



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

Kiddushin Daf Chuf

- A Braisa says, the pasuk says “ihm b’gapo yavo b’gapo yeitzei”. This means, that if he enters servitude with his body intact, he must leave with his body intact. **R’ Eliezer ben Yaakov** says, this means if he enters servitude alone, he must leave alone.
 - **Q:** What does it mean that if he enters servitude with his body intact, he must leave with his body intact? **A: Rava** said, this means that he is not freed if the master knocks off one of his limbs.
 - **Q: Abaye** asked, that is learned from “lo seitzei k’tzeis ha’avadim”!? **A:** Based on this pasuk alone we would think he doesn’t go out like a non-Jewish slave (who goes out free if his limb is knocked off), rather he is paid the value of the limb and *then* goes out free (and in that way is different than the non-Jewish slave). The other pasuk therefore teaches that he does not go out free at all based on injury of the limb.
 - **Q:** What does it mean that if he enters servitude alone, he must leave alone? **A: R’ Nachman bar Yitzchak** said, this means that if he had a wife and children before he became a slave, his master may give him a non-Jewish maidservant to marry. If he came into servitude single, he may not be given a wife.
- A Braisa says, if an eved ivri was purchased for a maneh, and his value then increased to 2 maneh, how do we know that for purposes of graon kesef we use the original purchase price? We learn this from the pasuk of “mikesef miknaso” (from the purchase price). If he was purchased for 2 maneh and his value then decreased to one maneh, how do we know that for purposes of graon kesef we use the lower, decreased value? We learn this from the pasuk of “kefi shanav” (which suggests that we look at his current value). We would think that this only applies to a Yid who was sold to a goy, since the goy is put at a disadvantage regarding the halacha that a relative may redeem the Yid, he is also put at a disadvantage regarding these circumstances as well. How do we know the halachos in these circumstances apply to a Yid sold to a Yid as well? We learn this from the gezeirah shava on the word “sachir”.
 - **Q:** One of the **Rabanan** asked **Abaye**, why do we darshen these pesukim as a kulah for the eved ivri, maybe we should darshen then l’chumra (that he has to pay graon kesef on the higher value)? **A: Abaye** said, we find that the Torah was lenient with the eved ivri in other areas, so it must be that the Torah meant to be meikel here as well. We find this in a Braisa, which teaches that one must give food and drink and bedding to the eved ivri of equal quality to what the master himself has.
 - **Q:** Maybe the Torah is only meikel with the eved ivri in matters of physical comforts, but with regard to redemption the Torah is machmir? The reason to say so would be based on a Braisa in which **R’ Yose the son of R’ Chanina** says that the cause of one becoming poor to the point of having to sell himself is the aveirah of dealing with the produce of shmitta! **A: Abaye** said, the Torah tells us that even if the person is forced to sell himself to the avodah zara itself, there is an obligation to redeem him. We see that Torah has pity on the eved ivri, and therefore it must be that the pesukim teach to allow him to use the lower valuation for purposes of graon kesef.
 - **Q:** Maybe there is an obligation of redemption so that he not assimilate with the goyim, however, regarding the redemption payment we are machmir based on the reason of **R’ Yose the son of R’ Chanina**!? **A: R’ Nachman bar Yitzchak** said, the reason we are meikel for the eved ivri is based on the words of the pasuk. The pasuk of “mikesef miknaso” says “ihm ohd rabos bashanim” (if there is a lot

left to the years), and the pasuk of “kefi shanav” says “v’ihm me’aht nishar bashanim” (if there is a small amount left to the years). Now, are there years that are longer and years that are shorter!? Of course not. Rather, the pasuk means that if the *value* became a lot, we are to look at the purchase price, and if the *value* became little, we are to look at the current value.

- **Q:** Maybe the pesukim are simply saying that if there are many years left to his servitude (e.g. there are still 4 years left) you pay for that proportionate amount of the purchase price, and if there are only a few years left (e.g. there are only 2 years left) then you pay off the remaining years. The pesukim are simply giving examples of how the amount is calculated!? **A:** If that is what the pesukim were teaching the pesukim should say “shanav”. Instead, the pesukim say “bashanim”, which is better understood as referring to the increasing or decreasing value of the eved ivri.
- **R’ Yosef** said, **R’ Nachman bar Yitzchak** has darshened these pesukim in the way they were meant to be understood when given on Sinai.
- **Q: R’ Huna bar Chinina** asked **R’ Sheishes**, if a Yid is sold to a goy, may he be partially redeemed or not? Do we learn a gezeira shava on the word “ge’ulaso” from a field, and just as a field cannot be partially redeemed so too this eved ivri cannot be partially redeemed, or maybe we say that a partial redemption is allowed when it is a leniency for him, and not when it is a stringency for him? **A: R’ Sheishes** said, just as we said (earlier) that he is only sold for his stealing when his value is not more than the value of the stolen items, because he must be sold in total, and not in part, here too we will say that he must be redeemed in total, and not in part.
 - **Abaye** said, if we allow partial redemption, it can lead to a leniency and to a stringency. An example of it leading to a leniency would be if the eved is purchased for 100 zuz, and the master is then immediately given 50 zuz as partial redemption. If the partial redemption is effective, then even if his value goes up to 200 zuz, since half was already redeemed, he only needs to give another 100 zuz for full redemption. However, if the partial redemption is not effective, then he must give another 150 zuz to achieve full redemption.
 - **Q:** We have previously said that the eved must only pay the lower of the purchase price or the current value, so why would he ever have to pay his increased value!? **A:** The case must be where he was purchased for 200 zuz, his value went down to 100 zuz, at which time he gave 50 zuz for partial redemption, and his value then went back up to 200 zuz. In this case, if he had not given any money previously, he would now have to give 200 zuz, because the current price does not exceed the purchase price. Therefore, if the partial redemption is effective, it is a leniency, because he only needs to give another 100 zuz.
 - **Abaye** continues and says, an example of it leading to a chumra would be where he was purchased for 200 zuz and immediately gave 100 zuz as a partial redemption, and his value then dropped to 100 zuz. If the partial redemption is effective, he would still need to give another 50 zuz to be fully redeemed. If the partial redemption is not effective, the original 100 zuz that he gave will now serve as the full amount of redemption.
- **Q:** The halacha is, if a person sells his house in a walled city, he may redeem it for one year. After that time it forever remains the property of the buyer. **R’ Huna bar Chinina** asked **R’ Sheishes**, may the house be partially redeemed or not? Do we learn a gezeira shava on the word “ge’ulaso” from a field, and just as a field cannot be partially redeemed so too this house cannot be partially redeemed, or maybe we say that partial redemption is only invalid where the Torah specifically says so, and otherwise it is valid? **A: R’ Sheishes** said, we can learn from the drasha of **R’ Shimon** that the house can be redeemed with borrowed money (which is something that is not allowed for a sold field) and can be partially redeemed. In a Braisa **R’ Shimon** says, the pasuk of “ihm go’el yigal” teaches that if a person made his field hekdesch (in which case, if he does not redeem it before Yovel it becomes the property of the Kohanim forever) he may redeem it with borrowed money and may partially redeem it as well. The reason these things are allowed regarding this field but not for the field that is sold is because the field that is sold will anyway

come back to him at Yovel. Therefore, we are stricter regarding its redemption. However, the field that was made hekdesch stands to be lost forever, and therefore we allow it to be redeemed even with borrowed funds and even partially. Now, this same logic can be applied to a house of a walled city that was sold. Since it stands to be lost forever, we allow it to be redeemed even with borrowed funds and even partially.

- **Q:** Another Braisa clearly says that a house in a walled city that is sold may not be redeemed with borrowed money and may not be redeemed partially!? **A:** This second Braisa follows the view of the **Rabanan** (who don't darshen the reason for pesukim, and therefore we don't say that since the Torah allows this by a field that was made hekdesch, and since the same reason applies to a house of a walled city that was sold, we allow the borrowed funds for redemption and partial redemption after sale of this house as well), whereas the earlier Braisa follows **R' Shimon** (who does darshen the reason for pesukim and therefore does apply similar logic to a place where the same reason should apply).
 - **Q:** One Braisa says a house sold in a walled city can be redeemed with borrowed money and can be partially redeemed, and another Braisa says that it cannot be done in either of those ways!? **A:** The first Braisa follows **R' Shimon** and the second one follows the **Rabanan**.