

דלמא מימנעי ולא פרקי ליה –

Perhaps they will refrain and not redeem him

OVERVIEW

redeemed רבו שני if רבו ראשון explained that the reason the slave does not serve him with the intent to free him (even though it was before יאוש) is because otherwise people will be reluctant to redeem him from the עכו"ם, since he will remain a slave. תוספות qualifies the application of this concept.

asks: תוספות

ואם תאמר מהאי טעמא כשפדאו לשום עבד ישתעבד לרבו שני –

And if you will say; for this same reason, when he was redeemed to remain an עבד, he should serve רבו שני, who redeemed him (for otherwise no one will redeem him, for they are not benefitting from it) –

answers: תוספות

ויש לומר דמטעם זה אין ראוי לגזול לזה¹ את עבדו וליתנו לחבירו –

And one can say; that this reason is not sufficient to steal the slave from רבו - רבו שני and give it to ראשון

ולא שייך האי טעמא אלא כשפודהו לשם מצוה לשם בן חורין:

For this reason (of דלמא ממנעי ולא פרקי) is applicable only when he redeems him for the sake of a מצוה, that he should be a בן חורין, but not if he redeems him for personal gain.

SUMMARY

The reason of דלמא ממנעי ולא פרקי (which permits us to 'steal' the עבד from רבו לשם מצוה) applies only when the slave is redeemed

THINKING IT OVER

Why, when he is פודה לשם מצוה the reason of דלמא ממנעי ולא פרקי is sufficient to 'steal' the עבד from רבו ראשון (and set him free); however when he is פודה לשם עבדות then this reason is not sufficient to 'steal' the עבד from רבו ראשון?²

¹ מייאש was not רבו ראשון; we cannot give away his slave so that someone else should benefit at his expense.

² See נה"מ and פנ"י.