



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

Kiddushin Daf Samach Beis

- **Q:** The pasuk regarding the oath of the sotah is written as one sided – if you were not mezaneh, and if you have not become tamei to your husband “hinaki” (you will be innocent). According to **R' Chanina** this is good, but according to **R' Meir** the Torah should have said the other possibility as well (“and if you were mezaneh...”)!? **A:** The word “hinaki” can be read as meaning “you will be choked”, which means to say the other possibility, that if you were mezaneh you will be punished.
 - **Q:** According to **R' Chanina**, why does the pasuk use this word of “hinaki”, which can teach like **R' Meir** says? Why not use a clearer word? **A:** We would think that if she was not mezaneh she will be innocent, but if she was mezaneh she will not be innocent and will also not be punished, and has only been oiver an issur. The pasuk therefore uses that word to teach that she will be punished if she was mezaneh.
- **Q:** The pasuk regarding the sprinkling of the parah adumah ashes says “he shall be sprinkled with it on the 3rd day and on the 7th day and become tahor”. The pasuk then says “and if he is not sprinkled on the 3rd day and the 7th day he will not become tahor”. According to **R' Meir** this is understandable, but according to **R' Chanina** it is not!? **A:** We would have thought that the mitzvah is to sprinkle on both days, but sprinkling on only one of the two is enough to make the person tahor. That is why the pasuk needs to teach that he will not become tahor without sprinkling on both of these days.
 - **Q:** Why does another pasuk need to say “the tahor should sprinkle on the tamei on the 3rd day and the 7th day”? **A:** Based on the previous pesukim we would have thought that the pasuk requires the 3rd and 7th day, meaning to exclude sprinkling on the 2nd and 6th days, because the required 7 days have not yet passed. However, we would think that if he would be sprinkled on the 3rd and 8th days, he should become tahor. This pasuk therefore teaches that he will not become tahor.
 - **Q:** Why does the pasuk then say “v'chito bayom hashvi'i”? **A:** We would think that sprinkling on two days is only needed to make someone tahor for purposes of kodashim, but for purposes of terumah sprinkling on even one day is enough. The pasuk therefore teaches that both days of sprinkling are required even for terumah.

MISHNA

- If a man was mekadesh a woman and said “I thought that she was a Kohenes and she is actually a Leviya” or visa-versa, or he says “I thought she was poor and she is actually wealthy” or visa-versa, in all cases the kiddushin is valid, because she did not mislead him into thinking the way he did.
- If a man is mekadesh a woman and tells her “Become mekudeshes to me after I convert” or “after you convert” or “after I am freed from slavery” or “after you are freed from slavery” or “after your husband dies” or “after your sister dies” or “after your yavam does chalitzah”, in all these cases the kiddushin is not valid.
- Similarly, if someone tells his friend “if your wife gives birth to a girl she should be mekudeshes to me”, the kiddushin will not be valid.

GEMARA

- A Mishna says that one may not take terumah from detached produce for produce still attached to the ground, and if one does so, the terumah is ineffective.
 - **Q:** **R' Assi** asked **R' Yochanan**, if a person says “let this detached produce be terumah for this attached produce” or “this attached produce be terumah for this detached produce”, and in both cases he adds “it should go into effect when the attached

produce becomes detached”, what is the halacha? **A: R’ Yochanan** said, any action that is in a person’s power to do is not considered as if it is lacking, and therefore, since the owner of the produce can detach them, they are considered as detached and the terumah designation is valid.

- **Q:** In our Mishna, when the man says “after I convert”, since it is in his power to be done, it should be considered as if it was already done and the kiddushin should be valid!? **A:** Conversion is not considered to be in his power, because **R’ Chiya bar Abba in the name of R’ Yochanan** said that a conversion needs to be done in front of a Beis Din of 3. Therefore, it is not in his power alone to get it done.
- **Q: R’ Abba bar Mamal** asked, based on this, if someone gives a prutah to his maidservant and tells her “Be mekudeshes to me after I free you” it should be a valid kiddushin (since he has the power to free her)!? **A:** This can’t be compared to the case of **R’ Yochanan**. In this case, as a maidservant she is like an animal (in that kiddushin has no application to her) and after she is freed she is a new Jewish woman.
- **Q: R’ Oshaya** has said that if someone gives a prutah to his wife and tells her “be mekudeshes to me after I divorce you” she is not mekudeshes. According to **R’ Yochanan** she should be mekudeshes!? **A:** Even though it is within his power to divorce her, it is not within his power to be mekadesh her (she may not agree), and therefore it is not something that could be done in the current situation.
- **Q:** We should be able to answer a question of **R’ Oshaya**. He asked, if a man gives a woman 2 prutos, and says “with one be mekudeshes to me now, and with the second one be mekudeshes to me after I divorce you (from the first marriage)”, is the second kiddushin valid? We should answer that it is not valid, based on the answer we just gave above!? **A:** This case is different. It may be that just as the kiddushin can take effect now, it can also take effect for the later time as well.
- There is a Braisa that supports **R’ Yochanan**. The Braisa says one may not take terumah from detached produce for produce still attached to the ground, and if one does so, the terumah is ineffective. If a person says “let this detached produce be terumah for this attached produce” or “this attached produce be terumah for this detached produce”, and in both cases he adds “it should go into effect when the attached produce becomes detached”, the terumah designation is valid. [This is a proof to the view of **R’ Yochanan**]. The Braisa continues, that **R’ Eliezer ben Yaakov** says, the designation is effective even if the produce has not yet grown to a third of its size, and the person says “the terumah should go into effect when the produce grows to 1/3 of its size and I then detach it”.
 - **Rabbah** said, **R’ Eliezer ben Yaakov** only allows this if the produce was mature enough to be used for animal feed at the time of the statement. **R’ Yosef** said he allows this even if the produce is at an earlier stage of development than that.
 - Our Mishna said, if someone tells his friend “if your wife gives birth to a girl she should be mekudeshes to me”, the kiddushin will not be valid. **R’ Chanina** explains that this is only if the woman is not then pregnant. If she is, the kiddushin would be valid. **Rabbah** would explain that she must be pregnant to the point that she is noticeably pregnant. **R’ Yosef** would hold that as long as she is pregnant, even if not noticeably so, the kiddushin would still be valid.
 - **Some** say that **Rabba** said, **R’ Eliezer ben Yaakov** only allows this if the produce was mature enough to be used for animal feed and the produce can live on rainwater (and no longer requires irrigation) at the time of the statement. **R’ Yosef** said he allows this even if the produce is animal feed that must still be irrigated.

- According to this, the statement of **R' Chanina** will have to be understood according to everybody as referring to a woman who is noticeably pregnant.