



Daf In Review – Weekly Chazarah

Maseches Kiddushin, Daf 71 – Daf 80

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-----Daf 71--55-----

- A Mishna says, an animal found between Yerushalayim and Megdal Eider, or that distance away from Yerushalayim in any direction, if the found animals are male, they are to be treated as Olos. The females are to be treated as Shelamim.
 - **Q:** The Gemara asks, a male animal can be used for a Shelamim as well, so why is it that the male animal is assumed to be for an Olah? **R' Oshaya** answered, the Mishna is discussing the case of a person who doesn't want the Mizbe'ach to lose out, and therefore volunteers to redeem this animal and bring new animals in its place. The Mishna is saying that if it is a male animal that was found, he would have to bring an Olah and a Shelamim. Based on this the Mishna follows **R' Meir**, who says hekdesch that is used by someone b'mezid, becomes chullin, and therefore when he knowingly redeems the animal, the animal loses its hekdesch status. However, according to **R' Yehuda**, only a shogeg use of hekdesch makes it into chullin, and therefore this Mishna can't be following him. [This seems to be an anonymous Mishna that follows **R' Meir** regarding hekdesch!?!]
 - **Q:** A Mishna says that an object that has physical kedusha (not just its value is hekdesch) cannot become chullin!? **A:** That Mishna follows **R' Yehuda**.
 - **Q:** Still, if we see that according to **R' Yehuda** hekdesch that has physical kedusha does not become chullin through a shogeg use, then we should similarly say that according to **R' Meir** hekdesch that has physical kedusha should not become chullin through a meizid use!? **A:** According to **R' Yehuda**, where there is no intent to make the hekdesch into chullin, we can say that the Torah said that only a monetary hekdesch can become chullin through use. However, according to **R' Meir**, where it was done with intent, we say that it can even remove the kedusha off something that has physical kedusha.
 - **Q:** We have only found that **R' Meir** says his halacha regarding kodshei kodashim, not regarding kodshei kalim!? **A:** **R' Yaakov** said, we can learn via a kal v'chomer, that if one can remove the kedusha of kodshei kodashim, then he can surely remove the kedusha of kodshei kalim.
 - **Q:** **R' Yochanan** asked, how can we tell someone to redeem the animal and make it lose its kedusha, when it is an aveira to remove the kedusha from this animal!? **A:** **R' Yochanan** therefore said, the person must wait until the found animal gets a mum, at which time it is mutar to redeem it, and he may then bring 2 animals in its place. [Based on this, the Mishna does not follow the view of **R' Meir** regarding hekdesch.]
 - **Q:** The Mishna said that the found male animals are treated as Olos. Why are we not concerned that it may be a Todah!? **A:** We are so concerned, and the person must actually bring a Korbton Todah as well.
 - **Q:** One must bring 40 loaves of bread along with a Todah!? **A:** He brings the breads as well.
 - **Q:** Why are we not concerned that a found male may be an Asham? **A:** An Asham must be in its second year, and the Mishna is discussing where he found an animal in its first year.
 - **Q:** Why are we not concerned that it is the Asham of a metzorah or a nazir, which is brought in its first year!? **A:** A metzorah is not a common thing, and a nazir that becomes tamei is not a common thing, and therefore we do not have to be concerned for these possibilities.
 - **Q:** Why are we not concerned that the animal is a Korbton Pesach? **A:** During the time to bring a Pesach people are very careful with the animal they intend to use, so it would not get lost. After the time for a Pesach, even if this was designated as a Pesach, it is given the status of a Shelamim, and the person is anyway bringing a Shelamim.

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- **Q:** Why are we not concerned that the animal is a Bechor or Maaser? **A:** These animals are eaten once they get a mum, and the person (as we said earlier) must wait for the animal to get a mum before doing anything. At that point, a Bechor and Maaser are not brought as a korbbon anyway.
- **Q:** The Mishna said that the found female animals are treated as Shelamim. Why are we not concerned that it may be a Todah!? **A:** We are so concerned, and the person must actually bring a Korbbon Todah as well.
 - **Q:** One must bring 40 loaves of bread along with a Todah!? **A:** He brings the breads as well.
- **Q:** Why are we not concerned that a found female may be a Chatas? **A:** A Chatas must be in its first year, and the Mishna is discussing where he found an animal in its second year.
 - **Q:** Why are we not concerned that it is a Chatas whose first year passed before it had a chance to be offered? **A:** That is not a common case and we therefore need not be concerned for it.
 - **Q:** What about a case where he finds a female in its first year? **A:** A Braisa says, **Chananya ben Chachinai** says, the animal would be brought as a Chatas.
 - **Q:** We can't bring it as a Chatas unless we are absolutely certain that it is a Chatas, and we are not certain!? **A:** **Abaye** said, he means that we treat it like a Chatas that is not fit to be offered on the Mizbe'ach – which means we lock it in a room and let it die.

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- A Braisa says, one may not buy an animal with maaser sheini money outside of Yerushalayim. If he did: if it was done b'shogeg, then the sale is voided and the money is returned to the buyer; and if it was done b'meizid, then the animal is to be brought to Yerushalayim and eaten there. **R' Yehuda** said, this is only if the animal was bought with intention to bring it as a Shelamim. However, if his intent was to make the maaser money into chullin, then whether it was done b'shogeg or b'meizid, the sale is voided and the money is returned.
 - **Q:** We have learned that **R' Yehuda** says that if one intentionally uses maaser sheini money to be mekadesh a woman the kiddushin is valid, so why does he say in the Braisa that the sale is void? **A:** **R' Elazar** said, the case of the kiddushin is different, because the woman sees that the maaser money does not become chullin, because nothing else is becoming kadosh in its place. Therefore, we can presume that she will take the money to Yerushalayim to buy food there, and we do not have to void the kiddushin. In a transaction like the Braisa, the seller will not take the money to Yerushalayim, because he sees that the animal has taken the place of the maaser sheini money.
 - **Q:** **R' Yirmiya** asked, if someone uses maaser sheini money to buy a non-kosher animal, or slaves, or land, in which case the seller knows that the maaser sheini money cannot lose its kedusha to the those items, and yet a Mishna says that in that case the buyer must use other money in place of the maaser sheini money he spent on these items. We see that we don't say that since the seller knows that the money did not become chullin, he will take them to Yeruahalayim and buy food there!? Why is it that we say that the woman will do that!? **A:** The case of kiddushin is discussing a woman who is well versed in the halachos, and that is why we can assume that she understands and will take the money to Yerushalayim.
 - **Q:** Why is it that in this Mishna the sale remains effective, but the buyer must now use other money to make up for the maaser sheini money that he spent, but in the case of the Braisa we said that the sale is voided and the money is returned? **A:** **Shmuel** said, the Mishna is discussing where the seller ran away, and we can no longer get the money back from him.
 - **Q:** This suggests that if the seller had not ran away we would say that the sale is voided and the money is returned. That penalizes the seller by making him lose the sale. Why not penalize the buyer (who actually did the wrong) and make him have to spend new money for food in Yerushalayim? **A:** If not for the seller, the buyer would not have been able to do that aveirah.

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- **Q:** Still, it is the buyer who actually does the aveirah, so he should be penalized!? **A:** We penalize based on where the assur item is. Since the money is by the seller, it is he who must suffer the lost sale.

MISHNA

- If a man is mekadesh a woman with orlah, with klayim of the vineyard, with an ox that was sentenced to be stoned, with an eglah arufah, with the birds of a metzora, with the hair of a nazir, with the bechor of a donkey, with meat cooked in milk, or with a chullin animal that was shechted in the Azarah (all these items are assur b'hana'ah), she is not mekudeshes. However, if he sold any of these items and used the money as kiddushin, she is mekudeshes.

GEMARA

- **Q:** How do we know that orlah is assur b'hana'ah? **A:** A Braisa says, this is learned from an extra pasuk of "va'araltem orlaso".
- **Q:** How do we know that klayim of the vineyard is assur b'hana'ah? **A:** **Chizkiya** learns this from the pasuk of "pen tikdash", which he darshens as if it says "pen tukad aish" (it shall be burned in fire). **R' Ashi** darshens the pasuk to mean "pen yihyeh kodesh" (it becomes assur like hekdesh).
 - **Q:** According to **R' Ashi** we should say that klayim can be redeemed like hekdesh!? **A:** We must use the answer of **Chizkiya**.
- **Q:** How do we know that an ox that was sentenced to be stoned is assur b'hana'ah? **A:** A Braisa says, the pasuk regarding such an ox says "the ox shall be stoned and its meat may not be eaten". Now, it seems obvious that it can't eaten if it was killed by stoning. The pasuk is teaching that even if it was shechted after being sentenced for stoning, its meat may not be eaten. The pasuk of "ubaal hashor naki" teaches that it is assur b'hana'ah.
 - **Q:** The Gemara asks, maybe if it was shechted after the sentence it is mutar to eat, and the pasuk of "its meat may not be eaten" teaches that it is assur b'hana'ah, as we find that **R' Avahu in the name of R' Elazar** says that an issur of "eating" written in the Torah is an issur to have hana'ah as well? **A:** The Gemara says, that is only true when we also learn the issur of eating from the words "do not eat", but in the case of the ox, we learn that he may not eat it from the words "the ox shall be stoned". Therefore, the issur hana'ah can't be learned from the "do not eat". Or we can say that since the pasuk said "do not eat *the meat*", instead of saying "do not eat *it*". This teaches that even if it was shechted when it was alive, it is still assur to eat.
 - **Q:** **Mar Zutra** asked, maybe it is only assur if it was shechted with a stone (and is therefore a "stoned ox"), but if it was shechted with a knife after the sentence it would be mutar to eat? **A:** There is never a requirement to shecht using a knife. A Mishna teaches that any sharp and smooth object may be used for shechita.
 - **Q:** Since we can learn the issur of eating and of having hana'ah from "lo yei'acheil", what does the pasuk of "baal hashor naki" come to teach? **A:** It comes to teach that not only is the meat assur, but rather even the skin is assur b'hana'ah as well.
 - **Q:** According to the Tanna'im who use this pasuk for another drasha, how do they know that the skin is assur as well? **A:** They learn it from the word "es bisaro" – that which is secondary to the meat – i.e. the skin.
 - The other view does not darshen the word "es".

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B'EGLAH ARUFAH

- **Q:** How do we know that an eglah arufah is assur b'hana'ah? **A:** In the yeshiva of **R' Yannai** they said, the pasuk refers to it with the verbiage of "kaparah", which is the same verbiage used in the pasuk regarding a korbon, and we therefore learn that the eglah arufah is like a korbon in that it is assur b'hana'ah.

TZIPOREI METZORA

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- **Q:** How do we know that the birds of the metzora are assur b'hana'ah? **A:** In the yeshiva of **R' Yishmael** it was taught, we are taught about things that qualify a person (e.g. an asham of a metzora) and things that bring a kapparah (a regular asham) that are done inside the Beis Hamikdash, and we are taught about things that qualify (the birds of a metzora) and things that bring a kapparah (eglah arufah) that are done outside the Beis Hamikdash. Just like with regard to the things done inside, the items used to qualify is treated like the items used for kapparah, the same is with regard to the items used on the outside.
- We have learned, at what point do the birds of a metzora become assur b'hana'ah? **R' Yochanan** said from the time of shechita, because it is then that it becomes the bird of a metzora and therefore becomes assur, and **Reish Lakish** said from the time they are taken to be used, and he learns this from eglah arufa – just like eglah arufah becomes assur when it is still alive, so too the birds become assur when they are still alive.
 - **Q:** At what point does an eglah arufah become assur? **A:** **R' Yanai** said, I heard an answer but have forgotten it, but my colleagues have said that it becomes assur when it enters the rocky valley.
 - **Q:** If the eglah arufah doesn't become assur when it is taken for the process, the birds shouldn't become assur then either!? **A:** The eglah arufah has another defining event (i.e. when it is brought to the valley) after it is taken to be used in the process. The birds do not, and therefore they must become assur at the time that they are taken.
 - **Q:** **R' Yochanan** asked **Reish Lakish**, a Braisa says, the pasuk of "kol tzipor tocheilu" comes to teach that the metzora bird that is sent away is mutar, and the pasuk of "v'zeh asher lo tochlu meihem" teaches that the metzora bird that is shechted (the second bird is let go in the process) may not be eaten. According to **Reish Lakish** we don't need a pasuk to say that it is assur once it is shechted, because it was assur all along!? **A:** We would have thought that just like a korbon is assur, but then becomes mutar when it is shechted, the same should be for this bird. The pasuk is therefore needed to teach that it never becomes mutar.
 - **Q:** A Braisa says, if the bird was shechted and found to be a treifah (presumably because of something gone wrong in the shechita), he brings a new bird to pair up with the other existing bird, and the treifah is mutar b'hana'ah. Now, if you hold that the bird becomes assur while it is still alive, why is the treifah mutar b'hana'ah? **A:** The case is that the bird was found to be a treifah in its internal organs, which means that it was already a treifah when designated, and therefore it never became assur.
 - **Q:** A Braisa says, if the bird was shechted without first preparing the eizov, the eitz erez, and the red string (the other items needed for the metzora process), **R' Yaakov** says, although it does not fulfil the metzora's obligation, since it was designated for the mitzvah, it is assur. **R' Shimon** says, since it was not shechted properly it is mutar. Now, the machlokes is only regarding whether a shechita that is invalid has the status of a shechita or not. However, all agree that the bird does not become assur while it is alive!? **A:** Although this Braisa holds like **R' Yochanan**, there is another Braisa that says like **Reish Lakish**, and therefore their machlokes is actually the same as a machlokes among Tanna'im.
- **Q:** The Gemara earlier quoted the Braisa that says, the pasuk of "kol tzipor tocheilu" comes to teach that the metzora bird that is sent away is mutar, and the pasuk of "v'zeh asher lo tochlu meihem" teaches that the metzora bird that is shechted (the second bird is let go in the process) may not be eaten. Maybe we should reverse the teachings and learn that the shechted bird is mutar and the bird that is sent away is assur!? **A:** **R' Yochanan in the name of R' Shimon ben Yochai** said, we do not find that a live animal should become permanently assur.
 - **Q:** **R' Shmuel bar R' Yitzchak** asked, we find that animals designated for avodah zarah or ones that were worshipped as avodah zarah become permanently assur!? **A:** They are only assur to be used for a korbon, but they are mutar for regular eating. Therefore, it can't be that the bird that is sent away becomes assur even for regular eating.
 - **Q:** **R' Yirmiya** asked, an animal that was involved in bestiality becomes permanently assur!? **A:** **R' Yochanan in the name of R' Shimon ben Yochai** said, we find that most animals are not made permanently assur. Therefore, if the choice is to learn that the shechted bird or the live bird becomes permanently assur, we are going to learn that it is the shechted bird that becomes permanently assur.

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- In the yeshiva of **R' Yishmael** they taught that the pasuk says the bird should be sent “ahl pnei hasadeh”. This teaches that just as a field is mutar, so too the bird that is sent is mutar as well.
 - **Q:** That word “sadeh” is used for a different drasha!? **A:** The pasuk could have said “sadeh” and instead says “hasadeh”, which allows for both drashos to be made.
- **Rava** said, it can't be that the bird sent away is assur, because the Torah wouldn't say to send this bird into the wild where people may then catch it and eat it, not knowing that it was a metzorah bird that was assur. Therefore, it must be that the bird sent away is mutar.

B'SAAR NAZIR

- **Q:** How do we know that the hair of a nazir is assur b'hana'ah? **A:** The pasuk refers to the hair as “kodesh” and teaches that it is assur like hekdesch.
 - **Q:** If so, why can't the hair be redeemed like hekdesch? **A:** The pasuk says “kadosh” and not “kodesh”, although it is spelled in a way that both of these can be read. This teaches that the hair is like hekdesch in some way but not in all ways. Therefore, it is assur like hekdesch, but cannot be redeemed.

B'PETER CHAMOR

- **Q:** Should we say that the Mishna does not follow **R' Shimon**? A Braisa says that **R' Yehuda** holds that a peter chamor is assur b'hana'ah, but **R' Shimon** holds it is mutar!? **A:** **R' Nachman in the name of Rabbah bar Avuha** said, the Mishna is discussing after the chopping of the neck (which must be done if the donkey is not redeemed), in which case everyone agrees that it is assur b'hana'ah.

BASAR B'CHOLOV

- **Q:** How do we know that the meat cooked in milk is assur b'hana'ah? **A:** The yeshiva of **R' Yishmael** taught, the pesukim say “lo sivashel gedi bachaleiv imo” three times. One teaches meat in milk is assur to eat, another teaches that it is assur b'hana'ah, and the third teaches that there is an issur to cook them together.
 - Our Mishna does not follow **R' Shimon ben Yehuda**, who says in a Braisa that meat in milk is mutar b'hana'ah, based on comparing it to meat of a treifah.

V'CHULLIN SHENISHCHATU B'AZARAH

- **Q:** How do we know that a chullin animal that was shechted in the Azarah is assur b'hana'ah? **A:** **R' Yochanan in the name of R' Meir** said, the Torah says “shecht what is Mine in My place, and shecht what is yours in your place, and just like shechting Mine in your place is assur b'hana'ah, so too shechting yours in My place is assur b'hana'ah”. However, with regard to the kares penalty, we learn that that only applies to a korbon that was shechted outside, not to a chullin animal that was shechted inside.
 - **Q:** If so, maybe we can't compare the korbon to the chullin animal to learn that it is assur b'hana'ah, because the korbon carries a kares penalty and the chullin animal does not!? **A:** **Abaye** said, we learn that a chullin animal is assur to be shechted in the Azarah and is assur to be eaten if it is so shechted based on the extra pesukim of “ushchato”, “v'shachat oso”, and “v'shachat oso”. One teaches that it is assur if it was an unblemished or blemished animal, one teaches it is assur even if it was an undomesticated animal, and one teaches it is assur even if it was a bird. We then learn from the pasuk that says that a treifah is mutar b'hana'ah (“lakelev tashlichun oso”), that the treifah is mutar b'hana'ah, but the chullin animal shechted in the Azarah is assur b'hana'ah.
- **Mar Yehuda** asked **R' Yosef** and **R' Shmuel the son of Rabbah bar Chana**, in one Braisa **R' Shimon** says that if a man is mekadesh a woman with chullin that was shechted in the Azarah she is mekudehses. However, in a Mishna **R' Shimon** says that chullin shechted in the Azarah must be burned!? They went to **Rabbah**, who explained that in the Braisa, the case is that the animal was found to be a treifah, and **R' Shimon** says in another Braisa, that in that case, if the animal was shechted in the Azarah the meat would not be assur b'hana'ah.

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- **Q:** How do we know that the issur hana'ah does not transfer to the money? **A:** The pasuk regarding avodah zarah says “vihayisa cheirem kamohu”, which teaches that by avodah zarah, the payment received for it is assur. This suggests, that for all other issurim, the issur does not transfer to the money.
 - **Q:** Why don't we learn from avodah zarah to all other places in the Torah? **A:** Because the pasuk regarding shmitta also teaches that money received in exchange for shmitta is assur like the shmitta itself. Therefore, we have 2 pesukim teaching the same principle, and therefore we do not learn from there to other places.
 - **Q:** According to the view that we do learn from 2 such pesukim to other places, why don't we in this case? **A:** The pesukim have exclusionary language. Regarding avodah zarah the pasuk says “ki cheirem hu”, and regarding shmitta the pasuk says “Yovel hee”. Each of these teaches to limit the application to that specific case, and no other.

MISHNA

- If a man is mekadesh a woman using terumah, maaser, the pieces of an animal that must be given to a Kohen, with parah adumah water, or with parah adumah ashes, she is mekudeshes, even if the man is a Yisrael.

GEMARA

- **Ulla** said, the right that one has to choose the Kohen that he wants to give his terumah and maaser to, is not considered a true monetary ownership sufficient with which to be mekadesh a woman.
 - **Q: R' Abba** asked **Ulla**, our Mishna says that if a Yisrael is mekadesh with terumah it is a valid kiddushin, which refutes **Ulla's** view!? **A: Ulla** said, the case of the Mishna is where the Yisrael inherited tevel produce from his maternal grandfather who was a Kohen. Therefore, he actually owns the terumah that it contains (since his grandfather would have been able to keep it for himself), and that is why he can use it to be mekadesh a woman (who can then sell it to a Kohen).
 - **R' Chiya bar Avin** asked **R' Huna**, is the right that one has to choose the Kohen that he wants to give his terumah and maaser to, considered a true monetary ownership or not? He answered, from our Mishna we see that it is. **R' Chiya bar Avin** asked, didn't we explain that our Mishna is discussing a Yisrael who inherited the produce from his maternal grandfather who was a Kohen? **R' Huna** said, “you are a hutza'ah”. **R' Chiya bar Avin** became embarrassed, because he thought that he was being told that he does not know what he is talking about. **R' Huna** told him, what I meant was that **R' Assi** of Hutzal says like you say.
 - **Q:** Maybe we can say that it is actually a machlokes among Tanna'im. A Braisa says that if one steals the tevel produce of another, **Rebbi** says he must pay for the value of the entire tevel, including the value of the terumah and maaser that will be separated from it. **R' Yose the son of R' Yehuda** says he must only pay the value of the chullin produce (and not for the terumah and maaser). Presumably we can say that the machlokes is that **Rebbi** says the right to choose who to give the terumah and maaser to is a monetary right and it must therefore be paid for, whereas **R' Yose the son of R' Yehuda** says it is not!? **A:** It may be that all agree that it is not a monetary right. The case here is where a Yisrael inherited the produce from his maternal grandfather who was a Kohen, before the terumah was separated. The machlokes is whether the terumah is considered as if it is separated, and therefore it belonged to the grandfather and now belongs to his grandson, which is why **Rebbi** says it must be paid for, or if we say that the terumah is not considered to have been separated, and therefore the grandson must now separate it and give it to a Kohen, and therefore it is not considered as if it was stolen from the grandson, as **R' Yose the son of R' Yehuda** says. **A2:** It may be that everyone would agree that the terumah is considered as if it was already separated, and everyone also agrees that the right to choose who to give it to is not a monetary right, and the machlokes is regarding the halacha of **Shmuel**, who says that separating a single grain as terumah is sufficient to fulfil the terumah obligation. **Rebbi** holds like **Shmuel** and the thief must therefore pay for the entire produce (less one grain), and **R' Yose** does not. **A3:** It may be that all don't hold of **Shmuel**, and the reason **Rebbi** says the thief must pay for the full amount is a penalty so that the thief not be able to pay less than the amount he actually stole. **A4:** It

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may be that all agree with **Shmuel**, and **R' Yose** holds the thief does not have to pay for the terumah, as a penalty to the owner of the produce, who should never have left his produce for so long without separating the terumah.

- **Q:** Our Mishna says that if one is mekadesh with the water of the parah adumah or the ashes of the parah adumah, it is a valid kiddushin. However, another Mishna says that if one accepts payment to sprinkle the parah adumah or to mix the ashes and the water, they become passul, which suggests that it is assur to benefit from, and yet our Mishna said it can be used for kiddushin!? **A: Abaye** said, our Mishna refers to the benefit he gets for carrying the ashes or drawing the water. These acts require work, and one may therefore get paid for them (and therefore use this right for kiddushin). The other Mishna is discussing the sprinkling and the mixing, for which one is not entitled to take payment.

HADRAN ALACH PEREK HA'ISH MEKADESH!!!

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PEREK HA'OMER -- PEREK SHLISHI

MISHNA

- If a man tells his friend “go and be mekadesh a certain woman for me”, and the friend then went and was mekadesh this woman for himself, she is mekudeshes to the second man (i.e. the friend that actually gave the kiddushin).
- Similarly, if a man gives kiddushin to a woman and says “you should be mekudeshes to me after 30 days”, and another man came along during the 30 days and gave her kiddushin, she is mekudeshes to this second man, so much so that if he is a Kohen she may now eat terumah.
- If the man gave kiddushin and said to the woman “you should be mekudeshes to me from now and after 30 days”, and another man came along during those 30 days and gave her kiddushin, it is a safek which man she is mekudeshes to. Therefore, whether she is a Yisraelis and one of the men are a Kohen, or if she is a Kohenes and one of the men are a Yisrael, she may not eat terumah.

GEMARA

- A Braisa says, in the first case of our Mishna, what the second man did is effective (the woman is mekudeshes to him), however he is considered to have acted deceitfully. The Gemara says, that when our Mishna says “and the friend then *went*”, is also meant to imply that he went deceitfully.
 - **Q:** Why does our Mishna give the case of where the man sent his “friend”, and the earlier Mishna (which discusses the person who sent a shaliach to be mekadesh a woman for him in a particular place and the shaliach was mekadesh her in another place, in which case the kiddushin is invalid) gives the case of where the man sent a “shaliach”? **A:** Each Mishna is teaching a chiddush with use of its particular term. If our Mishna would use the term shaliach, we would think that it is only a proper shaliach who is considered deceitful if he is mekadesh the woman for himself, because the man was relying on the shaliach to get this done for him. However, since he doesn't rely on his friend in that way (he asked him to take care of it as a favor, not as a proper shaliach), maybe if a friend did this, he wouldn't be labeled as deceitful. If the other Mishna would use the term “friend”, we would say it is only when a friend is sent that if he is mekadesh her in a different place than instructed, the kiddushin is invalid, because the man doesn't think the friend will go looking for her in another place, and therefore doesn't invest in the friend the power to be mekadesh her in another place. However, with a proper shaliach, we would say that the man named a place, showing him one possible way of getting the shlichus done, but in fact, he invests the shaliach with the power to give the kiddushin in any place.
 - **R' Amram** went to be mekadesh a woman for his son, but ultimately was mekadesh the woman for himself.

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- **Q:** How could he have done that when the Braisa said that doing so is deceitful!? **A:** They family would not give this girl to **R' Amram's** son for a wife, so he therefore decided to marry her himself.
- **Q:** He should have told his son of this situation before marrying her himself!? **A:** He was afraid that if he would take the time to do so, someone else would have come and married this woman.
- **Rabbah bar bar Chana** gave money to **Rav** to buy a certain piece of land for him. **Rav** went and bought this land for himself.
 - **Q:** How could he have done that when the Braisa said that doing so is deceitful!? **A:** The landowners in that area were strong people and they would never have allowed **Rabbah bar bar Chana** to buy that piece of land. Therefore, **Rav** bought it for himself (they had respect for **Rav** and allowed him to buy it).
 - **Q:** He should have told **Rabbah bar bar Chana** of this situation before buying it for himself!? **A:** He was afraid that if he would take the time to do so, someone else would have come and bought the land in the meantime.
- **R' Gidal** was negotiating to buy a piece of land. In the meantime, **R' Abba** went and bought the land. **R' Gidal** complained to **R' Zeira**, who then went and relayed to **R' Yitzchak Nafcha**, as to what had taken place. **R' Yitzchak Nafcha** waited until he met **R' Abba** and asked him “if a poor person is trying to get a cookie and someone else comes and grabs it away, what would you say about this person?” **R' Abba** said, that person is a rasha. He then asked **R' Abba**, so why did you buy that piece of land? He said, I did not know that **R' Gidal** was negotiating on it. **R' Yitzchak Nafcha** said, so then go and sell it to him now. **R' Abba** said, I don't want to sell it to him, because it is the first piece of land I ever owned, and it is not a good siman to sell one's first piece of land. However, I am willing to give it to him as a gift. Ultimately, **R' Gidal** did not do anything with that land, because he wouldn't accept a gift (based on the pasuk of “sonei matanos yichyeh”), and **R' Abba** did not do anything with that land, because **R' Gidal** had been negotiating on it. The land became known as the “Land of the Rabanan”.

V'CHEIN HA'OMER L'ISHA HISKADSHI LI...

- **Q:** If a second man did not give her kiddushin during these 30 days, what is the halacha? **A: Rav and Shmuel** both said, she is mekudeshes, even if the money that he gave her at the start of the 30 days is no longer around at the end of the 30 days. This is because the money was initially given to her for kiddushin, not for a loan (in which case he would be giving kiddushin with a loan) and not to be guarded by her (in which case it could be used for kiddushin only if a prutah remains at the time of the kiddushin).
- **Q:** What if no one else gave her kiddushin during the 30 days, but she decided that she no longer wants to marry this man? **A: R' Yochanan** said, she may decide that during the 30 days and she will not be mekudeshes. **Reish Lakish** said, that she cannot retract her earlier acceptance, because words cannot now come and cancel earlier words.
 - **Q: R' Yochanan** asked **Reish Lakish**, a Mishna says, if a man appointed a shaliach to separate terumah for him, he can cancel that appointment if the shaliach has not yet separated terumah. We see that words can cancel previously spoken words!? **A: Reish Lakish** said, the giving of the kiddushin money to the woman was an act, and therefore, later words cannot come and cancel an earlier act.
 - **Q:** A Mishna says, if a man gives a get to a shaliach and instructs that he deliver it to his wife, and he then chases down the shaliach and tells him that the get is void, it becomes void and even if it is given to the woman at that point, she will not be divorced. Now, giving the get to the shaliach is an action, and we see that the husband's later words can cancel the earlier action!? **A:** Until the giving of the get to the woman, it is considered as words. Therefore, his later words can cancel his earlier words.
 - **Q: Reish Lakish** asked **R' Yochanan**, a Mishna says, if a craftsman decided that he is done with the making of a keili (he no longer needs to work on it to finish it), it becomes fit to become tamei. However, to remove the tumah and the ability to become tamei, he will have to actually begin to work on the keili again, and the thought to do so is not sufficient. We see from here that an act can cancel a previous act and a previous thought, but a thought alone cannot cancel a previous act!? **A: R' Yochanan** said, the

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concept of tumah is different, because the thought that makes it fit to become tamei is given the status of an act.

- **R' Zvid** said that the machlokes between **R' Yochanan** and **Reish Lakish** was said on a different Mishna. The Mishna says, if a woman appoints a shaliach to accept kiddushin for her from a particular man, and she then goes and accepts kiddushin on her own from a different man, the halacha is that if she accepted her own kiddushin before the shaliach accepted for her, then her kiddushin is effective and the other is not. If the shaliach accepted first, that kiddushin is effective and the one she accepted on her own is not. The question was then asked, what if she didn't accept kiddushin on her own, but instead said that she no longer gives the shaliach the power to accept kiddushin for her? What is the halacha? **R' Yochanan** said she can retract the authorization – her new words can cancel her original words, and **Reish Lakish** says that she cannot do so – her new words cannot cancel her old words.
 - **Q: R' Yochanan** asked **Reish Lakish**, a Mishna says, if a man appointed a shaliach to separate terumah for him, he can cancel that appointment if the shaliach has not yet separated terumah. We see that words can cancel previously spoken words!? **A: Rava** said, the case in this Mishna is that the man went and separated terumah on his own before the shaliach did so, and it is therefore an act, not just words, that is removing the authorization of the shaliach, and that is why it is effective.
 - **Q: Reish Lakish** asked **R' Yochanan**, a Mishna says, if a craftsman decided that he is done with the making of a keili (he no longer needs to work on it to finish it), it becomes fit to become tamei. However, to remove the tumah and the ability to become tamei, he will have to actually begin to work on the keili again, and the thought to do so is not sufficient. We see from here that an act can cancel a previous act and a previous thought, but a thought alone cannot cancel a previous act, but according to you a thought should at least be able to cancel another thought!? **A: R' Yochanan** said, the concept of tumah is different, because the thought that makes it fit to become tamei is given the status of an act.
 - **Q: A** Mishna says, if a man gives a get to a shaliach and instructs that he deliver it to his wife, and he then chases down the shaliach and tells him that the get is void, it becomes void. We see that his later words are able to cancel his earlier words!? This is a **TEYUFTA** of **Reish Lakish**, and we therefore pasken like **R' Yochanan**.
 - The Gemara says we even pasken like **R' Yochanan** according to the first version of the machlokes, where the woman accepted the kiddushin and she therefore did an act, still we say that her later words can cancel her earlier words of acceptance.
 - **Q: We** say that we pasken like **R' Yochanan**, however we pasken like **R' Nachman** who says that when the husband cancels the power of the shaliach to give the get, he may use that get if he later decides he wants to use it, which means that he cannot cancel the authority of the sofer and of witnesses who wrote the get!? **A: The** husband words were only intended to cancel the authority of the shaliach, and they accomplish that.

MEKUDESHES LASHEINI

- **Rav** said, the kiddushin of the second man is effective forever. **Shmuel** said, the kiddushin of the second man is effective until Day 30. At that time it is removed and the kiddushin of the first man is finalized and becomes effective.
 - **Q: R' Chisda** asked, with what was the second man's kiddushin removed!? **A: R' Yosef** said, you have learned this machlokes as referring to the earlier part of the Mishna, and that is why you have this question. **R' Yehuda** taught this machlokes on the later part of the Mishna and therefore doesn't have this problem. He taught it on the part of the Mishna that says "if he gave her kiddushin and told her it should be effective from now and after 30 days...", **Rav** says the woman become safek mekudeshes forever, and **Shmuel** says she is only safek mekudeshes during the 30 days. After the 30 days, the second man's kiddushin is removed and the first kiddushin becomes fully effective.

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- **Rav** is unsure whether when the man adds “and after 30 days” it is a condition or a retraction, and therefore he treats both kiddushin as a safek. **Shmuel** is certain that it is a condition, and therefore the first man’s kiddushin is fully effective on Day 30.
- Based on this, we can say that they argue in the same machlokes among Tanna’im in a Braisa. The Braisa says, if a man gives a get to his wife and says “this is your get from today and after my death”, the **Chachomim** say it is a safek get, and **Rebbi** says in a case like this it is a get. The machlokes seems to be that the **Chachomim**, like **Rav**, are unsure whether “and after my death” is a condition or a retraction, whereas **Rebbi** feels it is certainly a condition, and therefore holds the get is effective.
 - **Q:** If this is true, why didn’t **Rav** simply say that the halacha follows the **Chachomim**, and **Shmuel** say that the halacha follows **Rebbi**? **A:** **Rav** had to also say his view regarding kiddushin, because if he would have only agreed with the **Chachomim** regarding gittin, we would say that only regarding gittin, where a man finds it hard to divorce his wife, does **Rav** say that it may be considered a retraction. However, with regard to kiddushin, maybe he is certain that such language is a condition. Also, if **Shmuel** would only have agreed with **Rebbi**, we would say that in that case, since there is no such thing as a get after death, it must be that we say his statement was a condition. However, with regard to a kiddushin, maybe we are unsure if the statement was a condition or a retraction. Therefore, they must both state their views in a case of kiddushin as well.

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- The Gemara had taught the machlokes in a case where a man gave kiddushin and said it should take effect from now and after 30 days, and a second man came and gave kiddushin during those 30 days, in which case **Rav** said she is safek mekudeshes to both the men, because he is unsure whether the “and after 30 days” was a condition or a retraction, and **Shmuel** said she is certainly mekudeshes to the first one after the 30 days, because “and after 30 days” is certainly a condition, and not a retraction.
 - **Abaye** said, according to **Rav**, if one man gives her kiddushin and says it should take effect from now and after 30 days, and a second man then gives her kiddushin and says it should take effect from now and after 20 days, and a third man then gives her kiddushin and says it should take effect from now and after 10 days, she would only need a get from the first man and the last man, because if we look at the statement as a condition, she is only married to the first man, and if we look at it as a retraction, she is only married to the last man. Therefore, she is certainly not married to the second man.
 - **Q:** This seems to be obvious!? **A:** We would have thought that we must be concerned that each man meant the statement differently (maybe one meant it as a condition and another as a retraction). He therefore teaches, that we assume that all the men meant it in the same way.
 - **Ulla** and **R’ Assi** each said that in **Abaye’s** case **R’ Yochanan** would say that every man’s kiddushin will take effect, and she would need a get from each one of them.
 - **R’ Mesharshiya the son of R’ Ami** said to **R’ Assi**, the reason of **R’ Yochanan** is that the each person does his kiddushin in a way that he leaves a place for another man’s kiddushin to take effect
 - **Q:** **R’ Chanina** asked, a Mishna says, if a man gives a get and tells his wife “this is your get from today and after my death”, it is a safek get. Therefore, if he were then to die without children, his brother would have to give this woman chalitza, and could not do yibum. Now, **Rav’s** view is supported by this Mishna. Even **Shmuel** could say that his earlier statement was following **Rebbi**, and this Mishna is following the **Rabanan**. However, according to **R’ Yochanan**, since such language means that the man left over something, if so the get in this Mishna is not a get at all (a get that leaves over something is not a get), and therefore the brother should even be able to do yibum!? **A:** **Rava** said, **R’ Yochanan** will hold that the get is effective to an extent in terminating the marriage, and the death of the husband then completes the termination. That is

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why she is somewhat of a divorcee and somewhat of a widow. That is why yibum cannot be done with her.

- **Q: Abaye** asked, we can't say that the get and death both work towards the same goal, and combine to terminate the marriage, because a get would remove her from the reshus of the yavam, whereas the death would bring her into the reshus of the yavam. Therefore, they are very different and can't say to combine to reach the same goal. If so, the question is back on **R' Yochanan!**? **A: Abaye** said, in truth, D'Oraisa yibum can be done to the woman in the Mishna. It is only D'Rabanan that it can't be done, as a gezeirah for the case when the man says "here is your get from today if I die", in which case the get is valid, and yibum therefore cannot be done. So as not to confuse with that case, the **Rabanan** were goizer that in the case of the Mishna yibum may also not be done.
 - **Q:** If so, we should say that "from today if I die" should need chalitza so that people not confuse the case of "here is your get from today and after my death" and will come not to give chalitza in that case either!? **A:** The **Rabanan** were concerned that if we tell people to give chalitza in the case, they may also come to do yibum as well (and doing yibum in that case is assur D'ORaisa, because she was a divorcee and not a widow).
 - **Q:** If so, in the case of "from today and after my death", if we have them do chlitza, it may lead to them doing yibum!? **A:** If they do yibum it would not bother us, because D'Oraisa yibum can be done.

MISHNA

- If a man tells a woman "you are mekudeshes to me (with this prutah) on the condition that I give you 200 zuz", she is mekudeshes to him and he must then give her the 200 zuz.
 - If he said "on condition that I give it to you from now until 30 days", if he gives it to her within 30 days she is mekudeshes, if not she is not mekudeshes.
- If he says "on condition that I have 200 zuz", then she is mekudeshes to him if he has this money.
 - If he said "on condition that I show you 200 zuz", she is mekudeshes as long as he shows her this money. However, if he was a moneychanger, and he showed her this amount of money on the table (the money did not belong to him), she is not mekudeshes.

GEMARA

- We have learned regarding the first case of the Mishna, that **R' Huna** says he should give her the money, and when he does the kiddushin is effective retroactively to the time of the kiddushin, and **R' Yehuda** says the kiddushin becomes effective when the money is give, and not retroactively. The reasons are that **R' Huna** views this as a condition, so once the condition is fulfilled the kiddushin is effective retroactively, and **R' Yehuda** says we view it as the kiddushin is to take place when the money is given. The difference between these shitos would be if she accepted kiddushin from another man before the 200 zuz was paid – **R' Huna** would say this second kiddushin is not effective, and **R' Yehuda** would say that it is.
 - We find that they argue regarding gittin in this way as well, where a man gives a get on condition that the woman give him 200 zuz. There is the same machlokes between **R' Huna** and **R' Yehuda** in that case, and for the same reasons. There, the difference between the shitos would be if the get was destroyed before the money was given – according to **R' Huna** once the money is given the get is still effective, and according to **R' Yehuda** it would not be effective.
 - We need to have the machlokes in both cases. If we would only have the machlokes regarding kiddushin, we would say that **R' Huna** says it takes effect retroactively over there, because the point of kiddushin is to bring her close, and he therefore intends for it to take effect at that time. However, regarding a get, it may be that he agrees with **R' Yehuda** that it does not take effect until the money is given. If we would only have the machlokes regarding get, we would say that there **R' Huna** says that it takes effect retroactively, because he is not embarrassed to press her for collection of the money. However, when he gives her kiddushin she will be embarrassed to do so, and therefore maybe **R' Huna**

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would agree with **R' Yehuda** and say that it does not take effect until the money is actually given. These same 2 reasons would apply to **R' Yehuda** in the reverse. That is why we need the machlokes taught to us in both cases.

- **Q:** A Braisa says that if a man tells his wife “this is your get on condition that you give me 200 zuz” and the get is then lost, she is still divorced but may not marry someone else until she gives the money. This refutes **R' Yehuda**! Even more, a Braisa says, if a man tells his wife “this is your get on condition that you give me 200 zuz” and he then died childless, if she gave him the money before he died, she is not bound to the yavam, if she did not, she is bound. **R' Shimon ben Gamliel** said, even after he died she can still give the money to the husband’s father, brother or relative. Now, the machlokes is only whether the husband meant that the condition can be fulfilled through giving the money to his inheritors or not. However, all seem to agree that the get takes effect retroactively and this therefore refutes **R' Yehuda**!
A: **R' Yehuda** will answer, these Braisos follow the view of **Rebbi**, who was quoted by **R' Huna** to say that whenever someone says that there should be a condition he means for it to take effect immediately. However, the **Rabanan** argue with **Rebbi**, and **R' Yehuda** will hold like the **Rabanan**.
 - **R' Zeira** said that he repeated this quote of **R' Huna in the name of Rebbi** and it was accepted in Bavel. However, in EY he was told by **R' Assi in the name of R' Yochanan** that **Rebbi and the Rabanan** agree that by a condition a person means for it to take effect immediately. The machlokes is only when a husband gives a get and says it should take effect “from today and after my death”. In fact, we have a Braisa that says that they argue in specifically that case.
 - **Q:** According to **R' Yehuda**, why do they argue in that case in the Braisa? They should argue in the case of a regular condition!? **A:** They argue in that case to show that **Rebbi** holds that even in that case it takes effect immediately. We want to show the extent of **Rebbi's** shita, because he is issuing the permissive ruling.

AHL MENAS SHE'ETEIN LACH MIKAN...

- **Q:** It is obvious that the kiddushin will only take effect if she fulfills the condition, so what is the Mishna teaching? **A:** We would think that the husband doesn't mean to make the timeline into an absolute condition, but instead means to push himself to give the money quickly. The Mishna teaches that the timeline is an absolute demand and condition.

AHL MENAS SHEYEISH LI MASAYIM ZUZ...

- **Q:** Even if we don't know for sure that he has the money, we should be concerned that he does, and the woman should not be allowed to marry another man!? Even a Braisa says that we must be concerned for this!? **A:** Our Mishna means that we don't have a definite kiddushin here, and the Braisa means that we are concerned for a safek kiddushin.

AHL MENAS SHE'AR'EICH MASAYIM ZUZ...

- A Braisa explains, the woman only has in mind that she wants to see this money that belongs to him. Seeing it belonging to other people is therefore nothing.

V'IHM HER'AH LAH AHL HASHULCHAN EINA MEKUDESHES

- **Q:** This seems obvious!? **A:** The chiddush is, even if he gets a share of the profits generated by this money, it is not called his money, and the kiddushin will therefore not take effect.

MISHNA

- If a man gives kiddushin “on condition that I have a beis kor of land”, she is mekudeshes as long as he has that amount of land.
 - If he says “on condition that I have a beis kor of land in such-and-such a place”, she is mekudeshes only if he has that amount of land in that place.
- If he says “on condition that I show you a beis kor of land”, she is mekudeshes as long as he shows her this land. However, if he shows her land that does not belong to him, she is not mekudeshes.

GEMARA

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- **Q:** Even if we don't know for sure that he has the land, we should be concerned that he does, and the woman should not be allowed to marry another man!? Even a Braisa says that we must be concerned for this!? **A:** Our Mishna means that we don't have a definite kiddushin here, and the Braisa means that we are concerned for a safek kiddushin.
- **Q:** Why do we need a Mishna to teach the same concept regarding money and regarding land? **A:** People generally hide their money, and maybe that is why in that case we must be concerned that he has the money. However, regarding land, we would say that if he owned the land we would know about it. Therefore we are taught that even regarding land we must be concerned that he owns the land.

AHL MENAS SHEYEISH LI B'MAKOM PLONI IHM YEISH LO...

- **Q:** This seems to be obvious!? **A:** We would think that even if has land someplace else, he could tell her, what do you care where the land is? I will get the produce and deliver it to you! The Mishna therefore teaches that even so, the kiddushin is not valid.

AHL MENAS SHE'AR'EICH BEIS KOR AFAR

- A Braisa explains, the woman only has in mind that she wants to see this land that belongs to him. Seeing it belonging to other people is therefore nothing.

V'IHM HER'AH B'BIKAH EINAH MEKUDESSES

- **Q:** This seems obvious!? **A:** The chiddush is, even if he gets a share of the profits generated by this land, it is not called his land, and the kiddushin will therefore not take effect.

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- A Mishna regarding hekdesch says, that if one gives a field to hekdesch and wants to redeem it, he gives a certain amount of money for each kor of plantable land. The Mishna says, if the land had in it an area that was 10 tefachim deep, or rocks that were 10 tefachim high, they are not measured along with the rest of the field.
 - **Q:** The Gemara asks, those areas should at least become hekdesch on their own and should therefore also have to be redeemed!? You can't say that any piece of land smaller than a kor is not redeemed in this way based on this calculation of money, because a Braisa says that it is!? **A: Mar Ukva bar Chama** said, the Mishna is discussing these deep areas that are filled with water and are therefore not fit for planting, and therefore must be redeemed at their regular market value, and not based on the set amount per kor like the rest of the field.
 - **Q:** If so, then even if they are less than 10 tefachim deep they should be redeemed in this way (because they are still not fit for planting)!? **A:** An area less than 10 tefachim deep that is filled with water is viewed as a puddle of the field, and not a separate area. Similarly, a rock less than 10 tefachim tall is considered a bump in the field, and not a separate area.
 - Regarding selling a field, a Mishna says that if a person says "I am selling you a kor of land" and the land had in it an area that was 10 tefachim deep, or rocks that were 10 tefachim high, they are not measured along with the rest of the field. On that Mishna **Mar Ukva** said, even if the deep area is not filled with water, it is not counted along with the land. **R' Pappa** explained, when a person buys land he wants it to be one big piece of land, and not have it look like a few separate pieces of land (which is what these deep areas and high rocks tend to do).
 - **Q:** What would the halacha be in our Mishna, with regard to kiddushin (when the man gives kiddushin with the condition that he has a kor of land)? Do we compare it to hekdesch, and therefore if the deep area is plantable it is viewed as part of the land, or do we compare it to a sale and it is not? **A:** It is more logical to compare it to the case of hekdesch, because he can tell the woman, the fact that the field has these deep areas will not affect you, because I will work the field and bring the produce to you.

MISHNA

- **R' Meir** says, we learn from the pasuk by the condition of the people of Gad and Reuven that any condition must be double sided in order to be effective (if A then B, and if not A then not B), since that is how the condition with them was made (if you go and fight in EY you will inherit land on the east of the Yarden, and if you don't go and

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fight you will not inherit the land). **R' Chanina ben Gamliel** disagrees with the drasha, He says that the double condition was needed there, because if not we would understand the condition that if they don't go and fight they lose even a regular portion of EY itself. Therefore, he holds that any other condition need not be double sided.

GEMARA

- **Q: R' Chanina ben Gamliel** seems to have refuted the drasha of **R' Meir**!? **A: R' Meir** says, the words “b'Eretz Knaan” in the pasuk is extra, and teaches the concept of a double sided condition.
 - **R' Chanina** would say that those words are not extra, because they are needed to clarify that their portion would not be in Gilad, but would rather be in EY proper.
- A Braisa says, **R' Chanina ben Gamliel** says we can compare the case of Gad and Reuven to the following mashal. A father says, “one son should inherit Field A, another son should inherit Field B, and a third son should give 200 zuz and then should inherit Field C, and if he does not give the 200 zuz, he should inherit along with his brothers”. It is only because of the father's end statement (“if he does not give...”) that the son inherits along with the other brothers if he does not give. Similarly, Moshe's doubling of the condition only served to include Gad and Reuven in a share of EY, and was not meant to teach that a condition must be doubled.
 - **Q:** The Gemara asks, the mashal is very different than the Mishna!? In the Mishna **R' Chanina** said that if the condition of Moshe had not been doubled, Gad and Reuven would not have even gotten a share in EY, and in the Braisa he seems to say that the doubling of the condition only secured them a piece of EY, but that they would never have lost their land in Gilad!? **A:** The Braisa and the Mishna are at different stages of **R' Chanina's** conversation with **R' Meir**, and therefore take on the different understanding at that time.
- **Q:** According to **R' Meir**, we can understand the pasuk that says “ihm teitiv se'eis v'ihm lo seitiv lapesach chatas roveitz”. It must give the positive and the negative so that it should be binding. However, according to **R' Chanina**, why do we need both sides to be stated in the pasuk? **A:** Without the second part we would have thought that if someone does a mitzvah he gets reward, and if he doesn't do mitzvos and does aveiros he doesn't get reward but also doesn't get punished. The pasuk therefore teaches that a person gets punished for doing that.
- **Q:** When Avrohom made Eliezer take an oath, he stated the positive and the negative. According to **R' Meir** this makes sense, but according to **R' Chanina**, why did he have to do that? **A:** The second part of the statement was telling Eliezer that if the girl wants to come back but her family does not agree, you should not bring her against their will.
 - **Q:** In the back and forth between Avrohom and Eliezer, Eliezer asked what he was to do if the woman does not want to return to EY with him. Avrohom responded, “if the woman does not want to return to EY with you...”. Why did Avrohom have to repeat the question that was asked? **A:** He was telling Eliezer, if the woman's family agrees to send her with you, but the woman herself does not agree, do not take her against her will.
- **Q:** According to **R' Meir** we can understand why the pasuk first says “ihm bechukosai teileichu...” and then says “ihm bechukosai tim'asu...”. However, why is the negative stated according to **R' Chanina**? **A:** We would think that if one follows the Torah there is reward, and if he doesn't follow the Torah there is no reward, but there is also no punishment. The Torah therefore must teach that there is punishment for not following the Torah.
- **Q:** According to **R' Meir** we can understand why the pasuk first says “ihm tovu ushmatem...” and then says “v'ihm tima'anu umrisem...”. However, why is the negative stated according to **R' Chanina**? **A:** We would think that if one follows the Torah there is reward, and if he doesn't follow the Torah there is no reward, but there is also no punishment. The Torah therefore must teach that there is punishment for not following the Torah.