



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

Kiddushin Daf Yud Daled

BACHALITZA

- We learn that chalitza permits her to marry any man, based on the pasuk of "v'nikra shemo b'Yisrael beis chalutz hanaal". This teaches that once chalitza is done she becomes mutar to any man from Klal Yisrael.
 - **Q:** The word "Yisrael" is used for the drasha of **R' Shmuel bar Yehuda**, to teach that it must be done in a Beis Din of Yidden, and not a court of goyim!? **A:** The word Yisrael is written twice, and therefore two drashos are available.
 - **Q:** The pasuk is used by **R' Tarfon** in a Braisa to teach that the people who see the chalitza being done must yell out "beis chalutz hanaal"!? **A:** That is learned from the words "v'nikra shemo".

UVIMISAS HAYAVAM

- This is learned from a kal v'chomer: if death of the husband releases a wife, who until then was assur to marry another man and would face the misa of chenek if she did, then surely the death of the yavam will release the yevama, who was anyway only assur to marry another man based on a lav.
 - **Q:** We can ask that maybe a regular married woman is released with the husband's death, because she can also be released with a get. However, a yevama, who cannot be released with a get, maybe cannot be released with the death of the yavam!? **A:** The yevama can be released with chalitza, and therefore can be compared to a woman who is released with a get. Therefore, the kal v'chomer can stand.
 - **Q:** Maybe a regular woman is released with the death of her husband because the man who made her assur is now releasing her with his death. However, a yevama was made assur by her husband and is being released by the brother!? **A:** **R' Ashi** said, it is the yavam who is making her assur (if not for him she would have been released upon the husband's death) and therefore his death can release her.
 - **Q:** Why don't we say that a regular woman can be released with chalitza based on a kal v'chomer – if a yevama, who cannot be released with a get, can be released with chalitza, then surely a regular woman, who can be released with a get, can be released with chalitza! **A:** The pasuk regarding a regular woman says "sefer krisus", which teaches that only a get can release her, and not chalitza.
 - **Q:** Why don't we say that yevama can be released with a get based on a kal v'chomer (if she can be released with chalitza, surely she can be released with a get)? **A:** The pasuk regarding chalitza says "kacha", which is exclusionary, and teaches that only chalitza can release her.
 - **Q:** Do you mean to say that whenever there is exclusionary language we don't darshen a kal v'chomer? Regarding the gorel on Yom Kippur, a Braisa says that if not for a pasuk we would darshen a kal v'chomer, and this is so even though the pasuk says "chukah", which is exclusionary language!? **A:** The reason a get can't be used for a yevama is because the pasuk regarding get says "lah", which teaches that it can only be used for a regular woman, and not for a yevama.
 - **Q:** Maybe "lah" teaches that it must be written lishma, and is not available for this drasha? **A:** The word "lah" is written twice.
 - **Q:** One "lah" is needed to teach lishma, and the other "lah" is needed to teach that a get can't be written for two women (even if written lishma)!? **A:** The pasuk regarding chalitza says "naal", which teaches that only chalitza will work for her, and a get will not work for her.

- **Q:** The word “naal” is used by a Braisa for a different drasha, which teaches that the shoe used for the chalitza need not belong to the yavam!? **A:** The pasuk says “hanaal”, and the extra “hey” allows for a second drasha.

MISHNA

- An eved ivri can be acquired with money or with a shtar, and he can acquire himself back after completing 6 years, or when Yovel arrives, or through redemption with deducting money off the purchase price for the years already served (“gra’on kesef”). An amah ivriya is the same, but has an additional method of acquiring herself back – her getting simanim at adulthood.
- The slave who is a “nirtza” is acquired with the drilling through his ear against the door, and he acquires himself back at Yovel and upon the death of the master.

GEMARA

- **Q:** How do we know that an eved ivri is acquired with money? **A:** The pasuk says “mikesef miknaso”.
 - **Q:** That gives the source for an eved ivri sold to a goy, since a goy can only acquire things with money, he can acquire the eved with money as well. How do we know that when a Yid buys the eved ivri he can also acquire him with kesef? **A:** The pasuk says “v’hefda”, which teaches the concept of gra’on kesef, which must mean that she was acquired with money.
 - **Q:** That can serve as the source for an amah ivriya. What is the source for an eved ivri? **A:** The pasuk says “achicha ha’ivri oy ha’ivriya” and makes a hekesh between eved ivri and amah ivriya.
 - **Q:** This can serve as the source for an eved ivri that is sold into slavery by Beis Din, but this may be because he can also be sold against his will. How do we know this is so for an eved ivri who sells himself into slavery as well? **A:** There is a gezeira shava on the word “sachir” (which is written once by an eved sold by Beis Din and again by an eved who sold himself).
 - **Q:** That is good according to the shita who holds of this gezeira shava. What can be said for the shita who doesn’t hold of this gezeira shava? **A:** The parsha begins with the conjunctive “v’chi sasig”, which allows us to learn the previous parsha from this parsha, and teaches that just as an eved ivri can be acquired by a goy with money, the same is true for an eved ivri who sells himself to another Yid.
 - **Q:** Who is the Tanna that does not hold of the gezeira shava on the word “sachir”? **A:** It is the **T”K** of the following Braisa. The Braisa says that if a person sells himself as an eved ivri he may sell himself for 6 years or even for more, whereas when Beis Din sells a person as an eved ivri, they may only sell him for a six year period. One who sells himself cannot become a nirtza, whereas one sold by Beis Din can. One who sells himself is not entitled to presents when he goes out free, whereas one sold by Beis Din is. One who sells himself may not be given a non-Jewish maidservant to marry, whereas one sold by Beis Din may. **R’ Elazar** says, both of these people may only be sold for 6 years, may become a nirtza, are entitled to presents when they go out free, and may be given a non-Jewish maidservant to marry. Presumably, the machlokes is that the **T”K** does not hold of the gezeira shava that connects the two types of slaves, whereas **R’ Elazar** does.
 - **R’ Tavyumei in the name of Abaye** said, that it may be that even the **T”K** agrees to the gezeira shava of “sachir”. The reason that he holds that in these few cases the types of slaves are treated differently is based on specific reasons for each difference.
 - Regarding the term of 6 years, the pasuk regarding the one sold by Beis Din says “va’avadcha sheish shanim”, teaching that only he has a 6 year term limit. **R’ Elazar** uses this word to teach that

he is to work only for the master and not for any heirs other than a son. The **T”K** learns this from another time that “va’avadcha” is written, whereas **R’ Elazar** says, that just serves to appease the master who finds it difficult to free the eved after 6 years.

- Regarding becoming a nirtza, the pasuk regarding one sold by Beis Din uses the word “azno”, which is limiting and teaches that it only applies to one sold by Beis Din. **R’ Elazar** uses this word for a gezeira shava to teach that it is done to the right ear. The **T”K** learns this gezeira shava, but says the possessive “vuv” at the end is available for the drasha. **R’ Elazar** says the “vav” teaches that only a man can become a nirtza, and a woman cannot. **T”K** learns this from the pasuk of “v’ihm yomar ha’eved”. **R’ Elazar** uses that to teach that he must say so while he is still an eved. **T”K** learns this from the extra “hey” of “ha’eved”. **R’ Elazar** doesn’t darshen this extra “hey”.
- Regarding receiving presents when he is freed, the pasuk regarding one sold by Beis Din uses the word “haanik taanik lo”, which is limiting and teaches that it only applies to one sold by Beis Din. **R’ Elazar** uses this word to teach that his heirs are not entitled to the presents.
 - **Q:** Why wouldn’t his heirs be entitled to the presents? It is part of his earnings, and they should get it!? **A:** **R’ Elazar** uses the “lo” teach that the presents are not given to his creditors. Normally we hold like **R’ Nossan** that money is given directly to a person’s creditor. The pasuk here teaches that in this case it is not. The **T”K** never holds like **R’ Nossan**, and therefore doesn’t need a special pasuk here to teach differently.
- Regarding the ability to give him a non-Jewish maid as a wife, the pasuk regarding one sold by Beis Din uses the word “lo”, which is limiting and teaches that it only applies to one sold by Beis Din. **R’ Elazar** uses this word to teach that it may be given to him even against his will. **T”K** learns this from the pasuk that suggests that an eved ivri works twice as much as any other worker. Now, this can’t refer to regular work, because an eved ivri is not allowed to be overworked. Rather, it refers to the fact that the master can give him the maid as a wife. **R’ Elazar** says this would not teach that it can be done against his will, so the other pasuk is needed.