



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

Kiddushin Daf Mem Aleph

PEREK HA'ISH MEKADESH -- PEREK SHEINI

MISHNA

- A man can be mekadesh a woman on his own or through a shaliach. A woman can accept kiddushin on her own or through a shaliach. A man can give his daughter in kiddushin when she is a naarah, either by accepting the kiddushin on his own or through a shaliach.

GEMARA

- **Q:** If the Mishna is saying that a man can give kiddushin through his shaliach, it is obvious that he can do so on his own!? **A:** **R' Yosef** said, the Mishna is teaching that it is a greater mitzvah for him to give the kiddushin himself, than to give it through a shaliach, as we find that **R' Safra** would himself prepare the meat for Shabbos and **Rava** would salt the fish.
 - **Others** say that there is an issur to give kiddushin through a shaliach, as **R' Yehuda in the name of Rav** said, that a person must see the woman before he gives her kiddushin, so that he not find something about her to be disgusting after the marriage, which will make her become disgusting to him (he should have seen this before the marriage and not gotten married), which would go contrary to the pasuk of "v'ahavta l'rei'acha kamocho". According to this view, **R' Yosef's** statement was made regarding a woman using a shaliach to accept her kiddushin. In that case, she may do so, but it would be better for her to accept on her own, because the mitzvah is greater when done by the person herself. In this case there would be no problem of him becoming disgusting to her, because a woman just wants to be married, no matter who the husband may be.

HA'ISH MEKADESH ES BITO KISHEHI NAARAH

- This suggests that he can marry her off when she is a naarah, but not when she is a minor. This is a proof to **Rav**, who said that a person may not marry off his minor daughter until she gets older and is able to say who she wants to marry.
- **Q:** How do we know that a shaliach may be used for kiddushin as stated in the Mishna? **A:** A Braisa says, the pasuk regarding gittin uses verbiage of "v'shilach", which teaches that the man may make a shaliach, the pasuk uses the extra "hey" and says "v'shilchah" which teaches that the woman may make a shaliach. The Torah later again uses this verbiage, which then teaches that a shaliach may even appoint another shaliach to do the job.
 - **Q:** This can be the source for using a shaliach for a get. How do we know a shaliach can be used for kiddushin? We can't learn this from gittin, because gittin is different in that it can be given to a woman against her will!? **A:** We have the hekesh of "v'yatza...v'huysa" which compares get to kiddushin and teaches that a shaliach may be used for kiddushin as well.
 - **Q:** A Mishna says that a shaliach can be used to separate terumah. How is this known? We can't learn this from a get, because a get is a matter that is not of hekdesch!? **A:** The pasuk regarding terumah adds the extra word "**gam** atem" which teaches that a shaliach can be used.
 - The Torah could not have written the concept of shaliach regarding terumah and then learned from there to gittin and kiddushin, because terumah is different in that it can be designated in a person's mind.
 - **Q:** A Mishna says that a shaliach can be appointed to shecht a Korbon Pesach for other people. How is this known? It can't be learned from gittin, kiddushin, and terumah, because these matters are considered as non-hekdesch when compared to a korbon!? **A:** It is learned from the drasha of **R' Yehoshua ben Karcha**, who says that the pasuk says

“v’shachatu oso kol khal adas Yisrael”, which means that all of the Yidden are to shecht the Korbon. In actuality, it is only one person shechts the korbon!?! Rather, we see from here that a person’s shaliach is considered as the person himself.

- **Q:** Why couldn’t the Torah teach the concept of shlichus regarding kodashim and we can learn the other areas from there? **A:** We would have said that kodashim are different since most of the Avodah of a korbon is done by a shaliach (the Kohen).
 - **Q:** We see that we can’t learn out one from one, but maybe we can learn out one from two? **A:** We can’t learn out kodashim from get and terumah, because they are non-hekdesch. We can’t learn out get from terumah and kodashim, because terumah and a korbon can be designated in a person’s mind. However, we actually can learn out terumah from get and kodashim.
 - **Q:** If so, why do we need the extra word “*gam atem*”? **A:** We need it for the drasha of **R’ Yannai**, who says that this teaches that a shaliach must be a Yid, not a goy.
 - **Q:** We know this halacha from **R’ Chiya bar Abba in the name of R’ Yochanan**, who says that a slave can’t be a shaliach for a get, because he is not included in the concept of get. For this same reason we would say that he cannot be a shaliach for terumah or kodashim either, so why is the pasuk needed!? **A:** We would say that since a Mishna says that if a goy separates terumah from his produce it is given the status of terumah, maybe he can become a shaliach for purposes of terumah. The pasuk therefore teaches that he cannot be a shaliach to separate terumah.
 - **Q:** According to **R’ Shimon**, who says that a goy’s terumah does not have the status of terumah, why is the pasuk needed? **A:** We would think that since we have learned that the word “*Atem*” comes to exclude terumah separated by a sharecropper, and by a partner, and by an apitrapis, and by a person who doesn’t own the produce, maybe it also comes to exclude a shaliach!?! The word “*gam*” therefore comes to teach that a shaliach may be used.