



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

Kiddushin Daf Yud Ches

- A Braisa says, there are certain halachos of an eved ivri that don't apply to an amah ivriya, and there are certain halachos of an amah ivriya that don't apply to an eved ivri. An eved ivri goes free at 6 years, with Yovel, and with the death of the master, while an amah ivriya does not. An amah ivriyah goes out free with simanim, and may not be sold for a second time, and is redeemed even against the will of the master, whereas this is not the case for an eved ivri.
 - **Q:** Our Mishna says that an amah ivriya has the methods of freedom of an eved ivri, and in addition has the method of simanim!? **A: R' Sheishes** said, the Braisa is discussing an amah ivriya who underwent yi'ud, and is thereby married to the master (therefore she does not go out with 6 years, Yovel, etc.).
 - **Q:** In that case it is obvious that the only method of "exit" is with a get!? **A:** We would think that she continues to have the halachos of an amah ivriyah. The Braisa teaches that she does not.
 - **Q:** If this is the case, why does the Braisa say that she goes free with simanim? **A:** The Braisa is saying, if the master did not marry her via yi'ud (and she remains a regular amah ivriyah), she goes free with simanim.
 - **Q:** The Braisa suggests that an eved ivri can be sold for a second time. However, a Braisa says that the word "bigneivaso" teaches that he cannot be sold a second time!? **A: Rava** said, he cannot be sold a second time for a single act of stealing, but he can be sold again for another act of stealing.
 - **Q: Abaye** asked, the word "bigneivaso" seems to include even multiple acts of stealing, and teaches that he may be sold only once!? **A:** Rather, he may be sold only once for each person that he steals from, even if there were multiple acts against that one person.
- A Braisa says, if he stole something worth 1,000, and he himself is only worth 500 when sold as a slave, he can be sold once and then sold again to reach the value of the stolen item. If the stolen item was worth 500 and he himself was worth 1,000, he is not sold for this act of stealing. **R' Eliezer** says, if the value of the stolen item and the value of the thief are equal, he is sold. If the values are not equal, he does not get sold.
 - **Rava** said, **R' Eliezer** won over the **T"K** with the following argument. Why is it that when he is worth more than the stolen item he is not sold? This is based on the pasuk of "nimkar", which suggests that he must be sold in his entirety, and not just partially. Using that same logic, we must darshen the word "nimkar bigneivaso" to teach that he is only sold for the entire stolen item, and not for half of it.
- The Braisa said that an amah ivriyah may be redeemed against "his" will. **Rava** thought to say, this means against the will of the master. **Abaye** asked, is this to mean that we allow the father to give a promissory note for her value to the master and force the master to accept it and to free the girl? How can we force him to accept a piece of paper in return for a real asset? Rather, **Abaye** said, the Braisa means she can be redeemed against the will of the father. If he can afford to redeem her, we force him to do so even against his will, so that it not be a disgrace to the family.
 - **Q:** If so, why don't we force the relatives of an eved ivri to redeem him so that it not lead to a disgrace of the family? **A:** If we would do so, he would go and sell himself again, to keep the money again.
 - **Q:** Why don't we have this concern regarding the amah ivriyah? **A:** A girl may not be sold as a slave more than once. This follows the view of **R' Shimon** in a Braisa, who says that a girl cannot be sold into slavery more than once. The **T"K** argues and says that she may.

- The machlokes between the **T”K** and **R’ Shimon** is the same as the machlokes in another Braisa. A Braisa says, the pasuk says that a father may not sell his daughter after having been “b’vigdo vah”. **R’ Akiva** says, since the word is read as if there is a “yud”, it is understood as referring to an article of clothing, which is what is used for chuppah and marriage, and therefore means that after he has given her away in marriage, he may no longer sell her into slavery (even if she was widowed or divorced and is back in his house). **R’ Eliezer** says, since the word “b’vigdo” is written without a “yud”, it should be understood as meaning betrayed. This means, that once he has betrayed her by selling her into slavery, he may not sell her into slavery again. **R’ Shimon** holds that we darshen the word both ways, and that is why he holds that she may not be sold into slavery after having been sold once, or after having been given in marriage.
- **Q: Rabbah bar Avuha** asked, when a master does “yi’ud”, does that accomplish a kiddushin or does it even accomplish a nissuin? The difference would be whether she becomes his full wife for purposes of inheriting her, being tamei to her if he is a Kohen, and to being meifer her nadarim. **A:** The Braisa quoted above seems to be referring to yi’ud, and says that once she was given in yi’ud she may no longer be sold as a slave. However, it seems that she would be able to be given in marriage even after a yi’ud. Now, if yi’ud accomplished nissuin, the father would no longer be able to give her away in marriage again. Therefore, it must be that the yi’ud only accomplishes kiddushin.
 - **R’ Nachman bar Yitzchak** said, this is no proof. The Braisa may be referring to a regular kiddushin, and that is why the father would still be allowed to give her away in marriage if the kiddushin was terminated.
 - Maybe we can bring a proof from another Braisa. The Braisa says, a father may not sell his daughter as a slave to relatives (who would be unable to marry her). In the name of **R’ Eliezer** they said that he may even sell her to such relatives. All would agree that if she is a widow he may sell her to a Kohen Gadol, and if she is a divorcee or a chalutzah, he may sell her to a regular Kohen. Now, this girl who is a widow, what are the circumstances of her first marriage? If she accepted kiddushin on her own, the kiddushin would not be effective (she is a minor). If the father had accepted kiddushin for her, how can he sell her now? We have learned that once he gave her away in marriage he may no longer sell her!? **R’ Amram in the name of R’ Yitzchak** therefore explained that the Braisa is discussing a case of yi’ud, and is following the view of **R’ Yose the son of R’ Yehuda**, who says that when yi’ud is done, the value given for the yi’ud is the remainder of the years of service left, and therefore it is viewed as if the girl is the one getting the “money”, which is why it is not considered as if the father gave her away in marriage, and would be why he could then sell her into slavery. Now, if yi’ud is considered to accomplish nissuin, how could he then sell her into slavery? It must be that yi’ud only accomplishes kiddushin!
 - **Q:** Even if the yi’ud only accomplishes kiddushin, how could the father later sell her? We have learned that once she is given in marriage she may no longer be sold!? Rather, you are going to have to say that there is a difference between him giving her away in kiddushin to her giving herself away in kiddushin. Once you have to say this, you can also say that yi’ud even accomplishes nissuin, and the reason that the father could sell her after the nissuin is that there is a difference between when she enters into nissuin on her own, and when the father gives her away with nissuin! **A:** It makes sense to say there is a difference between his and her kiddushin. It makes no sense to say there is a difference between his and her nissuin.
 - **Q:** According to **R’ Nachman bar Yitzchak**, who says that even **R’ Yose the son of R’ Yehuda** holds that it is the original money that creates the kiddushin, and as such, it is the father who is accepting the kiddushin, how will he explain the case of the widow who can be sold as a slave? **A:** He will say that the Braisa follows **R’ Eliezer**, who says that although a father can’t sell his daughter after having sold her once into slavery, he may sell his daughter after having given her away in marriage.