

דיבור¹ זה שייך לעמוד ב'

עבד ד' ופשו ליה תרתי ניתיב ליה תרתי כפי שניו – He worked four years and two remain, he should give him two, according to his years

Overview

The גמרא asked; why should we say that עבד means² the עבד became worth more and מעט בשנים means the עבד became worth less; let us say that מעט בשנים means that since he already worked four years so two years remain, therefore the עבד has to pay for the remaining two years שניו³. There is a dispute between רש"י and תוספות as to how to explain the גמרא's question.

פירש בקונטרס⁴ לא איירי קרא לא בהשביח ולא בהכסיף⁵ -

רש"י explained that the question is that we should assume that the פסוק is not discussing either a case where the value of עבד improved, nor a case where the value of the עבד declined.

פרש"י asks on תוספות:

וקשה דאם כן אמאי שני קרא בלישניה נכתוב אידי ואידי מכסף מקנתו או כפי שניו -

And there is a difficulty with this explanation, for if indeed it is so that the value of the עבד did not change, why does the פסוק change its syntax, it should write by both places either מקנתו מכסף, or כפי שניו; why by רבות בשנים does it state מכסף (indicating that we follow the purchase price) and by מעט בשנים it states כפי שניו (indicating [perhaps] that we follow his current value).

תוספות offers his interpretation:

ואומר הרב רבינו ברוך דהכי פירשו אם עוד רבות בשנים דעבד תרתי ופשו ליה ארבע -

רבות בשנים ה"ר ברוך And stated that this is the explanation; if there is still meaning that he worked two years and there remain four years to work, then the עבד - ליתיב ליה ארבע מכסף מקנתו בין הכסיף ובין השביח⁶ -

¹ This עמוד ב' references the גמרא on the following.

² The אם עוד רבות בשנים לפיהן ישיב גאולתו מכסף מקנתו. ואם מעט נשאר בשנים עד שנת היובל, read, ויקרא (בהר) כה, גא-נב in פסוקים. ונחשב לו כפי שניו ישיב את גאולתו.

³ means the opposite that he worked only two years and four years remain, so the עבד has to pay for four years.

⁴ (עמוד ב' בד"ה ניתיב).

⁵ According to רש"י (understanding of) תוס', the פסוק is merely stating that if there are many years (four) left, he pays for the many years, and if there are few years (two) left, he pays for those two years. We are not discussing a case where the value of the עבד increased or decreased.

⁶ Let us assume that the master bought the עבד for nine hundred זוזים for six years of work, which turns out to be one

Should give the master the value of four years of work, based on (the price the master paid for buying him) whether the value of the slave decreased or whether it increased; it makes no difference, in all cases the עבד must pay based on the buying price, the reason why he must use the buying price is -

משום שהוא סמוך לזמן כניסה טפי מזמן יציאה -

Because now after only two years of work, the עבד **is closer to the time he entered** into slavery, **more than he is close to the time of leaving** slavery, therefore we base his redemption price on the purchase price which is the זמן כניסה -

ואם מעט נשאר בשנים דעבד ארבע ופש תרתי ניתב ליה כפי שניו שהוא שוה עתה⁷ -

But if מעט נשאר בשנים meaning **that he already worked four years and only two years remain**, the עבד **should give** the master **כפי שניו** meaning **how much he is worth now** (for the next two years) -

והוא סמוך לזמן יציאה בין הכסיף ובין השביח:

Since after four years of work the עבד **is close to the time of leaving** his slavery. This should apply **whether** his value **decreased or whether it increased**.

Summary

According to רש"י the question was; let us say the פסוק is not discussing a case of הכסיף or השביח. However, תוספות maintains that the question is that regardless whether the עבד should pay a price depending on whether his term now is closest to the כניסה (which is מקנתו) or יציאה (which is כפי שניו).

Thinking it over

1. What would be the ruling if he wants to redeem himself after the two years, but before four years?⁸

2. Which of the two scenarios mentioned in תוספות is more logical; מכסף מקנתו (after two years) or כפי שניו (after four years)?

hundred fifty זוזים per year. After two years, if the עבד want to redeem himself, he must pay the master six hundred זוזים (for the four remaining years) regardless whether the עבד is now worth one hundred זוזים per year (or four hundred זוזים for the four years) or whether he is worth two hundred זוזים per year (or eight hundred זוזים for the four years); he always pays מכסף מקנתו or six hundred זוזים at the valuation at the time of purchase.

⁷ The עבד is now (with two years remaining) worth one hundred fifty זוזים per year, his redemption fee is three hundred זוזים, regardless whether at the purchase he was worth two hundred זוזים per year (the owner paid eight hundred זוזים) or he was worth one hundred זוזים (the owner paid six hundred זוזים); the עבד pays his current market value.

⁸ See בית לחם יהודה אות תקלד and ריטב"א.