



Daf In Review – Weekly Chazarah

Maseches Kiddushin, Daf ל"ג – Daf ל"ד

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vl'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf ל"ג---13-----

- There was a woman who was selling ribbons. A man came and grabbed one from her. She demanded that it be returned. He said to her, "If I give it back to you will you become mekudeshes to me?" She took it and didn't say anything. **R' Nachman** said, the woman can say, yes I took it, but I took something that is mine and not to take it as kiddushin.
 - **Q: Rava** asked **R' Nachman**, a Braisa says, if a man grabs a sela from a woman and uses it to be mekadesh her it is a valid kiddushin!? **A:** The Braisa is discussing where they had previously agreed to get married. In fact, we see that this Braisa must be talking about this case, because if not, it contradicts another Braisa. The other Braisa says that if a man owes a woman money and is about to pay her back, and then changes his mind and says "take this money as kiddushin", the Braisa is explained to say that if she takes it and remains quiet, the kiddushin is not valid. Presumably, the reason for this would be because she can say "I took it, but I took it because it is mine". Now, this contradicts the earlier Braisa which says that when he grabs it from her and gives it back to her the kiddushin is valid!? We must say that the first Braisa is discussing where they had already agreed to get married and the second Braisa is discussing where they had not agreed to that.
- When **R' Assi** passed away, the **Rabanan** got together to gather his various teachings.
 - **R' Yaakov** was first to speak and he said, **R' Assi** said in the name of **R' Mani**, just as a woman cannot be acquired with less than a prutah, so too real estate cannot be acquired with less than a prutah. The **Rabanan** asked him, a Braisa says that although a woman cannot be acquired with less than a prutah, real estate can be acquired with less than a prutah!? **R' Yaakov** answered, that Braisa is referring to kinyan chalipin, whereas **R' Assi** was referring to a kinyan kesef.
 - They then said, regarding the statement of **R' Yehuda in the name of Shmuel**, that anyone who is not well versed in the halachos of gittin and kiddushin should not have anything to do with them, **R' Assi in the name of R' Yochanan** said that if an unqualified person does so, he is worse to the world than the generation of the Mabul. He darshens a pasuk to say that people who cause mamzeirem to be brought into the world bring about the destruction of the entire world, including all animals, birds and fish. During the Mabul, the fish were not killed. We see that people who bring mamzeirem into the worlds are worse than the Mabul.
 - They then said, a Mishna says that if a woman who gave birth and brought her obligatory chatas and then died, her heirs must bring her obligatory olah for her. **R' Yehuda in the name of Shmuel** said, that this is only so if she had separated the olah before she died. From here we can see that **Shmuel** holds that the property of a person who has passed away is not obligated to pay his debts on a D'Oraisa level. **R' Assi in the name of R' Yochanan** said that the heirs must bring the olah even if she did not separate it while she was still alive. We see that **R' Yochanan** must hold that the property of a person who has passed away *is* obligated to pay his debts on a D'Oraisa level.
 - **Q:** They have already argued on this very subject elsewhere, so why did they argue about it again here. For we have learned that **Rav and Shmuel** say that an oral loan may not be collected from the heirs of the debtor's estate or from the purchased fields of the estate, whereas **R' Yochanan and Reish Lakish** say that it may be collected from them!? **A:** If we would only have this machlokes (mentioned in this paragraph), we would say it is only there that **Shmuel** says it can't be collected from the estate, because this is not for an obligation written in the Torah, but in the case of the Korbon, since it comes from an obligation written in the Torah, maybe even he would agree that it may be collected from the heirs. And, if we would only have the machlokes regarding the Korbon, we would say that it is only there that **R' Yochanan** says it is collected

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from the heirs, because it stems from an obligation written in the Torah, but in the other case maybe he would agree with **Shmuel**. That is why both cases are needed.

- **R' Pappa** paskens, an oral loan may be collected from the heirs, because the property of a person who has passed away *is* obligated to pay his debts on a D'Oraisa level, but not from the purchased fields, because this debt is not publicly known and the purchasers therefore had no chance to protect themselves.

V'KONAH ES ATZMAH B'GET U'VIMISAS HABAAL

- **Q:** We know that a get makes her mutar to marry other men, based on the pasuk of “v'kasav lah sefer krisus”. How do we know that death of the husband does so as well? **A:** It is based on logic – he is the one who made her assur to other men, so when he dies and their relationship ends, she becomes mutar.
 - **Q:** With regard to arayos, although he makes them assur to her, his death does not make her mutar to them!? **A:** Rather we must say, that since the Torah says that a yevama is assur to marry other men, it must be that a regular widow may marry other men.
 - **Q:** Maybe a yevama is at least mutar to the yavam, but any other widow is assur to everyone? **A:** Rather we must say, since the Torah said that a widow is assur to marry a Kohen Gadol, it must mean that she may marry all other men.
 - **Q:** Maybe the Torah means to say that she is assur to the Kohen Gadol with a lav, and is assur to all other men with a more lenient assei, and we can say that the death of the husband achieves to remove the chiyuv misah from her marrying someone else and puts it at an assei. **A:** Rather, we learn from a pasuk that a widow may marry other men. The pasuk says that a newly married man does not go out to war, “lest he die at war and another man (‘acher’) take his wife as a wife”.
 - **Q: R' Shisha the son of R' Idi** asked, maybe “acher” refers to a yavam? **A: R' Ashi** said: first, a yavam is not referred to as “acher”; second, the pasuk says “if the second husband hates her and he writes a get for her, or if the second husband dies”, thereby making a hekesh from the husband’s death to gittin, and teaching that just as a get makes her completely mutar to marry another man, the death of the husband does so as well.

V'HAYEVAMA NIKNEIS B'BI'AH...

- **Q:** How do we know that a yevama is acquired with bi'ah? **A:** The pasuk says “yevama yavo aleha ulekacha lo l'isha”.
 - **Q:** Maybe the pasuk means that she is treated as a wife in all respects, and therefore teaches that kesef and shtar can be used to acquire her as well? **A:** That can't be, because a Braisa says that the word “v'yibma” teaches that only bi'ah can be used, and not kesef and shtar.
 - **Q:** Maybe “v'yibma” teaches that it can be done against her will, and is therefore not available to teach that only bi'ah can be used to acquire her? **A:** The pasuk could have written “v'yibeim”, and instead wrote “v'yibma”. This allows for two drashos to be made from this word.

-----Daf 7'---14-----

BACHALITZA

- We learn that chalitza permits her to marry any man, based on the pasuk of “v'nikra shemo b'Yisrael beis chalutz hanaal”. This teaches that once chalitza is done she becomes mutar to any man from Klal Yisrael.
 - **Q:** The word “Yisrael” is used for the drasha of **R' Shmuel bar Yehuda**, to teach that it must be done in a Beis Din of Yidden, and not a court of goyim!? **A:** The word Yisrael is written twice, and therefore two drashos are available.
 - **Q:** The pasuk is used by **R' Tarfon** in a Braisa to teach that the people who see the chalitza being done must yell out “beis chalutz hanaal”!? **A:** That is learned from the words “v'nikra shemo”.

UVIMISAS HAYAVAM

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- This is learned from a kal v'chomer: if death of the husband releases a wife, who until then was assur to marry another man and would face the misa of chenek if she did, then surely the death of the yavam will release the yevama, who was anyway only assur to marry another man based on a lav.
 - **Q:** We can ask that maybe a regular married woman is released with the husband's death, because she can also be released with a get. However, a yevama, who cannot be released with a get, maybe cannot be released with the death of the yavam!? **A:** The yevama can be released with chalitza, and therefore can be compared to a woman who is released with a get. Therefore, the kal v'chomer can stand.
 - **Q:** Maybe a regular woman is released with the death of her husband because the man who made her assur is now releasing her with his death. However, a yevama was made assur by her husband and is being released by the brother!? **A:** **R' Ashi** said, it is the yavam who is making her assur (if not for him she would have been released upon the husband's death) and therefore his death can release her.
 - **Q:** Why don't we say that a regular woman can be released with chalitza based on a kal v'chomer – if a yevama, who cannot be released with a get, can be released with chalitza, then surely a regular woman, who can be released with a get, can be released with chalitza! **A:** The pasuk regarding a regular woman says "sefer krisus", which teaches that only a get can release her, and not chalitza.
 - **Q:** Why don't we say that yevama can be released with a get based on a kal v'chomer (if she can be released with chalitza, surely she can be released with a get)? **A:** The pasuk regarding chalitza says "kacha", which is exclusionary, and teaches that only chalitza can release her.
 - **Q:** Do you mean to say that whenever there is exclusionary language we don't darshen a kal v'chomer? Regarding the gorel on Yom Kippur, a Braisa says that if not for a pasuk we would darshen a kal v'chomer, and this is so even though the pasuk says "chukah", which is exclusionary language!? **A:** The reason a get can't be used for a yevama is because the pasuk regarding get says "lah", which teaches that it can only be used for a regular woman, and not for a yevama.
 - **Q:** Maybe "lah" teaches that it must be written lishma, and is not available for this drasha? **A:** The word "lah" is written twice.
 - **Q:** One "lah" is needed to teach lishma, and the other "lah" is needed to teach that a get can't be written for two women (even if written lishma)!? **A:** The pasuk regarding chalitza says "naal", which teaches that only chalitza will work for her, and a get will not work for her.
 - **Q:** The word "naal" is used by a Braisa for a different drasha, which teaches that the shoe used for the chalitza need not belong to the yavam!? **A:** The pasuk says "hanaal", and the extra "hey" allows for a second drasha.

MISHNA

- An eved ivri can be acquired with money or with a shtar, and he can acquire himself back after completing 6 years, or when Yovel arrives, or through redemption with deducting money off the purchase price for the years already served ("gra'on kesef"). An amah ivriya is the same, but has an additional method of acquiring herself back – her getting simanim at adulthood.
- The slave who is a "nirtza" is acquired with the drilling through his ear against the door, and he acquires himself back at Yovel and upon the death of the master.

GEMARA

- **Q:** How do we know that an eved ivri is acquired with money? **A:** The pasuk says "mikesef miknaso".
 - **Q:** That gives the source for an eved ivri sold to a goy, since a goy can only acquire things with money, he can acquire the eved with money as well. How do we know that when a Yid buys the eved ivri he can also acquire him with kesef? **A:** The pasuk says "v'hefda", which teaches the concept of gra'on kesef, which must mean that she was acquired with money.
 - **Q:** That can serve as the source for an amah ivriya. What is the source for an eved ivri? **A:** The pasuk says "achicha ha'ivri oy ha'ivriya" and makes a hekesh between eved ivri and amah ivriya.

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- **Q:** This can serve as the source for an eved ivri that is sold into slavery by Beis Din, but this may be because he can also be sold against his will. How do we know this is so for an eved ivri who sells himself into slavery as well? **A:** There is a gezeira shava on the word “sachir” (which is written once by an eved sold by Beis Din and again by an eved who sold himself).
- **Q:** That is good according to the shita who holds of this gezeira shava. What can be said for the shita who doesn’t hold of this gezeira shava? **A:** The parsha begins with the conjunctive “v’chi sasig”, which allows us to learn the previous parsha from this parsha, and teaches that just as an eved ivri can be acquired by a goy with money, the same is true for an eved ivri who sells himself to another Yid.
 - **Q:** Who is the Tanna that does not hold of the gezeira shava on the word “sachir”? **A:** It is the **T”K** of the following Braisa. The Braisa says that if a person sells himself as an eved ivri he may sell himself for 6 years or even for more, whereas when Beis Din sells a person as an eved ivri, they may only sell him for a six year period. One who sells himself cannot become a nirtza, whereas one sold by Beis Din can. One who sells himself is not entitled to presents when he goes out free, whereas one sold by Beis Din is. One who sells himself may not be given a non-Jewish maidservant to marry, whereas one sold by Beis Din may. **R’ Elazar** says, both of these people may only be sold for 6 years, may become a nirtza, are entitled to presents when they go out free, and may be given a non-Jewish maidservant to marry. Presumably, the machlokes is that the **T”K** does not hold of the gezeira shava that connects the two types of slaves, whereas **R’ Elazar** does.
 - **R’ Tavvyumei in the name of Abaye** said, that it may be that even the **T”K** agrees to the gezeira shava of “sachir”. The reason that he holds that in these few cases the types of slaves are treated differently is based on specific reasons for each difference.
 - Regarding the term of 6 years, the pasuk regarding the one sold by Beis Din says “va’avadcha sheish shanim”, teaching that only he has a 6 year term limit. **R’ Elazar** uses this word to teach that he is to work only for the master and not for any heirs other than a son. The **T”K** learns this from another time that “va’avadcha” is written, whereas **R’ Elazar** says, that just serves to appease the master who finds it difficult to free the eved after 6 years.
 - Regarding becoming a nirtza, the pasuk regarding one sold by Beis Din uses the word “azno”, which is limiting and teaches that it only applies to one sold by Beis Din. **R’ Elazar** uses this word for a gezeira shava to teach that it is done to the right ear. The **T”K** learns this gezeira shava, but says the possessive “vuv” at the end is available for the drasha. **R’ Elazar** says the “vav” teaches that only a man can become a nirtza, and a woman cannot. **T”K** learns this from the pasuk of “v’ihm yomar ha’eved”. **R’ Elazar** uses that to teach that he must say so while he is still an eved. **T”K** learns this from the extra “hey” of “ha’eved”. **R’ Elazar** doesn’t darshen this extra “hey”.
 - Regarding receiving presents when he is freed, the pasuk regarding one sold by Beis Din uses the word “haanik taanik lo”, which is limiting and teaches that it only applies to one sold by Beis Din. **R’ Elazar** uses this word to teach that his heirs are not entitled to the presents.
 - **Q:** Why wouldn’t his heirs be entitled to the presents? It is part of his earnings, and they should get it!? **A:** **R’ Elazar** uses the “lo” teach that the presents are not given to his creditors. Normally we hold like **R’ Nossan** that money is given directly to a person’s creditor. The pasuk here teaches that in this case it is not. The **T”K** never holds like **R’ Nossan**, and therefore doesn’t need a special pasuk here to teach differently.

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- Regarding the ability to give him a non-Jewish maid as a wife, the pasuk regarding one sold by Beis Din uses the word “lo”, which is limiting and teaches that it only applies to one sold by Beis Din. **R’ Elazar** uses this word to teach that it may be given to him even against his will. **T”K** learns this from the pasuk that suggests that an eved ivri works twice as much as any other worker. Now, this can’t refer to regular work, because an eved ivri is not allowed to be overworked. Rather, it refers to the fact that the master can give him the maid as a wife. **R’ Elazar** says this would not teach that it can be done against his will, so the other pasuk is needed.

-----Daf 10-----15-----

- **Q:** The Gemara has tried to identify who the Tanna is that does not hold of the gezeira shava of “sachir”, but has been unsuccessful. The Gemara asks again, who is the Tanna? **A:** It is **R’ Eliezer ben Yaakov** in a Braisa who says that a separate pasuk is needed to teach that one sold by Beis Din goes out free at Yovel. There is already a separate pasuk for one who sells himself, and a separate pasuk for a nirtza. The third pasuk must therefore be referring to one sold by Beis Din. Now, if he holds of the gezeira shava there would be no need for this pasuk. Therefore, it must be that he does not hold of the gezeira shava.
 - **R’ Nachman bar Yitzchak** said, this is no proof. It may be that he does hold of the gezeira shava, and still a pasuk is needed to teach this. We would think that since one sold by Beis Din did an aveira (which is the reason he was sold), he should not be entitled to go out at Yovel. Therefore the pasuk teaches to specifically free him at Yovel as well.
- The Braisos have stated that the pasuk of “v’shav ehl mishpachto” refers to one sold by Beis Din, the pasuk of “ahd shnas haYovel” refers to one who sells himself, and the pasuk of “v’shavtem ish ehl achuzaso” refers to a nirtza.
 - **Q:** How do we know which pasuk refers to which kind of slave? **A:** **Rava bar Shila** said, the last pasuk says “ish”, which means it refers to something that only applies to men and not to women, which is the concept of nirtza.
 - We could not learn out nirtza from one sold by Beis Din or visa-versa, because if we were only taught regarding one sold by Beis Din, we would say that he never showed desire to stay past his obligated time, and therefore we let him free at Yovel, but one who is a nirtza, should be penalized for desiring to stay longer. And, if we were only taught regarding nirtza, we would say that he has at least worked for 6 years and therefore may go out free at Yovel, but a person sold by Beis Din who has not yet worked for 6 years should not go out at Yovel.
 - The pasuk regarding a nirtza says he is to work forever (“I’olam”), but the pasuk then says “v’shavtem”, which teaches that he goes out free at Yovel. If it would only say “I’olam”, we would think that he is to work in servitude forever. If it would only say “v’shavtem”, we would think that a nirtza only serves for an additional 6 year term.
- The Gemara now again asks for the identity of the Tanna who does not hold of the gezeira shava of “sachir”. The Gemara says it is the view of **Rebbi** in a Braisa, which says that the pasuk of “v’ihm lo yigael b’eileh” teaches that a Yid who is sold to a goy as a slave may be redeemed by his relatives, but does not go out free at 6 years. We would think to say that he does go out at 6 years based on a kal v’chomer – if a Yid who is sold to another Yid, who cannot be redeemed by relatives, goes out at 6 years, then the Yid sold to a goy, who can be redeemed by relatives, surely goes out free at 6 years! The pasuk therefore teaches that this is not so. Now, if **Rebbi** held of the gezeira shava, he would say that it teaches that even a Yid sold to another Yid can be redeemed by his relatives. Since he does not hold that, it must be that he does not hold of the gezeira shava.
 - **R’ Nachman bar Yitzchak** said, it may be that **Rebbi** holds of the gezeira shava. The reason why the Yid sold to the Yid cannot be redeemed by relatives is because the pasuk regarding a Yid sold to a goy says “yigalenu”, which teaches that only such a slave may be redeemed by relatives.
 - **R’ Yose Haglili and R’ Akiva** argue on **Rebbi**. **R’ Yose Haglili** says that the “eileh” teaches that when he is redeemed by relatives he need not work for the relatives, but rather goes out free, and if he is

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redeemed by someone else, he would have to work for that other person. **R' Akiva** says, when he is redeemed by relatives he must work for them, and when he is redeemed by other people he goes out free.

- **Q:** What is the basis for the machlokes? **A: R' Yose** says the pasuk says “if he is not redeemed by these”, rather by someone else who is not a relative, then “he goes out at Yovel”. **R' Akiva** says, the pasuk should be read as saying “if he was not redeemed by anyone *but* (“elah”) the relatives, then he goes out at Yovel. **R' Yose** says, the pasuk doesn't say “elah”, so this reading can't be right!
- Based on **R' Yose's** objection, the Gemara tries a new understanding. The machlokes is based on the following. The pasuk says “oy dodo oy ben dodo yigalenu”, this refers to relatives, “oy hisiga yado”, this refers to self-redemption, “v'nigal” refers other people redeeming him. **R' Yose** holds we darshen and compare redemption by relatives to self-redemption – just as self-redemption means he goes out free, so too redemption by relatives sets him free. **R' Akiva** makes a similar drasha, only he says to compare self-redemption to what follows it in the pasuk – the case of redemption by others (and teaches that he goes out free in that case).
- **Q:** If this is the base of their machlokes, why do we need the pasuk of “b'eileh”? **A:** If we didn't have “b'eileh” we would say that the pasuk should be darshened to what is before and to what is after and in all cases of redemption he should go out free.
 - **Q:** If so, we must rely on the “b'eileh”, and if we do, we have the same question on **R' Akiva** as we did previously – how does he understand that pasuk according to his view? **A:** Rather, the basis of the machlokes is logic. **R' Yose** holds that it makes sense that when others redeem him he must work for them, or else other people will never redeem him. **R' Akiva** says, when relatives redeem him he must work for them. If we would not require that, then he would constantly sell himself and rely on the relatives to come and redeem him to set him free.
- **R' Chiya bar Abba in the name of R' Yochanan** said, the **Chachomim** argue on them both, and hold that in all cases of redemption, the person goes out free.
 - **Q:** Who is the **Chachomim**? **A:** It is the view of **Rebbi**, who uses the “b'eileh” for a different drasha, and therefore, in the pasuk of “oy dodo...” he makes the drasha to the previous phrase and to the later phrase.
 - **Q:** According to **Rebbi**, when do we apply the pasuk that says that when he is sold to a goy he goes out at Yovel? **A:** That teaches that if he is sold to a goy who is under the jurisdiction of the Yidden, we set the slave free at Yovel.

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UBISHTAR

- **Ulla** said, this is based on the pasuk of “ihm acheres yikach lo”, in which the Torah compares the amah ivriya to another wife, and thereby teaches that just as a wife can be acquired with a shtar, an amah ivriya can be as well.
 - **Q:** This makes sense according to the view (**R' Huna**) that the master is the one who writes the shtar when purchasing an amah ivriya. However, according to the view (**R' Chisda**) that it is the father of the amah ivriya who writes it (more aligned to the sale of real estate), this cannot serve as the source, so what is the source? **A: R' Acha the son of R' Yaakov** said, the pasuk regarding amah ivriya says “lo seitzei k'tzeis ha'avadim”, which teaches that she does not go out in the ways of a non-Jewish slave, but she can be acquired in the way of a non-Jewish slave – i.e. with shtar.
 - **Q:** Maybe it teaches that she can be acquired like a slave with chazakah!? **A:** The pasuk regarding non-Jewish slaves says “v'hisnachaltem osam livneichem achareichem”, which teaches that it is only they (“osam”) who can be acquired with chazakah.
 - **Q:** Maybe the “osam” teaches that it is only they who can be acquired with shtar!? **A:** The pasuk of “lo seitzei” teaches to include something, so it must be shtar.

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- **Q:** Why do we choose to include shtar and to exclude chazakah? **A:** It makes sense to include shtar, because a shtar can be used by a woman to terminate a marriage.
- **Q:** Maybe we should rather include chazakah, since it is the kinyan that must be used when being koneh the possessions of a ger!? **A:** Chazakah is not a kinyan that is ever used in marriage. **A2:** The pasuk of “ihm acheres” teaches that it is shtar that should be included.
- **Q:** What does **R’ Huna** darshen with the pasuk of “lo seitzei k’tzeis ha’avadim”? **A:** It teaches that an amah ivriya does not go out free if the master knocks off one of her limbs (although a non-Jewish slave would go out free if that were to happen).
 - **R’ Chisda** says, the word “k’tzeis” is extra, and can be used to teach this drasha.

V’KONEH ES ATZMO B’SANIM

- This is based on the pasuk that says “sheish shanim yaavod uvashvi’is...”

BAYOVEL

- This is based on the pasuk that says “ahd shnas haYovel yaavod imach”

B’GRAON KESEF

- **Chizkiya** said, the pasuk of “vihefda” written by an amah ivriya teaches that the amah ivriya must be allowed to redeem herself from slavery by paying the master for the amount of years left to her slavery.
- A Braisa says, the eved ivri can acquire himself back with money, items of value, or with a shtar.
 - **Q:** He can use money based on the pasuk of “mikesev miknaso”. He can use items of value based on the pasuk of “yashiv ge’ulaso”, which teaches that whenever money may be used items of value may be used instead. However, what basis is there to use a shtar? If this means that he can write a promissory note for his value, that would be a redemption of money!? Rather it must mean that the master can write a get shichrur for him. But, why would that be necessary? Why not just tell him in front of 2 people or in front of Beis Din “You are free to go”!? **A:** **Rava** said, from this Braisa we see that the body of the eved ivri is owned by the master, and a verbal waiving of his rights to the remaining value of the eved ivri would not be effective.

YESEIRAH ALAV AMAH HA’IVRIYA

- **Reish Lakish** said, an amah ivriya acquires herself back upon the death of her father, based on a kal v’chomer: if simanim, which don’t remove her from the reshus of her father, are able to remove her from the reshus of her master, then death of her father, which removes her from the reshus of the father, should surely remove her from the reshus of the master.
 - **Q:** **R’ Hoshaya** asked, if this is true, then when the Mishna listed the methods to freedom of the amah ivriya that do not apply to an eved ivri the Mishna should list that an amah ivriya has an additional method of freedom!? **A:** The list in the Mishna is not complete, because it left out other methods as well.
 - **Q:** What else did it leave out? **A:** It left out her freedom upon the death of the master.
 - **Q:** That is not considered to be “left out”, because death of the master applies to an eved ivri who is a nirtza!? **A:** The reason the Mishna didn’t list the death of the father is because it only listed methods that have fixed times associated with them, and the death of the father does not have a set time.
 - **Q:** Simanim don’t have a set time, and yet the Mishna lists it!? **A:** **R’ Safra** said, it has no upper time limit, but it does have a lower time limit, as a Braisa says, simanim that grow before a certain age do not have the status of simanim.
 - **Q:** **R’ Sheishes** asked, a Braisa says, **R’ Shimon** says there are 4 categories of freed slaves who are entitled to receive severance gifts, 3 of these categories apply to men, and 3 apply to women, but all 4 categories can’t apply to one of the genders (only 3 out of the 4), because a man doesn’t go out with simanim, and a woman doesn’t become a nirtza. Now, according to **Reish Lakish** he should also list the category of freedom upon the death of the father!? You can’t say that the list is not complete and items were left out, because **R’ Shimon** numbers the list as being 4 categories, and a numbered list is meant to be complete!? You can’t say that he only listed items that have a set time, because he listed simanim

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and they don't have a set time!? If you will try to answer like **R' Safra** said above, we can still ask that the list includes death of the master, which doesn't have a set time!? **A:** The list actually does not include the death of the master. The 4 categories referred to in the Braisa are: freedom at 6 years, freedom at Yovel, freedom at Yovel for a nirtza, and freedom of the amah ivriyah with simanim. Also, since **R' Shimon** said there are not 4 categories for one gender, it must be that death of the master is not included, because if it was, there would be 4 that apply to a woman.

- **Q: R' Amram** asked, a Braisa says, these are the servants who get severance upon their freedom: one who is freed at 6 years, one who is freed at Yovel, one who is freed upon the master's death, and an amah ivriyah upon her freedom with simanim. Now, according to **Reish Lakish** the Braisa should also list death of the father!? You can't say that the list is not complete and items were left out, because the list begins by saying "these", which means the list is meant to be complete!? You can't say that he only listed items that have a set time, because he listed simanim and they don't have a set time!? If you will try to answer like **R' Safra** said above, we can still ask that the list includes death of the master, which doesn't have a set time!? **TEYUFTA of Reish Lakish!**
 - **Q: Reish Lakish** relied on a kal v'chomer, so how can we say that he is refuted!? **A:** The kal v'chomer can be refuted, because we can ask that simanim are different in that they come about due to a change in the body, whereas death of the father has nothing to do with a change to her body.
- **Q:** One Braisa says that the severance gifts of the eved ivri goes to himself, and of the amah ivriyah goes to herself. Another Braisa says that the severance of the amah ivriyah and her finds go to the father, and the master only gets compensated for the time that the amah ivriyah spent on the find. Now, the Braisos can be reconciled if we hold like **Reish Lakish**, because we can say that the first Braisa is discussing where she was freed upon death of the father, and the second Braisa is discussing where she was freed with simanim. Otherwise, how do we reconcile the Braisos!? **A:** Both Braisos can be talking about where she was freed with simanim. The first Braisa is discussing where she no longer has a father, and the second Braisa is discussing where she does have a father.
 - **Q:** The first Braisa's mention of the amah ivriyah's severance going to herself is necessary to teach that it does not go to her brothers if she does not have a father. However, what is the purpose of telling us that the severance of the eved ivri goes to himself? Who else should it go to!? **A: R' Yosef** said, the Braisa stated it unnecessarily. **A2: Abaye** said, **R' Sheishes** said this Braisa is the view of **Tutai**, who said that even if the eved owes money, this severance goes to him, and not to his creditor, and that is the chiddush of the Braisa.
- The Braisa quoted earlier says, these are the servants who get severance upon their freedom: one who is freed at 6 years, one who is freed at Yovel, one who is freed upon the master's death, and an amah ivriyah upon her freedom with simanim. However, a servant who ran away and one that was freed through redemption do not get severance. **R' Meir** says that although a servant who ran away does not get severance, one who was freed via redemption does get severance. **R' Shimon** says there are 4 categories of freed slaves who are entitled to receive severance gifts, 3 of these categories apply to men, and 3 apply to women, but all 4 categories can't apply to one of the genders (only 3 out of the 4), because a man doesn't go out with simanim, and a woman doesn't become a nirtza.
 - **Q:** How are these halachos known? **A:** A Braisa says, we would think that only a servant who leaves at 6 years should get severance (since the obligation is written in the parsha of that servant). How do we know to include one who is freed at Yovel or upon death of the master or an amah ivriyah with simanim? The pasuk repeats by saying "tishalchenu" and then "v'chi sishalchenu", which teaches to include all forms of freedom. Based on this we would think to even include a runaway and one who was redeemed. The pasuk therefore says "v'chi sishalchenu chafshi *me'imach*", which teaches that it only applies when he is "sent from you", which teaches to exclude the runaway and the one freed via redemption, who are not sent by the master. **R' Meir** says that a redeemed servant is "sent by the master", because he must

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accept the proportionate amount for the years left, and therefore he is included in the severance obligation.

- **Q:** A runaway must complete the term of 6 years when he returns, so why would he not be entitled to severance at that time, as a Braisa says, the pasuk of “sheish shanim yaavod” teaches that a runaway must complete his term. The Braisa then says, we would think that a slave who was sick during his term must make up the time he lost. The pasuk says “uvashvi’is yeitzei”, which teaches that he goes out at the 7th year without making up the time!? **A: R’ Sheishes** said, the Braisa above was discussing where he ran away and Yovel came before he was returned. We would think that since he is now freed with Yovel he should get severance. The Braisa therefore teaches that he is not entitled to severance.
 - **Q:** The Braisa quoted above said that if he was sick he need not make up the time. Does this mean to say that even if he was sick for all 6 years he need not make up the time? A Braisa says that if was sick for 3 years he need not make up the time, but if he was sick for all 6 years he would have to make up the time!? **A: R’ Sheishes** said, the first Braisa is discussing where even when he was sick he did needlework. That is when he would not have to make up the time.
 - **Q:** This second Braisa seems to contradict itself. On the one hand it says that if he was sick for 3 years he need not make up the time, which suggests that if he was sick for 4 years he would. The Braisa then says that if he was sick for all 6 years he must make up the time, which suggests that if he was sick for 4 years he would not have to make up the time!? **A:** The Braisa means to say, that if he was sick for 4 years it is as if he was sick for 6 years, and he would therefore have to make up the time during which he was sick.

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- A Braisa says, how much severance must the master give to the servant? **R’ Meir** says he must give 5 sela’im worth of each of the categories of gifts mentioned in the pasuk (from the flock, the grain, and the wine), for a total of 15 sela’im. **R’ Yehuda** says he must give the value of 30 sela’im, just like the owner of an ox that killed a non-Jewish slave must give to the owner of the slave. **R’ Shimon** says he must give the value of 50 sela’im, which is the same amount as the highest value that must be given upon a person making an eirech vow.
 - **Q:** Is **R’ Meir** teaching us how to count (he tells us he must give 5 sela’im of 3 categories, so why does he need to tell us that the total is 15 sela’im)!? **A:** He is teaching us that the main requirement is that it cannot be less than 15 sela’im. Therefore, if he gives less than 5 sela’im worth of one category he just adds more value to the amount from another category.
 - **Q:** What is the basis for **R’ Meir’s** view? **A:** He learns a gezeira shava on the word “reikam” from bechor. Just as pidyon haben is with 5 sela’im, the severance requirement is also 5 sela’im.
 - **Q:** Maybe the requirement is for a total of 5 sela’im, and not 5 sela’im from each category!? **A:** Since the pasuk says the word “reikam” before it lists the categories (as opposed to after), it teaches that the word “reikam” is going on each category separately, and therefore each category must be 5 sela’im.
 - **Q:** Why don’t we learn the gezeirah shava from the “Olas Re’iya” obligation, where it also says “reikam”, and only 2 me’ah need be spent!? **A:** The pasuk regarding the severance says “asher beirachicha Hashem Elokecha”, which teaches to expand the severance obligation and not to diminish it. Therefore, we will say that 5 sela’im is the better source of comparison.
 - **Q:** What is the basis for **R’ Yehuda’s** view? **A:** He learns a gezeirah shava of “nesinah” from the case of the slave who was killed by an ox. Just as there the penalty is 30 sela’im, so too here the obligation is 30 sela’im.
 - **Q:** Why doesn’t he learn the gezeirah shava from Eirechin, where it also says “nesinah” and the amount is 50 sela’im? **A:** First, “tafasta merubah lo tafasta” – if you have a choice to learn a greater requirement or a lesser requirement, we must choose the lesser requirement. Second,

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R' Yehuda felt it more important to learn an obligation regarding a slave from an obligation regarding a slave, rather than from an eirechin obligation.

- **Q:** What is the basis for **R' Shimon's** view? **A:** He learns a gezeirah shava of “nesinah” from Eirechin. Just as there the obligation is 50 sela'im, so too here the obligation is 50 sela'im.
 - **Q:** Maybe we should say that the gezeirah shava teaches a smaller eirechin obligation, rather than 50 sela'im, which is the maximum possible eirechin obligation!? **A:** The pasuk regarding the severance says “asher beirachicha Hashem Elokecha”, which teaches to expand the severance obligation and not to diminish it.
 - **Q:** Why doesn't he learn the gezeirah shava from the slave who was killed, where it also says “nesinah” and the amount is 30 sela'im? **A:** **R' Shimon** bases his view on a gezeirah shava of “micha” (poor), which is written regarding severance and regarding eirechin (and not regarding the killed slave).
- **Q:** According to **R' Meir** it makes sense why the Torah must specify the 3 categories of gifts (to get to a total of 15 sela'im). However, according to **R' Yehuda and R' Shimon**, why was this necessary? **A:** It is necessary as is taught in a Braisa. The Braisa says, we would think that the severance must be given only from the 3 categories listed in the pasuk (flocks, grain, wine). How do we know that the gifts may be given from any item and is not limited to these 3? The pasuk says “asher beirachicha Hashem Elokecha”, which is inclusive, and includes all items. If so, why even mention the 3 categories at all? It was written to teach that just as these 3 categories are items that increase (flock produce offspring, grain and grapes grow), the items given to him must be items that increase. **R' Shimon** says this comes to exclude the master giving him money, and **R' Eliezer ben Yaakov** says this comes to exclude the master giving him mules (which cannot produce offspring).
 - **R' Shimon** holds that mules can grow bigger and stronger, and therefore they are considered to be in the category of things that grow. **R' Eliezer ben Yaakov** holds that money can be invested and can thereby “grow”, and is therefore included in the category of things that grow.
 - The Gemara says, that according to the Braisa, all 3 items in the pasuk were necessary to be listed. If it would only say flocks, we would think that only living animals can be given, but not plant life. If the Torah would only have said grains, we would think that only plant life can be given, and not animals. Therefore both of these had to be written. The Torah then writes wine as an exclusion – either to exclude money or to exclude mules, according to each view.
- A Braisa says, the pasuk says “asher beirachicha Hashem Elokecha”. We would think that if the house of the master saw bracha through the slave, then there is a severance obligation, and if it did not, there is no obligation. The pasuk therefore says “haanik taanik”, to teach that in any case a severance must be given. The pasuk of “asher beirachicha Hashem Elokecha” teaches that if a lot of bracha did come to the house through the slave, the master should increase the amount of the severance accordingly. **R' Elazar ben Azarya** says, the pasuk is meant as written. Therefore, if the house saw bracha through the slave, a severance must be given, and if it did not, no severance need be given. If so, why did the pasuk write the double verbiage of “haanik taanik”? The Torah wrote in the style that people speak (but no drasha is to be made from that).
- A Braisa says, if the master dies, an eved ivri must serve under his son, but not under his daughter. An amah ivriya does not serve under the son or the daughter. A nirtza and an eved ivri sold to a goy does not serve under the son or the daughter.
 - **Q:** How we know that an eved ivri serves under the son but not the daughter? **A:** A Braisa says, the pasuk says “va'avadcha sheish shanim”, which teaches he serves you, and not the heirs other than the son. Maybe it means to say that he also doesn't serve the son? The pasuk of “sheish shanim yaavod” teaches that he does serve the son. Therefore, the pasuk of “va'avadcha” must be teaching that he does not serve the other heirs.
 - **Q:** We have an inclusionary pasuk and an exclusionary pasuk, so why do we choose to include the son and to exclude the other heirs? **A:** We include the son because he steps into his father's shoes regarding “yi'ud” and regarding redeeming a field from hekdesch so that it not go to the Kohanim at Yovel.

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- **Q:** Maybe we should include a brother, since he steps into his shoes in a case of yibum!?
A: Yibum only exists when there is no son, so we see that the son is in a stronger position than the brother.
 - **Q:** Without this answer we should say that a son is stronger because he steps into the father's shoes for 2 things whereas the brother only does for one? **A:** The only way we know that a son is the one who steps into the father's shoes for redemption of a field is because we say that he is stronger than the brother, since there is no yibum if there is a son. Therefore, the whole strength of the son is based on that argument.
 - **Q:** How do we know that an amah ivriyah doesn't serve the son or the daughter (and instead goes out free upon the death of the master)? **A: R' Pada** said, the pasuk says "v'af la'amascha taaseh kein", which compares amah ivriya to a nirtza with a hekesh, and teaches that just as a nirtza doesn't serve the son or the daughter, the same is true for an amah ivriya.
 - **Q:** A Braisa says this pasuk is needed to teach that an amah ivriya gets severance gifts upon her freedom!? **A:** The word "taaseh" is extra, and therefore allows for a second drasha.
 - A nirtza doesn't serve the son or the daughter based on the pasuk of "va'ava **do** l'olam", teaching that he is the servant of the master and no one else.
 - The eved ivri sold to a goy does not serve the son or the daughter. **Chizkiya** said, this is based on the pasuk of "v'chishev ihm koneihu", he deals with the one who bought him, and not with the heirs of the one who bought him.
- **Rava** said, D'Oraisa a goy inherits his father's possessions. We learn this from the pasuk quoted by **Chizkiya**, and see that in that case they don't inherit, but in all other cases they do.
 - **Rava** also said, the right of a ger to inherit his father who is a goy is only D'Rabanan. We see this from a Mishna which allows the ger to make a deal with his brother (who is a goy) that the brother should take the avodah zarah and the ger should take the other assets (since avodah zarah would be assur for him to benefit from). However, once the assur items entered his reshus, he would no longer be allowed to trade them for other assets. Now, if he inherits D'Oraisa, he has a share in the avodah zarah immediately, and any deal would be like him trading avodah zarah for some other assets. We see it is only D'Rabanan, and the **Rabanan** were gozer that the ger inherits so that he not decide to go back to his non-Jewish ways and in that way inherit his father's assets.
 - A Braisa says like this as well.
 - **Rava** also said, the right of a goy to inherit the possessions of his father who became a ger, and the rights of a ger to inherit the possessions of his father who was also a ger, does not exist D'Oraisa or D'Rabanan.
 - We see this in a Braisa as well, which says that if a person borrows money from a ger whose children converted along with him, and the lender then dies, there is no need for him to pay back the loan to the children, even D'Rabanan.
 - **R' Chiya bar Avin in the name of R' Yochanan** said, we learn that a goy inherits based on the pasuk of "ki yerusha l'Eisav nasati es Har Sei'ir".
 - **Q:** Maybe Esav inherited because he was actually Jewish, although not observant? **A:** Rather, we learn it from the pasuk of "ki livnei Lot nasati es Ahr yerusha".
 - **Q:** Why doesn't **R' Chiya bar Avin** use the pasuk of **Rava**? **A:** He says that the pasuk is not necessarily teaching that the fact that an eved ivri is not inherited by the goy is an exception to the rule. It may be saying that that is the general rule, that a goy does not inherit from his father!
 - **Q:** Why doesn't **Rava** use the pasuk of **R' Chiya bar Avin**? **A:** He holds that Lot's descendants may have been treated differently than other goyim only for the honor of Avrohom Avinu. Therefore, this cannot serve as a basis for the inheritance of other goyim.

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- 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.

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- **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 chalutza, 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.

-----Daf ט”---19-----

- **Q: Reis Lakish** asked, the Torah teaches that the master may give the amah ivriyah in yi’ud to his son. May he give her in yi’ud to his son who is a minor? Do we say that when the pasuk says yi’ud may be done with “his son” it refers to any son, whatever his age, or do we say that just as the master himself is an adult, the son must be an adult as well? **A: R’ Zeira** said, a Braisa darshens to specifically exclude from punishment a man who was mezaneh with the wife of a minor. Now, if we say the minor can do yi’ud, then a minor can be involved in a real marriage, so why would this person be categorically patur!?! It must be that the minor son cannot do yi’ud.
 - The Gemara says, this is no proof. If the minor cannot do yi’ud, why would we need to exclude from punishment the person who was mezaneh with the wife of a minor, since a minor can never have a wife!?! If anything, this Braisa shows that a minor can do yi’ud.
 - **R’ Ashi** said, there is no proof this way either. The Braisa may be talking about a yavam who is a minor at least 9 years old, who had bi’ah with his yevama. Since he is koneh her D’Oraisa, we

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would think that if someone was then mezaneh with her he should be punished. The Braisa teaches that the pasuk specifically excludes this person from liability.

- **Q:** We still have the question, can a minor do yi'ud? **A:** A Braisa says, **R' Eivo in the name of R' Yannai** says, yi'ud can only be done by an adult, and yi'ud can only be done with intent. The Gemara explains, both statements are one halacha. The reason why a minor can't do yi'ud is because it must be done with intent, and a minor is not capable of having intent.
 - **Others** say that the intent requirement is for the girl to have intent, as **Abaye the son of R' Avahu** taught that the pasuk teaches that he must inform her of his intent to do yi'ud. **Abaye** explained, this is only necessary when kiddushin with a minor is done via yi'ud, and is following the view of **R' Yose the son of R' Yehuda**, who says the original purchase money is not the kiddushin money, rather the kiddushin is happening now with the freedom from the remaining years of servitude. Therefore, the girl must be made aware of the kiddushin taking place. **R' Nachman bar Yitzchak** said, even if we say the purchase money was given for kiddushin, still he has to let her know that he intends to do yi'ud (even though normally a girl who is given in kiddushin by her father need not be made aware), based on the pasuk that says "ye'adah".
 - The view of **R' Yose the son of R' Yehuda** is taught in a Braisa. The Braisa says, the pasuk says "ye'adah v'hefda", and teaches that yi'ud may only be done when there is still enough time left to her servitude for her to be redeemed with graon kesef. From here **R' Yose the son of R' Yehuda** said, if there is enough time in the day for her to still do work the value of a prutah, he can do yi'ud. If not, he cannot do yi'ud. We see that he holds that the original purchase money is not what creates the kiddushin. **R' Nachman bar Yitzchak** said, he may even hold that the purchase money is what creates the kiddushin. However, since the pasuk says "ye'adah" next to "v'hefda", it teaches that yi'ud may only be done when graon kesef can still be done.
 - **Rava in the name of R' Nachman** said, we can learn from **R' Yose in the name of R' Yehuda** that a father can tell his minor daughter to go and accept her own kiddushin, and it would be an effective kiddushin. We learn this from him, because he says that by yi'ud the original money does not create the kiddushin, which means that the kiddushin is happening later, with only the consent of the daughter, and yet it is effective.
 - **Rava in the name of R' Nachman** said, we can learn from **R' Yose in the name of R' Yehuda** that if a man is mekadesh a woman with the forgiving of a loan for which he has collateral from her, the kiddushin is valid even before the return of the collateral. We learn this from him, because he says that by yi'ud the original money does not create the kiddushin, which means that the kiddushin is happening later, with the forgiving of the debt of servitude that she has to him, in which she herself is the collateral, and yet the kiddushin is valid as long as there is a prutah worth of value left to her servitude.
- A Braisa says, how is yi'ud done? The master says to her in front of 2 people "You are hereby mekudeshes to me" or "you are hereby me'ureses to me". This can be done even at the end of the 6 years, even right before sunset on the last day. He must then treat her as a wife, and no longer as a servant. **R' Yose the son of R' Yehuda** says, if there is enough time left in the day for her to do work for him, the value of a prutah, she is mekudeshes. If not, she is not mekudeshes. We can make a mashal to a man who tells a woman "become mekudeshes to me from now, after 30 days", and another man is then mekadesh her during the 30 days, in which case she is mekudeshes to the first man.
 - **Q:** Regarding whose statement was the mashal said? It can't be said on the words of **R' Yose the son of R' Yehuda**, because he said that the kiddushin does not take effect retroactively. **A:** **R' Acha the son of Rava** said, it was said on the view of the **Rabanan**, who said that the kiddushin takes place retroactively.
 - **Q:** This seems obvious based on their view, so what is the Braisa teaching us? **A:** In the case of yi'ud there was no requirement for him to say "from now". We would think that in a case of regular kiddushin there is also no need for him to say "from now". The Braisa therefore teaches that he must say "from now" for it to be effective retroactively.

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- A Braisa says, if a man sells his daughter as an amah ivriya, and he then went and accepted kiddushin for her from another man, **R' Yose the son of R' Yehuda** said he has made fun of the master, because she becomes mekudeshes to the second man. The **Chachomim** say, if the master wants to do yi'ud, he still can do so. We can make a mashal to a man who tells a woman “become mekudeshes to me after 30 days” and another man came and gave her kiddushin during the 30 days, in which case she becomes mekudeshes to the second person.
 - **Q:** Regarding whose statement was the mashal said? It can't be said on the words of **Rabanan**, because they said that the master can still do yi'ud, and the second kiddushin does *not* take effect!? **A: R' Acha the son of Rava** said, it was said on the view of the **R' Yose the son of R' Yehuda**, who said that the kiddushin of the second man does take effect.
 - **Q:** This seems obvious based on his view, so what is the Braisa teaching us? **A:** We would think that in the case of yi'ud he did not say it should take effect “after 30 days”, but in the case when a man does say that, we would think that it would help to make the kiddushin take effect retroactively. The Braisa teaches that it does not do so.
- A Braisa says, if a man sells his daughter, and says that the sale is on condition that he not perform yi'ud with her, **R' Meir** says the condition stands and the master may not do yi'ud with her. The **Chachomim** say, if the master wants he may still do yi'ud, because this is a condition that goes against what the Torah says, and such a condition is batel.
 - **Q:** We find elsewhere that **R' Meir** says in a Braisa that a condition that goes against what is written in the Torah is batel!? **A:** The case of the amah ivriyah is different, because the pasuk says “l'amah”, which teaches that it is possible that a girl can be sold solely as an “amah”, and for no other purpose.
 - The **Rabanan** say the word “l'amah” teaches as in a Braisa, that a father may sell his daughter to people that she may not marry (e.g. a mamzer).
 - **Q:** There would seem to be a kal v'chomer. If he can give her in kiddushin to one of these people (although she is not allowed to marry them, the kiddushin would take effect), then he should surely be able to sell her to such a person as an amah! **A:** Maybe he has the ability to give her in kiddushin to these passul people only because he has the ability to give her in kiddushin when she is a naarah. However, a person can't sell his daughter when she is a naarah, so maybe he also can't sell her to passul people. That is why the kal v'chomer doesn't stand, and we need the pasuk to teach that he can sell her to a passul.
 - **R' Eliezer** says, the word “l'amah” is not needed to teach that he can sell her to a passul, because that can be learned from another pasuk. Rather, the word “l'amah” teaches that he may even sell her to a relative who cannot effectuate a kiddushin with her. Although we can say that we would know that if he can sell her to a passul, he should for sure be able to sell her to a relative, in truth we could not learn that from there. It may be that he can sell her to a passul since there is the possibility for yi'ud (although he is not allowed to, the kiddushin would take effect if he did); whereas when he sells her to a relative there is no possibility for yi'ud. Therefore, we need the pasuk to teach that he may even sell her to a relative.
 - **R' Meir** (who uses this word for his drasha) learns that the father can sell her to a passul based on the pasuk that **R' Eliezer** uses for this drasha, and with regard to selling to relatives, he holds like the **Rabanan**, who say that a man may not sell his daughter to a relative.
 - **Q:** One Braisa says that a man may sell his daughter to his father (the girl's grandfather), but may not sell her to his son (the girl's brother). Another Braisa says that a man may not sell his daughter to his father or to his son. Now, the second Braisa can be said to be following the **Rabanan**. However, who does the first Braisa follow? It doesn't follow the **Rabanan** or **R' Eliezer**!? **A:** It follows the **Rabanan**, and they allow this sale since there is the possibility for yi'ud (if the grandfather has another son, that son can do yi'ud with the girl, because she is his niece, and thus mutar for him to marry).

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