

They should not seize and bring

דלא ליגרבו ולייתו -

Overview

The משנה ruled that we should not redeem captives for more than they are worth. The גמרא asked, is it because it will place a greater burden on the community to pay for their redemption (so if an individual wants to redeem someone he may do so)¹, or is it because this will cause the gentiles to seize more and more people (in which case even an individual may not redeem for more than the value). reconciles תוספות this latter view with seemingly contradictory גמרות.

anticipates a difficulty: תוספות

והא דתניא בפרק נערה (כתובות נב,א) נשבית והיו מבקשין ממנה עד עשרה בדמיה -

And this which the ברייתא taught in פרק נערה, 'if one's wife was captured and they wanted ten times her value in order to release her -

פעם ראשון פודה² -

The first time it happens he should redeem her'; this would seemingly contradict this view of ליגרבו!

replies: תוספות

שאני אשתו דהויא כגופו יותר מבתו דהכא³ -

His wife is different (than all other captives) **for she is like his own body**, even more so than the case of the **daughter** mentioned **here**, so since she is כגופו -

ועל עצמו לא תיקנו שלא יתן כל אשר לו בעד נפשו -

There was never an enactment that regarding one's self he should not give whatever he possesses for himself, rather there is no limit; the same applies to אשתו.

anticipates another difficulty: תוספות

ורבי יהושע בן חנניא דפרקיה להווא תינוק בממון הרבה בהניזקין (לקמן דף נח,א) -

And regarding ריב"ה who redeemed that child for much money, which is mentioned in פרק הניזקין, how was he permitted to do so if we assume לגרבו?

responds: תוספות

¹ See רש"י ד"ה או.

² A husband is obligated (by the תנאי כתובה) to redeem his wife if she is taken in captivity. See 'Overview' that according to the reasoning of לגרבו, לא, even an individual should not redeem for more than the value of the captive, so why does the ברייתא state that he should redeem her even for בדמיה?!

³ argued that דרגא לוי בר דרגא may have redeemed his daughter for an exorbitant price כדין. However a wife who is more כגופו than a daughter may be redeemed for more than her value

לפי שהיה מופלג בחכמה⁴ אי נמי בשעת חורבן הבית לא שייך⁵ דלא ליגרבו:

For he was exceedingly bright, or you may also say that during the time of the destruction of the ביהמ"ק, the reason of 'לא ליגרבו', does not apply.

Summary

Redeeming one's self or his wife as well as someone who is מופלג בחכמה are exceptions to the concern of לא ליגרבו (as well as redeeming during the חורבן).

Thinking it over

Why is מופלג בחכמה a sufficient reason to redeem even מכדי דמיו⁶?

⁴ See 'Thinking it over'.

⁵ See 'תוס' there כל ד"ה who writes; כי איכא סכנת נפשות פודין שבויין יותר על כדי דמיהן. Alternately לא ליגרבו טפי is not applicable for the gentiles were seizing everybody anyways.

⁶ See נחלת משה.