



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

### Kiddushin Daf Tes Vuv

- **Q:** The Gemara has tried to identify who the Tanna is that does not hold of the gezeira shava of "sachir", but has been unsuccessful. The Gemara asks again, who is the Tanna? **A:** It is **R' Eliezer ben Yaakov** in a Braisa who says that a separate pasuk is needed to teach that one sold by Beis Din goes out free at Yovel. There is already a separate pasuk for one who sells himself, and a separate pasuk for a nirtza. The third pasuk must therefore be referring to one sold by Beis Din. Now, if he holds of the gezeira shava there would be no need for this pasuk. Therefore, it must be that he does not hold of the gezeira shava.
  - **R' Nachman bar Yitzchak** said, this is no proof. It may be that he does hold of the gezeira shava, and still a pasuk is needed to teach this. We would think that since one sold by Beis Din did an aveira (which is the reason he was sold), he should not be entitled to go out at Yovel. Therefore, the pasuk teaches to specifically free him at Yovel as well.
- The Braisos have stated that the pasuk of "v'shav ehl mishpachto" refers to one sold by Beis Din, the pasuk of "ahd shnas haYovel" refers to one who sells himself, and the pasuk of "v'shavtem ish ehl achuzaso" refers to a nirtza.
  - **Q:** How do we know which pasuk refers to which kind of slave? **A:** **Rava bar Shila** said, the last pasuk says "ish", which means it refers to something that only applies to men and not to women, which is the concept of nirtza.
  - We could not learn out nirtza from one sold by Beis Din or visa-versa, because if we were only taught regarding one sold by Beis Din, we would say that he never showed desire to stay past his obligated time, and therefore we let him free at Yovel, but one who is a nirtza, should be penalized for desiring to stay longer. And, if we were only taught regarding nirtza, we would say that he has at least worked for 6 years and therefore may go out free at Yovel, but a person sold by Beis Din who has not yet worked for 6 years should not go out at Yovel.
  - The pasuk regarding a nirtza says he is to work forever ("l'olam"), but the pasuk then says "v'shavtem", which teaches that he goes out free at Yovel. If it would only say "l'olam", we would think that he is to work in servitude forever. If it would only say "v'shavtem", we would think that a nirtza only serves for an additional 6 year term.
- The Gemara now again asks for the identity of the Tanna who does not hold of the gezeira shava of "sachir". The Gemara says it is the view of **Rebbi** in a Braisa, which says that the pasuk of "v'ihm lo yigael b'eileh" teaches that a Yid who is sold to a goy as a slave may be redeemed by his relatives, but does not go out free at 6 years. We would think to say that he does go out at 6 years based on a kal v'chomer – if a Yid who is sold to another Yid, who cannot be redeemed by relatives, goes out at 6 years, then the Yid sold to a goy, who can be redeemed by relatives, surely goes out free at 6 years! The pasuk therefore teaches that this is not so. Now, if **Rebbi** held of the gezeira shava, he would say that it teaches that even a Yid sold to another Yid can be redeemed by his relatives. Since he does not hold that, it must be that he does not hold of the gezeira shava.
  - **R' Nachman bar Yitzchak** said, it may be that **Rebbi** holds of the gezeira shava. The reason why the Yid sold to the Yid cannot be redeemed by relatives is because the pasuk regarding a Yid sold to a goy says "yigalenu", which teaches that only such a slave may be redeemed by relatives.
  - **R' Yose Haglili and R' Akiva** argue on **Rebbi**. **R' Yose Haglili** says that the "eileh" teaches that when he is redeemed by relatives he need not work for the relatives, but rather goes out free, and if he is redeemed by someone else, he would have to work for that

other person. **R' Akiva** says, when he is redeemed by relatives he must work for them, and when he is redeemed by other people he goes out free.

- **Q:** What is the basis for the machlokes? **A: R' Yose** says the pasuk says “if he is not redeemed by these”, rather by someone else who is not a relative, then “he goes out at Yovel”. **R' Akiva** says, the pasuk should be read as saying “if he was not redeemed by anyone *but* (“elah”) the relatives, then he goes out at Yovel. **R' Yose** says, the pasuk doesn't say “elah”, so this reading can't be right!
- Based on **R' Yose's** objection, the Gemara tries a new understanding. The machlokes is based on the following. The pasuk says “oy dodo oy ben dodo yigalenu”, this refers to relatives, “oy hisiga yado”, this refers to self-redemption, “v'nigal” refers other people redeeming him. **R' Yose** holds we darshen and compare redemption by relatives to self-redemption – just as self-redemption means he goes out free, so too redemption by relatives sets him free. **R' Akiva** makes a similar drasha, only he says to compare self-redemption to what follows it in the pasuk – the case of redemption by others (and teaches that he goes out free in that case).
- **Q:** If this is the base of their machlokes, why do we need the pasuk of “b'eileh”? **A:** If we didn't have “b'eileh” we would say that the pasuk should be darshened to what is before and to what is after and in all cases of redemption he should go out free.
  - **Q:** If so, we must rely on the “b'eileh”, and if we do, we have the same question on **R' Akiva** as we did previously – how does he understand that pasuk according to his view? **A:** Rather, the basis of the machlokes is logic. **R' Yose** holds that it makes sense that when others redeem him he must work for them, or else other people will never redeem him. **R' Akiva** says, when relatives redeem him he must work for them. If we would not require that, then he would constantly sell himself and rely on the relatives to come and redeem him to set him free.
- **R' Chiya bar Abba in the name of R' Yochanan** said, the **Chachomim** argue on them both, and hold that in all cases of redemption, the person goes out free.
  - **Q:** Who is the **Chachomim**? **A:** It is the view of **Rebbi**, who uses the “b'eileh” for a different drasha, and therefore, in the pasuk of “oy dodo...” he makes the drasha to the previous phrase and to the later phrase.
    - **Q:** According to **Rebbi**, when do we apply the pasuk that says that when he is sold to a goy he goes out at Yovel? **A:** That teaches that if he is sold to a goy who is under the jurisdiction of the Yidden, we set the slave free at Yovel.