son, the Talmud derives the son precedence over the brother in inheriting the slave.] [Both the brother and the son therefore have a single point.]*

I.2. A. *Rabbah bar Abbuha raised the question, “As to a daughter, what is the law on her preserving ownership of a field for her father [should she buy it? Do we regard this as a redemption of the field, as we do in the case of the son, M. 7:3B]?”*

- B. *“Since as to the matter of the Levirate connection, the son and the daughter serve equally to exempt their mother from Levirate marriage, here too she should serve.*
- C. *“Or perhaps, since as regards inheritance, where there is a son, the daughter is considered as no different from an outsider [and does not inherit], she should not serve to preserve ownership.”*
- D. *Come and hear, for a member of the house of R. Ishmael repeated [the following teaching:] “Whoever is considered as an outsider in a case in which there is a son [cannot preserve ownership of the field].”*
- E. *Now this [daughter] is considered an outsider in a situation in which there is a son, [so we opt for C.]*

I.3. A. *R. Zira raised this question, “As to a woman, who can preserve ownership of a field for her [as the son does for the father]?”*

- B. *“[I may reason that] the husband should be able to preserve ownership for her, since he inherits her estate.*

- C. “And there are those who say that the son will preserve the ownership for her, since he may treat what is coming due to her estate later on as if it had already come into his possession [as part of her estate when she died, and he will inherit what she owns when she dies, as well as what will come due to the mother’s estate even after she dies. The husband inherits only what she actually owns when she dies, but not what her estate is going later on to receive.]”
- D. *The question remains unresolved.*
- I.4.** A. *Rami bar Hama asked R. Hisda, “If someone consecrated a field less than two years prior to the Jubilee [during which the field cannot be redeemed], does the field go forth to the ownership of the priesthood [which would be the case if another man redeemed the field as is required, by paying the full fifty sheqels]?”*
- B. *He replied, “What are you reckoning? [Do you interpret the statement of Scripture in this way:] ‘A deduction will be made from your valuation... but the field when it goes out in the Jubilee’ (Lev. 27:18, 21) means that a field which is subject to the deduction does go forth in the Jubilee, but when it is not subject to the stated procedure it does not to forth?”*
- C. “[But that reasoning on the sense of Scripture is wrong.] Rather, ‘And if he will not redeem the field, the field, when it goes out in the Jubilee year...’ (Lev. 27:20, 21), and this field also is subject to redemption.”

II.1 A. If one of the priests redeemed it [M. 7:3D]:

- B. *Our rabbis have taught on Tannaite authority:*
- C. “His possession [that is, of the field] shall belong to the priest” (Lev. 27:21).
- D. What is the meaning of that statement?
- E. How do we know that in the case of a field which is going to be turned over to the priests at the Jubilee year, but which one of the priests redeemed, that he may not say, **“Since it goes forth to the priests in the Jubilee, and since, lo, it is in my domain, lo, it is mine:”** [M. 7:3D]?
- F. And surely it is logical that, since I can acquire ownership of what is in the hands of others, I should surely be able to acquire ownership of what is in my own hands a fortiori!
- G. Scripture says, “His possession” meaning, “a possession which is his,” and this is not his.
- H. How so?
- I. **It goes forth from his possession and is divided among all his brethren, the priests [M. 7:3E].**

The pericope is deceptively smooth, since M. 7:3A-C are not continued as to problem or principle by D-E. The first three rules do belong together. A is obvious, setting the stage for the others. The point is that if the original owner of the field redeems the field, he retains possession at the Jubilee. If the son redeems it, the father repossesses it. If the original owner, C, redeemed it from the person who redeemed it from the sanctuary, we invoke once more the rule of A. D’s problem is separate. Scripture is clear that a field which has not been redeemed by the Jubilee-year remains in the possession of priesthood. D excludes the claim of a

particular priest to acquire the field. What has happened is that the man has not redeemed the field. A priest has done so. The priest cannot claim the right to keep the field, D. That is, if an Israelite, not the owner, had redeemed the field, the priests would have received it in the Jubilee year; this particular priest — so it is claimed — possesses it and has the right to keep it. That is not acceptable. The Talmud at hand is rather inventive, since it raises a range of possibilities and asks some rather creative questions. Unit I asks for the basis for the son's special role, M. 7:3B. I:2-4 follow a single plan of asking about some rather speculative matters. II.1 then moves on to the second part of the Mishnah-pericope and provides an exegetical basis for the rule.

7:4

- A. [If] the Jubilee arrived and [the field] was not redeemed,
 - B. “The priests enter into [the possession of] it but pay its price,” the words of R. Judah.
 - C. R. Simeon says, “They enter, and they do not pay.”
 - D. R. Eliezer says, “They neither enter nor pay.
 - E. “But: It is called an abandoned field until the second Jubilee.
 - F. “[If] the second year of the Jubilee came and it was not redeemed, it is called a twice-abandoned field,
 - G. “up to the third Jubilee.
 - H. “The priests under no circumstances do not [directly] enter into possession until another [party] has redeemed it.”
- I.1** A. [[If] the Jubilee arrived and [the field] was not redeemed, “The priests enter into [the possession of] it but pay its price,” the words of R. Judah. R. Simeon says, “They enter, and they do not pay.”:] *What is the scriptural basis for the position of R. Judah?*
- B. He appropriates the meaning of the word “holy” from the use of the same word in connection with the consecration of a house [at Lev. 27:14, 23. Both verses use the word when referring, respectively, to the consecration of a house and of a field of possession, one received by inheritance].
 - C. Just as, in the case of the consecrated house, [redemption requires] a money-payment, so in the present case, a money-payment is necessary.
 - D. And R. Simeon appropriates the meaning of the word “holy” in the present context from the use of the same word in connection with the lambs offered on the Feast of Weeks [specified at Lev. 23:20]. Just as, in that case, [the priest gets the beasts] free, so here too [the priest gets the land] free.
 - E. *And should not R. Judah derive the rule governing the case at hand from the case of the lambs brought on the Feast of Weeks?*
 - F. [In his view,] we should compare Holy Things consecrated for the upkeep of the Temple house [as in the case of a field that has been consecrated] **[26A]** from the rule governing Holy Things consecrated for the upkeep of the Temple House [specifically, the house that has been consecrated, the value of which is given to the Temple.]

- G. We should not compare Holy Things consecrated for the upkeep of the Temple house to Holy Things consecrated for use on the altar itself. [Accordingly, Simeon's reasoning involves the confusion of categories, so the analogy is improper.]
- H. *And should not R. Simeon derive the rule governing the case at hand from the rule governing the case of consecrating a house?*
- I. *We derive the rule governing something that constitutes a gift to the priests from the rule governing another such object that is also a gift to the priests, but we do not derive the rule governing a gift to the priests from a case that does not involve a gift to the priests.* [The consecrated house is a gift to the upkeep of the Temple house, while the field of possession and the specified lambs, Lev. 27:21 and 23:20, respectively, do not constitute gifts for the upkeep of the Temple house but for the priesthood, as Scripture specifies.]

II.1. A. R. Eliezer says, "They neither enter nor pay" [M. 7:4D]:

- B. *Said Rabbah, "What is the scriptural basis for the position of R. Eliezer?"*
- C. "Scripture has said, 'And if he will not redeem the field.. it will not again be redeemed... if he has sold the field to another man, [then] ...the field, when it goes out in the Jubilee' (Lev. 27:20-21)." [Jung, p. 152, n. 1: The two verses are combined to mean thus: If he does not redeem it, it shall not be redeemed any more, but if he (the treasurer of the Sanctuary) sells it, then the field is turned over on Jubilee to the priests. This implies that if the treasurer does not sell it, the priests do not enter into possession of the field.]
- D. *Said Abayye, "[You are] a sharp knife, cutting up verses of Scripture [to suit your own convenience]."*
- E. *"Rather, said Abayye, "The scriptural basis for the opinion of R. Eliezer accords with that which has been taught on Tannaite authority.*
- F. "It shall not be redeemed any more' (Lev. 27:20).
- G. "Is it possible to suppose that it may not be redeemed in such a way that the field will serve [the original owner] as a field acquired by purchase [until the next Jubilee]?"
- H. "Scripture accordingly states, 'Any more,' meaning, it cannot be redeemed so as to restore it to its original status [as a field of possession], but it may be redeemed in such a way that the field will serve [the original owner] as a field acquired by purchase [until the next Jubilee].
- I. *"Now [continuing the exposition] to what occasion [is reference made]? If we say, to the first Jubilee [after it was consecrated], why should it not be subject to redemption? It remains in the status of a field of possession up to that point! [That is by definition.]"*
- J. *"But it is self-evident that reference is made to the second Jubilee [after it was consecrated]."*
- K. *"According to which authority [is the exegesis presented by F-J]?"*
- L. *"If we say that it accords with the positions of R. Judah and R. Simeon, [in their view] the field goes forth to the ownership of the priests [at the first Jubilee. How, then, can the statement refer to the second Jubilee?]"*

- M. *“Accordingly, is it not in accord with the view of R. Eliezer? And it yields the scriptural basis for the position of R. Eliezer in the present context. [That is, at the first Jubilee after consecration, the field, not redeemed, belongs to the Temple. The priests do not gain ownership. The field then can still be redeemed from the Temple’s ownership until the second Jubilee.]”*
- N. *Is that really your view? Then how do R. Judah and R. Simeon deal with the word “Any more”? [Surely they take the same view that Eliezer does about the meaning of that language.]*
- O. *Rather, in the present case with what situation do we deal? It is with a field that became a possession of the priests [at the Jubilee year]. A priest subsequently consecrated the field. Then the original owner came along to redeem the field [and regain ownership of it].*
- P. *It might enter your mind to rule that the field may not be redeemed in such a way that it falls into the category of a field acquired through purchase.*
- Q. *Scripture says, “Any more,” meaning, the field may not be redeemed any more so as to return to its original status [i.e., as a field of possession], but it may be redeemed so that the field falls into the status, so far as the purchaser is concerned, of a field acquired through purchase.*
- R. *Along these same lines have we not got the following teaching on Tannaite authority:*
- S. *“In the year of the Jubilee the field [that has been purchased] shall return to him from whom it was bought (Lev. 27:24).*
- T. *Is it possible to suppose that it reverts to the ownership of the Temple treasurer, from whom the purchaser bought it?*
- U. *[To avoid that conclusion,] Scripture states, “Even to whom the possession [by inheritance] of the land belongs” (Lev. 27:24).*
- V. *Why then should Scripture not simply say, “Even to whom the possession belongs”? Why is it necessary in addition to state, “To him from whom it was bought”?*
- W. *[It is to deal with the following situation:] A field which went forth to the priests. A priest sold it. The purchaser then consecrated it, and another party redeemed it*
—
- X. *Is it possible that the field should then revert to the original owner? [To forestall that conclusion,] Scripture states, “To him from whom it was bought.” [It does not go back to the man who bought and consecrated the field. It goes back to the priest from whom the purchaser bought the field. In the case of a field of possession, once another party redeems the field and it reaches the ownership of a priest at the Jubilee year, the original owner, who had inherited the field as a field of possession, can no longer redeem it and recover it as a field of possession (Jung)].*
- Y. *It was, moreover, necessary to make explicit, “It shall not be redeemed,” and it also was necessary to write, “To him from whom it was bought.”*
- Z. *Had the All-Merciful [only] written, “It will not be redeemed,” it would have indicated that [the law applies in such a way] that the field does not revert at all [to the one who consecrated it], but here, where the field does revert, let it revert*

to its original owner. Therefore it was necessary for the All-Merciful to write, "To the one who bought it."

[Had Scripture said only that the field may not be redeemed anymore, I would have reached the conclusion that the field may not be redeemed in a case in which it does not go back to the one who consecrated it. That is, we have a case in which the priest consecrated the field after acquiring it in the Jubilee year. The original owner had not redeemed it. In this case, in the next Jubilee, the field goes out to all the priests. It does not revert to the priest who consecrated it. But Scripture would have indicated that the field reverts to the owner where the field reverts to the one who consecrated it. That is, the priest sold the field and the purchaser consecrated it, so it is a field acquired by purchase. If that field is redeemed, it reverts to the one who consecrated it, namely, to that priest who had received it in the preceding Jubilee year.]

- AA. *If, furthermore, Scripture had written only, "To him from whom it was bought," [the law applies in a case in which] the original owner did not pay its value [to redeem it from the sanctuary. Someone else did so.] But here, where the original owner did pay the price of the field [and redeem it], I might have said that it should be restored to his possession. Therefore the All-Merciful has written, "It may not be redeemed."*
- BB. *And if the All-Merciful had written, "It may not be redeemed," but had not written, "Any more," I should have reached the conclusion that the field may not be redeemed under any circumstances.*
- CC. *Accordingly, the All-Merciful has written, "Any more," meaning, The field may not be redeemed any more in such a way that it will revert to its original condition, but it may be redeemed in such a way that it will be in the status of a field acquired by purchase [for the one who purchases it].*
- DD. *What is the upshot of it all [for our understanding of Eliezer's position that the priests cannot acquire the possession of the field until someone else has redeemed it]?*
- EE. Said Raba, "Said Scripture, 'But the field, when it goes out in the Jubilee year..., ' meaning, when it goes out of the possession of another party." [Jung, p. 154, n. 3: When it goes out of the possession of another who had redeemed it from the treasurer before the year of Jubilee, then shall it go out to the priests as their field of possession].

II,2. A. [26B] *The question was raised:* Is the original owner, in the period of the second Jubilee, in the status of an outside party or not?

[The question flows from Eliezer's position. In his view, in the second Jubilee cycle the field is subject to redemption. What is the status during that cycle of the original owner, who had not redeemed the field in the first Jubilee? When he redeems the field, will the field go out to the priests in the third Jubilee? Or is he still regarded as the original owner so that, in the third Jubilee, the field will revert to him, as it would have reverted to him had he redeemed the field before the end of the first Jubilee (Jung)?]

- B. *Come and hear:*
- C. "It shall not be redeemed any more" (Lev. 27:20).

- D. Is it possible to suppose that it may not be redeemed in such a way that the field will serve [the original owner] as a field acquired by purchase [until the next Jubilee]?
- E. Scripture accordingly states, “Any more,” meaning, it cannot be redeemed as it had originally been [i.e., as a field of inheritance], but it may be redeemed in such a way that the field will serve [the original owner] as a field acquired by purchase [until the next Jubilee].
- F. *Now to what occasion [is reference made]? If we say, to the first Jubilee [after it was consecrated], why should it not be subject to redemption? It remains in the status of a field of possession up to that point!*
- G. *But it is self-evident that reference is made to the second Jubilee [after it was consecrated].*
- H. *According to which authority? If we say that it accords with the positions of R. Judah and R. Simeon [there is a problem, because in their view] the field in any event goes forth to the ownership of the priests [at the first Jubilee year. In their view, therefore, the original owner has no opportunity to redeem after this time.]*
- I. *Accordingly, is it not in accord with the view of R. Eliezer?*
- J. *And from the foregoing, we derive the conclusion that the original owner in the period of the second Jubilee is in the status of an outside party.*
- K. *But is that your view? Then how do R. Judah and R. Simeon interpret the use of the word “any more”?*
- L. *Rather, in the present case with what situation do we deal? It is with a field that was turned over to the priests [at the first Jubilee], and a priest consecrated the field, and the original owner came along to redeem the field [and regain ownership of it].*
- M. *It might enter your mind to rule that the field may not be redeemed in such a way that it falls into the category of a field acquired through purchase.*
- N. Scripture says, “Any more,” meaning, the field may not be redeemed any more so as to return to its original status, but it may be redeemed so that the field falls into the status, [so far as the purchaser is concerned,] of a field acquired through purchase.
- O. *Along these same lines, have we not the following teaching on Tannaite authority:*
- P. “In the year of the Jubilee the field [that has been purchased] shall return to him from whom it was bought” (Lev. 27:24).
- Q. Is it possible to suppose that it reverts to the ownership of the Temple treasurer from whom the purchaser bought it?
- R. [To avoid that conclusion,] Scripture states, “Even to whom the possession [by inheritance] of the land belongs” (Lev. 27:24).
- S. Why does Scripture say, “To him from whom it was bought”?
- T. [It is to deal with the following situation:] A field went forth to the priests. A priest sold it. The purchaser then consecrated it, and another party then redeemed it.

- U. Is it possible that the field should then revert to the original owner? [To forestall that conclusion,] Scripture states, "To him from whom it was bought [even if that person is not the original owner]."
- V. *It was, moreover, necessary to make explicit, "It shall not be redeemed," and it also was necessary to write, "To him from whom it was bought."*
- W. *Had the All-Merciful written, "It will not be redeemed," it would have indicated that the law applies in such a way that the field does not revert at all. Scripture therefore had to write, "To the one who bought it."*
- X. *If, furthermore, Scripture had written, "To him from whom it was bought," [the law would apply in a case in which] the original owner did not pay its value [to redeem it from the sanctuary. Someone else did so.] But here, where the original owner did pay the price of the field [and redeem it], I might have said that it should be restored to his possession. Therefore the All-Merciful has written, "It may not be redeemed."*
- Y. *And if the All-Merciful had written, "It may not be redeemed," but had not written, "Any more," I should have reached the conclusion that the field may not be redeemed under any circumstances.*
- Z. *Accordingly, the All-Merciful has written, "Any more," meaning, The field may not be redeemed any more in such a way that it will revert to its original condition, but it may be redeemed in such a way that it will be in the status of a field acquired by purchase [for the one who purchases it].*
- AA. *What is the upshot of the matter?*
- BB. *Come and hear: R. Eliezer says, "If the original owner redeemed the field in the second Jubilee [after the original consecration], it goes forth to the priests in the Jubilee [following]. [That would follow from an affirmative answer to the question raised at III A.]*
- CC. *Said Rabina to R. Ashi, "Have we not learned to repeat the Tannaite statement as follows: **R. Eliezer says, 'The priests under no circumstances enter into possession until another party has redeemed it' [M. 7:4H]?**"*
- DD. *He said to him, "The original owner during the second Jubilee [after consecration] is in the status of an outsider party."*
- EE. *There are those who state matters as follows: R. Eliezer says, "If one has redeemed the field in the second Jubilee, it does not go forth to the priests at the Jubilee year."*
- FF. *Said Rabina to R. Ashi, "Have we not learned to repeat the Tannaite statement as follows: R. Eliezer says, '**The priests under no circumstances enter into possession until another party has redeemed it' [M. 7:4H]?**"*
- GG. *He said to him, "If we derived the facts from the formulation of the Mishnah-paragraph at hand alone, I should have concluded that the owner during the second Jubilee is in the status of an outside party. Accordingly, we are informed [that that is not the case. The owner is not considered an outsider during the second Jubilee, so that, if he redeems the field, it remains his possession at the upcoming Jubilee.]"*

The issue at M. 7:4 is a field which has been dedicated, but not redeemed either by the original owner or by someone else. Judah assigns the field to the priests; but

they pay the fifty sheqels for the specified area. Simeon says the priests take possession without paying. Eliezer's position is out of phase. He holds that the priests take possession of a field at the Jubilee only if someone already has redeemed it, H. Therefore, in the present case, A, the priests do not take possession and of course do not pay the price, D. E, F, and G simply spell out the status of the field for the next hundred years. Unit I provides a scriptural basis for the views of Judah and Simeon, and unit II proceeds to amplify and provide a basis for the position of Eliezer. II.2 develops the implications of Eliezer's position. It seems clear that the repetition of much of unit II.1's discussion in II.2 (K ff.) is needless, and a critical text in time to come will give us a better view of what is at hand.

7:5

- A. **He who purchases a field from his father, [if] his father died, and afterward he sanctified it, lo, it is deemed a field of possession (Lev. 27:16).**
- B. **[If] he sanctified it and afterward his father died,**
- C. **“lo, it is deemed in the status of a field which has been bought,” the words of R. Meir.**
- D. **R. Judah and R. Simeon say, “It is deemed in the status of a field of possession. “Since it is said, And if a field which he has bought which is not a field of his possession (Lev. 27:22) —**
- E. **“a field which is not destined to be a field of possession,**
- F. **“which excludes this, which is destined to be a field of possession [i.e., when his father dies].”**
- G. **A field which has been bought does not go forth to the priests in the Jubilee,**
- H. **for a man does not declare sanctified something which is not his own.**
- I. **Priests and Levites sanctify [their fields] at any time and redeem them at any time, whether before the Jubilee or after the Jubilee.**

I.1 A. *Our rabbis have taught on Tannaite authority:*

- B. “How do we know [from Scripture] that in the case of one who purchases a field from his father and who consecrated it, afterward whose father died, **the field should be regarded as his as a field of possession [= M. 7:5D]**?”
- C. “Scripture states, ‘And if a field which he has bought, which is not a field of his possession’ (Lev. 27:22), — a field which is not destined to be a field of possession, which excludes this field, which is destined to be a field of possession,” the words of R. Judah and R. Simeon [M. 7:5D-F].
- D. R. Meir says, “How do we know that in the case of one who purchases a field from his father, and whose father died, and who afterward consecrated the field, the field should be his as a field of possession?”
- E. “Scripture states, ‘And if a field which he has bought, which is not a field of his possession’ (Lev. 27:22) — a field which is not [at this moment] a field of possession, excluding this case, which indeed is a field of possession.”
- F. *May we then propose that it is in this principle that the parties differ:*
- G. *R. Meir maintains [C] the theory that the acquisition of the usufruct of the field is equivalent to the acquisition of the capital [the field itself].*

- H. *R. Judah and R. Simeon [A-B] take the position that acquisition of the usufruct of the field is not in the category of the acquisition of the capital [the field itself].*
- I. *Said R. Nahman bar Isaac, "In ordinary circumstances, in the view of R. Simeon and R. Judah, acquisition of the usufruct of the field is equivalent to acquisition of the capital [ownership of the field itself]."*
- J. *"But [27A] in the present case, there is a verse of Scripture at hand, which they have interpreted as follows:*
- K. *"Scripture might as well state, 'If it is a field acquired by purchase which is not a field of his possession,' or it might also have written, 'which is not a field of possession.'*
- L. *"What is the meaning of the explicit reference, to 'A field of his possession'? Not a field which is not going to become a field of possession under any circumstances.*
- M. *"That usage excludes the present case, in which it is destined to enter the status of a field of possession [in due course]."*

II.1 A. Priests and Levites sanctify their fields at any time [M. 7:5I]:

- B. *It was assuredly necessary to make explicit reference to their right to redeem the field at any time, to distinguish them from Israelites, who may redeem [their fields] only up to the Jubilee year [but not afterward].*
- C. *So we are informed that priests and Levites may redeem their fields at any time.*
- D. *But what purpose was there to include the reference to the fact that priests and Levites may consecrate their fields at any time? Even Israelites also may do so.*
- E. *And if you say that the reference is to the Jubilee year itself [that priests and Levites, but not Israelites, may consecrate their fields], then that thesis would pose no problem for Samuel, who has said that in the Jubilee year itself, a field may not be consecrated. So we would be informed that priests and Levites may consecrate their fields at all times [including the Jubilee year, when Israelites may not do so.]*
- F. *But in the view of Rab, what purpose is there in including such a detail about priests and Levites? Even Israelites also may do so.*
- G. *But, according to your own thinking, why should the framer of the passage have included the language, whether before the Jubilee or after the Jubilee? [In your reading of the passage, the meaning would then be that priests and Levites, but not Israelites, may consecrate fields before and after the Jubilee, but Israelites may not do so. [That reading is manifestly absurd.]*
- H. *Rather, since the framer of the passage stated in the former case [namely, that of the Israelites, M. 7:13] whether before the Jubilee or after the Jubilee, he recorded the same formulation in the latter case [priests and Levites], whether before or after the Jubilee.*
- I. *And since, along these same lines, he formulated the former case, They may not consecrate... or redeem..., he formulated the latter case in the same way, They do consecrate... they do redeem.*

We recall (M. 3: 2) that a field of possession differs from a field which has been purchased. The former is acquired by inheritance, the latter is bought. The former is subject to the fixed valuation of Lev. 27:16ff., the latter is evaluated in accord with its actual worth. The former if not redeemed by the Jubilee falls to the

priests; the latter does not. Now we ask some secondary questions on the disposition of fields which may fall to one by inheritance but which also are purchased by the potential heir. A makes the basic point that if one purchases a field from his father but afterward will have inherited it in any case, then the field is deemed a field of possession. If after the father's death the man sanctifies the field, it falls into the category of a field he has acquired through inheritance, not purchase. B then asks the more interesting question: What if the man purchased it from the father and sanctified it. He has not then inherited the field. But he is going to acquire by inheritance what he already has acquired through purchase. Meir does not treat that which is going to happen as if it already has happened. Therefore if the man purchased the field and sanctified it before the death of the father, then at the time the field was sanctified, it is in the status only of a field which has been bought. Judah and Simeon take up the contrary position, for reasons which are specified nicely at E-F. G-H then tells us what difference is made between the field of possession and the one of purchase. Scripture, of course, states this same rule. I (= Lev. 25:32) is distinct from the foregoing construction. It excludes priests and Levites from the Jubilee rule. They may redeem a field even after the Jubilee year. I do not understand why it has been placed here. I.1, as usual, provides a scriptural foundation for the positions of the authorities of the Mishnah-passage. Unit II.1. investigates the implications of the formulation of the rule as the Mishnah presents it.