

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

Kiddushin Daf Vuv

- A Braisa says, if a man says to a woman "you are hereby my wife" or "you are hereby my arusah" or "you are hereby acquired to me", it is a valid kiddushin. If he says ""you are hereby mine" or "you are hereby in my reshus" or "you are hereby bound to me", it is a valid kiddushin.
 - Q: Why were these 6 phrases broken into two groups of 3? A: It was taught this way for easier memorization.
- Q: What if a man says "you are hereby singled out for me" or "you are hereby designated for me" or "you are hereby my helpmate" or "you are hereby my counterpart" or "you are hereby my gathered one" or "you are hereby my rib" or "you are hereby my closed one" or "you are hereby my replacement" or "you are hereby my seized one" or "you are hereby my taken one"?
 A: We can answer one of these, based on a Braisa that says that if a man tells a woman "you are hereby my taken one" it is a valid kiddushin, since that is the verbiage used in the pasuk of "ki yikach ish isha".
- Q: What if a man says "you are hereby my charufah"? A: A Braisa says, if one says "you are hereby my charufah" it is a valid kiddushin, because in Yehuda they call an arusah by the term charufah.
 - Q: Yehuda is not most of the world!? A: The Braisa means to say that if someone says "you are hereby my charufah" the kiddushin is valid because the pasuk says "v'hee shifcha necherefes l'ish" (which refers to designation for marriage), and in Yehuda they refer to an arusah as a charufah.
 - Q: Do we need the custom in Yehuda to be brought as a support in addition to a pasuk!? A: The Braisa means, that if someone from Yehuda says "you are hereby my charufah", it is a valid kiddushin, because in Yehuda they refer to an arusah as a charufah.
- **Q:** The Gemara above asked about these other phrases and whether they possibly suggest kiddushin. The Gemara now asks, what were the circumstances in which these phrases were said? If they were not even discussing marriage at all, then even if these phrases are proper phrases of kiddushin, how can she possibly know what he was referring to? If the situation was that they were discussing matters of kiddushin, then if he then hands her money without saying anything at all the kiddushin would be valid, because **R' Huna in the name of Shmuel** said that we pasken like **R' Yose** in a Mishna, who says that if they were discussing marriage and he then gave her money without saying anything further, the kiddushin would be valid!? **A:** If he would have remained silent, it would surely be a kiddushin. The question of the Gemara is when he said one of those other phrases. The question is, does he mean it as kiddushin, or does he mean to hire her to work for him. On that, the Gemara remains with a **TEIKU**.
 - R' Yehuda in the name of Shmuel said that when R' Yose says that nothing additional need be said, that is talking about when they were still discussing marriage until he gave her the money. However, had they stopped discussing that prior to the money being given, it would not be a valid kiddushin. R' Elazar in the name of R' Oshaya said this as well.
 - This is actually a machlokes among Tanna'im. Rebbi says that they must be discussing marriage up until he gives her the money, and R' Elazar the son of R' Shimon says that it is a kiddushin even if they were not discussing marriage, which Abaye explains to mean that they were discussing other aspects of marriage, but not the discussion of actually getting married.
 - o R' Huna in the name of Shmuel said that we pasken like R' Yose.

- R' Yeimar asked R' Ashi, we know that R' Yehuda in the name of Shmuel said that one who is not well versed in the halachos of gittin or kiddushin should not have dealings with them. Does this even include knowing the psak of R' Huna in the name of Shmuel? R' Ashi said, yes.
- The Gemara earlier brought the statement of **Shmuel**, that if a man gave a get to his wife and said "you are hereby sent away" or "you are hereby divorced", or "you are hereby mutar to any man", the get is valid.
 - Q: It is clear that if he writes to his wife in the get "You are hereby a free woman", the get is not valid. Similarly, if he writes to his slave "You are hereby mutar to every man" the get shichrur is not valid. What if he writes in the get to his wife "You are hereby to yourself"? Does he mean that the marriage is over and the get is valid, or does he mean that she can keep her earnings, but the marriage continues? A: Ravina told R' Ashi, a Braisa says that this phrase suffices to free a slave, who is totally owned by its master. Certainly then, this phrase would totally "free" the woman, who is not owned by the husband, and the marriage would terminate.
 - Q: Ravina asked R' Ashi, what if he writes to his slave "I have no dealings with you"? A:
 R' Chanina said to R' Ashi, we see from a Braisa that when such language is used it serves as a get shichrur.
- **Abaye** said, if a man tells a woman that she should keep the loan he gave her as kiddushin, the kiddushin is not valid. If he is mekadesh her with the "benefit of a loan", the kiddushin is valid, although it is assur to do so because of a gezeira for ribis.
 - Q: What is the case of the "benefit of a loan"? If the case is that he originally lent her money with interest, and he then told her to keep the interest as her kiddushin money, that is true ribis!? Also, that would still be a case of being mekadesh with a loan!? A: The "benefit of a loan" means that he gave her more time to pay a loan that she had with him. The benefit that she has from having more time to pay can be used for kiddushin.
- Rava said, if one person tells another, "take this money on the condition that you return it to me", then if this was given to buy something, the acquisition is not valid; if it was given as kiddushin, the kiddushin is passul; if it was given for pidyon haben, the pidyon is not valid; however if it was given (in the form of produce) to a Kohen for terumah, it is a valid giving of terumah, but it is assur to do so, because it looks like the case of a Kohen who is helping out in the granary.
 - Q: What does Rava hold? If he holds that a gift given on condition that it be returned is considered to be a valid gift, then in all the cases the giving should be a valid act of giving, and if he holds that it is not a valid gift, then even in the case of terumah it should not be a valid act of giving!? Also, Rava himself has said regarding the mitzvah of esrog, that such a gift is a valid gift!? A: R' Ashi said, Rava actually said that in all the cases the act is a valid act of giving except for the case of kiddushin, because making her return the gift is similar to making a kinyan chalipin, which we have stated earlier is not a valid form of kiddushin. R' Huna Mar the son of R' Nechemya said to R' Ashi, we have taught Rava's statement just as you have.