



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Gittin Daf Lamed Ches

- **R' Shaman bar Abba in the name of R' Yochanan** said, if a slave escapes from jail, he goes out free from his master. Moreover, we force his master to write a get shichrur for him.
 - **Q:** Our Mishna said, **R' Shimon ben Gamliel** says, no matter the intent for having ransomed the slave, if he was ransomed he remains a slave. Now, **Rabbah bar bar Chana in the name of R' Yochanan** said, we always pasken like the view of **R' Shimon ben Gamliel** in a Mishna except for 3 places. How can **R' Yochanan** pasken like **R' Shimon ben Gamliel** in our Mishna and also say that a slave who escapes from jail is free from his master as well? Now, according to **Abaye** we can say that our Mishna is discussing before the master was meya'eish and the case of escaping from jail is discussing after the master was meya'eish. However, according to **Rava**, who says that even the Mishna is discussing after yi'ush, we have a self-contradiction of **R' Yochanan**!?
A: **Rava** would answer, the reason he continues to be a slave in our Mishna is based on **Chizkiya** (that a slave will have himself captured just to free himself of his master). However, when dealing with a slave who escaped prison, who risked his life to escape, there is no concern that he would put himself into prison to try and free himself of his master. That is why in that case he goes out free from his master.
 - **Shmuel's** maidservant was captured, and some Jews ransomed her with the intent for her to remain a slave. They sent her back to **Shmuel** and told him, we hold like **R' Shimon ben Gamliel**, who says the slave must always remain a slave. And, even if you hold like the **Rabanan**, we ransomed her with intent to remain a slave, and therefore she still belongs to you. Their mistake was that they thought **Shmuel** had not yet been meya'eish, but in truth he already had been. With regard to **Shmuel**, not only did he not take her back, he said she is free without even needing a get shichrur, because he darshens a pasuk to teach, if a person is mafkir his slave, the slave is free and does not need a get shichrur.
 - **R' Abba bar Zutra's** maidservant was captured and was redeemed by a goy for the purpose of marrying her. The **Rabanan** sent to **R' Abba** – if you want to do the right thing and help her, send her a get shichrur.
 - **Q:** If the **Rabanan** were able to redeem her from the goy, why did they need him to send a get shichrur? If they were not able to do so, how would his sending the get shichrur help the situation? **A:** They were able to redeem her from the goy. They wanted him to send her a get shichrur, because if he did (and she thereby becomes a full-fledged Jew) it would be much easier to raise the necessary funds to redeem her from the goy. **A2:** They were not able to redeem her (the goy was unwilling), but they figured that if a get shichrur is sent to her, the goy would become disenchanted with her (since this shows that she was a slave) and will then allow her to be redeemed.
 - **Q:** We have learned that goyim want anything that belonged to a Jew, so why would the fact that she was slave to a Jew cause him to lose interest in her? **A:** In private they want that, but when it becomes known publicly, it is embarrassing for them. Therefore, the sending of the get shichrur would make him lose interest in her.

- There was a maidservant with whom men were sinning. **Abaye** said, if not for the statement of **R' Yehuda in the name of Shmuel**, who said that one is over on an assei if he frees a slave, I would force this master to free this woman (so she can marry a Jew, who would put an end to that behavior). **Ravina** said, in such a case even **R' Yehuda** would say it would be permitted to free her, to prevent the aveiros from happening.
 - **Q:** We find that **R' Nachman bar Yitzchak** instructed that a master fully free his maidservant who was already half-freed, because men were doing aveiros with her. This is contrary to what **Abaye** said above!? **A:** In **Abaye's** case it is possible to marry her off to a slave, and that too would put an end to the aveiros, and there was therefore no need to free her. In this case, since she was already half-free, the only way she could marry would be if she were to become totally free.
- We have mentioned above, that **R' Yehuda in the name of Shmuel** said that one is over on an assei if he frees a slave, based on the pasuk of "l'olam bahem ta'avodu".
 - **Q:** We have learned that **R' Eliezer** freed his slave when he needed one person for a minyan!? **A:** They may be freed to allow for fulfillment of a mitzvah.
 - The Gemara says, you can't answer that **R' Eliezer** held like **R' Yishmael** who says that the assei to keep them forever is not an obligation, because we find that **R' Eliezer** clearly says that it is an obligation.
 - **Rabbah** said, 3 things cause a person to lose his wealth: letting slaves go free, checking on properties on Shabbos, and making their Shabbos meals the same time as the rav's drasha.
 - **Rabbah in the name of Rav** said, if one makes a slave hekdesch, the slave goes out free. The reason is, his body can't become kadosh, and he didn't mean to make his value kadosh, because he would have been more specific. Therefore, what he must have meant was that this slave should become part of the "Holy Nation" (the Yidden) and must have meant to free him. **R' Yosef in the name of Rav** said, if one makes his slave hefker, he goes out free.
 - **Rabbah** would definitely agree with **R' Yosef** (if one declares his slave to be hefker, he would go out free). **R' Yosef** may not agree with **Rabbah**, because he could say that the person meant to make the value of the slave kadosh.
 - **Q:** Does a slave who is freed using one of these ways need a get shichrur? **A:** **R' Chiya bar Avin in the name of Rav** said that he does need a get shichrur.
 - **Q:** **Rabbah** asks on himself, a Braisa says that if a slave is made hekdesch, the slave should be sold to others and they may free him if they want. This suggests that the slave was meant to be kadosh for his value!? **A:** We can't ask on **Rav** from a Braisa, because **Rav** is like a Tanna and can argue on a Braisa.
 - **Q:** A Braisa learns from a pasuk that a slave can be given to hekdesch!? **A:** The Braisa is discussing where the person specifically said it is being given for its value. We can't say this about the other Braisa brought as a question, because if he was only made kadosh for his value, how can he be sold to others to be freed? The master must give the slave's value. There is no ownership given to hekdesch at all!
 - **Q:** A Braisa says that if a slave is given to hekdesch, the slave may work for food, because he is only hekdesch for his value. We see that he doesn't go out free, and this is not what **Rabbah** said!? **A:** This Braisa follows **R' Meir**, who says we must follow what one says, because he would not promise something to hekdesch without purpose. However, according to the **Rabanan**, we would say that the statement said was a statement to make the slave free.