



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

Kiddushin Daf Yud Zayin

- A Braisa says, how much severance must the master give to the servant? **R' Meir** says he must give 5 sela'im worth of each of the categories of gifts mentioned in the pasuk (from the flock, the grain, and the wine), for a total of 15 sela'im. **R' Yehuda** says he must give the value of 30 sela'im, just like the owner of an ox that killed a non-Jewish slave must give to the owner of the slave. **R' Shimon** says he must give the value of 50 sela'im, which is the same amount as the highest value that must be given upon a person making an eirech vow.
 - **Q:** Is **R' Meir** teaching us how to count (he tells us he must give 5 sela'im of 3 categories, so why does he need to tell us that the total is 15 sela'im)!? **A:** He is teaching us that the main requirement is that it cannot be less than 15 sela'im. Therefore, if he gives less than 5 sela'im worth of one category he just adds more value to the amount from another category.
 - **Q:** What is the basis for **R' Meir's** view? **A:** He learns a gezeira shava on the word "reikam" from bechor. Just as pidyon haben is with 5 sela'im, the severance requirement is also 5 sela'im.
 - **Q:** Maybe the requirement is for a total of 5 sela'im, and not 5 sela'im from each category!? **A:** Since the pasuk says the word "reikam" before it lists the categories (as opposed to after), it teaches that the word "reikam" is going on each category separately, and therefore each category must be 5 sela'im.
 - **Q:** Why don't we learn the gezeirah shava from the "Olas Re'iya" obligation, where it also says "reikam", and only 2 me'ah need be spent!? **A:** The pasuk regarding the severance says "asher beirachicha Hashem Elokecha", which teaches to expand the severance obligation and not to diminish it. Therefore, we will say that 5 sela'im is the better source of comparison.
 - **Q:** What is the basis for **R' Yehuda's** view? **A:** He learns a gezeirah shava of "nesinah" from the case of the slave who was killed by an ox. Just as there the penalty is 30 sela'im, so too here the obligation is 30 sela'im.
 - **Q:** Why doesn't he learn the gezeirah shava from Eirechin, where it also says "nesinah" and the amount is 50 sela'im? **A:** First, "tafasta merubah lo tafasta" – if you have a choice to learn a greater requirement or a lesser requirement, we must choose the lesser requirement. Second, **R' Yehuda** felt it more important to learn an obligation regarding a slave from an obligation regarding a slave, rather than from an eirechin obligation.
 - **Q:** What is the basis for **R' Shimon's** view? **A:** He learns a gezeirah shava of "nesinah" from Eirechin. Just as there the obligation is 50 sela'im, so too here the obligation is 50 sela'im.
 - **Q:** Maybe we should say that the gezeirah shava teaches a smaller eirechin obligation, rather than 50 sela'im, which is the maximum possible eirechin obligation!? **A:** The pasuk regarding the severance says "asher beirachicha Hashem Elokecha", which teaches to expand the severance obligation and not to diminish it.
 - **Q:** Why doesn't he learn the gezeirah shava from the slave who was killed, where it also says "nesinah" and the amount is 30 sela'im? **A:** **R' Shimon** bases his view on a gezeirah shava of "micha" (poor), which is written regarding severance and regarding eirechin (and not regarding the killed slave).
 - **Q:** According to **R' Meir** it makes sense why the Torah must specify the 3 categories of gifts (to get to a total of 15 sela'im). However, according to **R' Yehuda and R' Shimon**,

why was this necessary? **A:** It is necessary as is taught in a Braisa. The Braisa says, we would think that the severance must be given only from the 3 categories listed in the pasuk (flocks, grain, wine). How do we know that the gifts may be given from any item and is not limited to these 3? The pasuk says “asher beirachicha Hashem Elokecha”, which is inclusive, and includes all items. If so, why even mention the 3 categories at all? It was written to teach that just as these 3 categories are items that increase (flock produce offspring, grain and grapes grow), the items given to him must be items that increase. **R’ Shimon** says this comes to exclude the master giving him money, and **R’ Eliezer ben Yaakov** says this comes to exclude the master giving him mules (which cannot produce offspring).

- **R’ Shimon** holds that mules can grow bigger and stronger, and therefore they are considered to be in the category of things that grow. **R’ Eliezer ben Yaakov** holds that money can be invested and can thereby “grow”, and is therefore included in the category of things that grow.
 - The Gemara says, that according to the Braisa, all 3 items in the pasuk were necessary to be listed. If it would only say flocks, we would think that only living animals can be given, but not plant life. If the Torah would only have said grains, we would think that only plant life can be given, and not animals. Therefore both of these had to be written. The Torah then writes wine as an exclusion – either to exclude money or to exclude mules, according to each view.
- A Braisa says, the pasuk says “asher beirachicha Hashem Elokecha”. We would think that if the house of the master saw bracha through the slave, then there is a severance obligation, and if it did not, there is no obligation. The pasuk therefore says “haanik taanik”, to teach that in any case a severance must be given. The pasuk of “asher beirachicha Hashem Elokecha” teaches that if alot of bracha did come to the house through the slave, the master should increase the amount of the severance accordingly. **R’ Elazar ben Azarya** says, the pasuk is meant as written. Therefore, if the house saw bracha through the slave, a severance must be given, and if it did not, no severance need be given. If so, why did the pasuk write the double verbiage of “haanik taanik”? The Torah wrote in the style that people speak (but no drasha is to be made from that).
- A Braisa says, if the master dies, an eved ivri must serve under his son, but not under his daughter. An amah ivriya does not serve under the son or the daughter. A nirtza and an eved ivri sold to a goy does not serve under the son or the daughter.
 - **Q:** How we know that an eved ivri serves under the son but not the daughter? **A:** A Braisa says, the pasuk says “va’avadcha sheish shanim”, which teaches he serves you, and not the heirs other than the son. Maybe it means to say that he also doesn’t serve the son? The pasuk of “sheish shanim yaavod” teaches that he does serve the son. Therefore, the pasuk of “va’avadcha” must be teaching that he does not serve the other heirs.
 - **Q:** We have an inclusionary pasuk and an exclusionary pasuk, so why do we choose to include the son and to exclude the other heirs? **A:** We include the son because he steps into his father’s shoes regarding “yi’ud” and regarding redeeming a field from hekdesch so that it not go to the Kohanim at Yovel.
 - **Q:** Maybe we should include a brother, since he steps into his shoes in a case of yibum!? **A:** Yibum only exists when there is no son, so we see that the son is in a stronger position than the brother.
 - **Q:** Without this answer we should say that a son is stronger because he steps into the father’s shoes for 2 things whereas the brother only does for one? **A:** The only way we know that a son is the one who steps into the father’s shoes for redemption of a field is because we say that he is stronger than the brother, since there is no yibum if there is a son. Therefore, the whole strength of the son is based on that argument.
 - **Q:** How do we know that an amah ivriyah doesn’t serve the son or the daughter (and instead goes out free upon the death of the master)? **A:** **R’ Pada** said, the pasuk says “v’af la’amascha taaseh kein”, which compares amah ivriya to a nirtza with a hekesh,

and teaches that just as a nirtza doesn't serve the son or the daughter, the same is true for an amah ivriya.

- **Q:** A Braisa says this pasuk is needed to teach that an amah ivriya gets severance gifts upon her freedom!? **A:** The word "taaseh" is extra, and therefore allows for a second drasha.
- A nirtza doesn't serve the son or the daughter based on the pasuk of "va'avado l'olam", teaching that he is the servant of the master and no one else.
- The eved ivri sold to a goy does not serve the son or the daughter. **Chizkiya** said, this is based on the pasuk of "v'chisheiv ihm koneihu", he deals with the one who bought him, and not with the heirs of the one who bought him.
- **Rava** said, D'Oraisa a goy inherits his father's possessions. We learn this from the pasuk quoted by **Chizkiya**, and see that in that case they don't inherit, but in all other cases they do.
 - **Rava** also said, the right of a ger to inherit his father who is a goy is only D'Rabanan. We see this from a Mishna which allows the ger to make a deal with his brother (who is a goy) that the brother should take the avodah zarah and the ger should take the other assets (since avodah zarah would be assur for him to benefit from). However, once the assur items entered his reshus, he would no longer be allowed to trade them for other assets. Now, if he inherits D'Oraisa, he has a share in the avodah zarah immediately, and any deal would be like him trading avodah zarah for some other assets. We see it is only D'Rabanan, and the **Rabanan** were goizer that the ger inherits so that he not decide to go back to his non-Jewish ways and in that way inherit his father's assets.
 - A Braisa says like this as well.
 - **Rava** also said, the right of a goy to inherit the possessions of his father who became a ger, and the rights of a ger to inherit the possessions of his father who was also a ger, does not exist D'Oraisa or D'Rabanan.
 - We see this in a Braisa as well, which says that if a person borrows money from a ger whose children converted along with him, and the lender then dies, there is no need for him to pay back the loan to the children, even D'Rabanan.
 - **R' Chiya bar Avin in the name of R' Yochanan** said, we learn that a goy inherits based on the pasuk of "ki yerusha l'Eisav nasati es Har Sei'ir".
 - **Q:** Maybe Esav inherited because he was actually Jewish, although not observant? **A:** Rather, we learn it from the pasuk of "ki livnei Lot nasati es Ahr yerusha".
 - **Q:** Why doesn't **R' Chiya bar Avin** use the pasuk of **Rava**? **A:** He says that the pasuk is not necessarily teaching that the fact that an eved ivri is not inherited by the goy is an exception to the rule. It may be saying that that is the general rule, that a goy does not inherit from his father!
 - **Q:** Why doesn't **Rava** use the pasuk of **R' Chiya bar Avin**? **A:** He holds that Lot's descendants may have been treated differently than other goyim only for the honor of Avrohom Avinu. Therefore, this cannot serve as a basis for the inheritance of other goyim.