

מסכת גיטין · דף י"ב ע"ב

Elucidated Talmud · Statement and Proof · Navy & Gold Edition

THE SUGYA

In this daf, we dive deeper into the complex halachic relationship between a master and his slave, specifically focusing on the master's obligation to provide sustenance. We will explore the opinions of Rav and Rabbi Yochanan regarding whether a master can tell his slave, "Work for me, but I will not sustain you," and how this affects the consecration of the slave's hands or the compensation for his injuries.

We will also learn about the practical halachos of a slave who must borrow money to eat and how he repays it, as well as the distribution of medical compensation when a slave is injured. Finally, the Gemara brings us back to the core dispute between Rabbi Meir and the Rabbis regarding whether emancipation is always a benefit for a slave, introducing the case of a Kohen's slave who would lose the right to eat terumah.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

QUESTION

לֹא וְאוֹכֵל?

Does the slave really need to **borrow and eat**? After all, his master is obligated to provide him with sustenance!

ANSWER

לְהַעֲדָפָה.

The Gemara answers: This refers to **surplus** food, i.e., additional food that the slave desires to eat beyond his basic sustenance.

OBJECTION

וְלֵימָא לִיהּ הֶקְדֵּשׁ: עַד הֲשֵׁתָא סָגִי לָהּ בְּלֹא הַעֲדָפָה, וְהֲשֵׁתָא נָמִי תִּסְגִּי לָהּ בְּלֹא הַעֲדָפָה!

The Gemara objects: **But let the Temple treasury say to him: Until now it was enough for you without a surplus, and now too it should be enough for you without a surplus!** Why do you suddenly require extra food? Therefore, the consecration should apply to this surplus as well!

ANSWER

הֶקְדֵּשׁ גּוֹפִיָּה נִיחָא לִיהּ, כִּי הִיכִי דְלִשְׁבַּח עֲבָדֶיהּ.

The Gemara answers: **It is pleasing to the Temple treasury itself** that he should eat more, so that its slave will improve in value, as eating more will make him stronger and more productive.

OBJECTION

עוֹשֶׂה וּפּוֹרֵעַ, קָמָא קָמָא קָדִישׁ לִיהּ!

The Gemara objects to the earlier statement that the slave **works and repays** his loan: But as soon as he works, **each** bit of earnings **as it comes becomes consecrated** to the Temple treasury, since his hands are consecrated! How then can he use the money to repay his personal debt?

ANSWER

בְּפָחוֹת פָּחוֹת מִשְׁוֶה פְּרוּטָה.

The Gemara answers: This refers to a case where he earns **less than the value of a perutah** at any one time. Since anything worth less than a perutah cannot become consecrated, he can accumulate these small amounts and repay his debt.

STATEMENT

הָכִי נָמִי מְסַתְפָּרָא; דָּאֵמַר רַב: הַמְקֻדֵּשׁ יָדֵי עֶבְדּוֹ – אוֹתוֹ הָעֶבֶד עוֹשֶׂה וְאוֹכֵל, דָּאִי לָא עֶבְדָּא מֵאֵן פִּלַּח לֵיהּ.

The Gemara comments: **So too it is reasonable** to explain that Rav's ruling refers to a case where the master provides sustenance; **as Rav says: One who consecrates the hands of his slave, that slave works and eats** from his earnings, **for if he does not work** for his own food, **who will serve him** and provide him with sustenance?

EXPLANATION

אִי אָמַרְתָּ בְּשִׁלְמָא הָהּ בְּמַעְלָה וְאִינוּ יָכוֹל, וְהָא בְּשִׁאִינוּ מַעְלָה, שְׁפִיר.

Granted, if you say that **this** first halachah of Rav refers to a case where the master **provides** sustenance, and Rav holds that a master **cannot** say to his slave "work for me but I will not sustain you," **and this** second halachah refers to a case **where he does not provide** sustenance, and therefore the consecration of his hands is ineffective, then it is **well**, as there is no contradiction.

OBJECTION

אָלָא אִי אָמַרְתָּ הָהּ בְּשִׁאִינוּ מַעְלָה, וְיָכוֹל, דָּאִי לָא עֶבְדָּא מֵאֵן פִּלַּח לֵיהּ?! מֵאֵן דְּבָעִי נִיפְלָחִיהּ!

But if you say that **this** first halachah also refers to a case **where he does not provide** sustenance, because a master **is able** to say "work for me but I will not sustain you," then what is the meaning of Rav's statement: "**for if he does not work, who will serve him?**" **Let whoever wants to, serve him**—meaning, let the slave go collect charity, and why should the master care?

INFERENCE

אָלָא לָאוּ, שְׁמַע מִינָהּ אִינוּ יָכוֹל!

Rather, is it not correct to **conclude from this** that a master **cannot** say to his slave "work for me but I will not sustain you"?

RESOLUTION

שְׁמַע מִינָהּ.

The Gemara confirms: **Conclude from this** that it is so.

PROOF

תָּא שְׁמַע, דָּאֵמַר רַבִּי יוֹחָנָן: הַקּוֹטֵעַ יָד עֶבְדּוֹ שֶׁל חֵבִירוֹ – נוֹתֵן שְׂכָתוֹ וְרַפּוּאָתוֹ לְרֵבּוּ, וְאוֹתוֹ הָעֶבֶד נִיזוֹן מִן הַצְדָּקָה.

Come and hear a proof from that which **Rabbi Yochanan** says: **One who severs the hand of another's slave must pay** the compensation for **his loss of employment** and his healing to his master, and that slave is sustained from charity.

INFERENCE

שְׁמַע מִיָּנָה, יָכוֹל הָרֵב לוֹמַר לְעֶבֶד: "עֲשֵׂה עִמִּי וְאֵינִי זָנָה!"

Conclude from this that the master is able to say to the slave: "Work with me and I will not sustain you," since the master takes the compensation for his loss of work while the slave is left to live on charity!

ANSWER

הָכָא בְּמַאי עֲסָקִינוּ – בְּמַעֲלָה לֹא מְזוֹנוֹת.

The Gemara answers: **With what are we dealing here?** We are dealing with a case **where** the master **does** provide him with **sustenance**.

QUESTION

אִי הָכִי, אֲמַאי נִיּוֹן מִן הַצִּדָּקָה?

The Gemara asks: **If so, why is he sustained from charity** if his master is already feeding him?

ANSWER

לְהַעֲדָפָה.

The Gemara answers: This refers **to surplus** food that he desires beyond his basic needs.

OBJECTION

אִי הָכִי, "נִיּוֹן"?! "מִתְפָּרֵס" מִיָּבֵעֵי לֵיהּ!

The Gemara objects: **If so**, why does the Braisa use the term "**sustained**"? It **should have** used the term "**he earns a living**" or "**he is supported**"!

INFERENCE

אָלָא לָאוּ, שְׁמַע מִיָּנָה יָכוֹל!

Rather, is it not correct to **conclude from this** that the master is **able** to say "work for me but I will not sustain you"?

RESOLUTION

שְׁמַע מִיָּנָה.

The Gemara confirms: **Conclude from this** that it is so.

STATEMENT

אָמַר מָר: נוֹתֵן שְׁבָתוֹ וְרְפוּאָתוֹ לַרְבּוֹ.

The Master said above: The injurer **pays his loss of employment and his healing** to his master.

EXPLANATION

שְׁבָתוֹ, פְּשִׁיטָא!

The Gemara analyzes this: Regarding **his loss of employment**, it is **obvious** that it goes to the master, since the slave's labor belongs to him!

EXPLANATION

רפואתו איצטריקא ליה.

Rather, **his healing was necessary** to be stated.

QUESTION

רפואתו דידיה היא, דבכעי איתסויי בה!

The Gemara asks: But **his healing belongs to him**, the slave, as he needs to be cured with it!

ANSWER

לא צריקא, דאמדוה לחמשא יומי, ועבדו ליה סמא חריפא ואתסי בתלתא יומי;

The Gemara answers: **No, it is necessary** only for a case where they estimated the healing would take five days, but they applied a strong medicine to him and he was cured in three days.

EXPLANATION

מהו דתימא: צערא – דידיה הוא, קא משמע לן.

Lest you say: The pain of the harsh medicine was his, so the saved money of the remaining two days should belong to him; therefore, Rabbi Yochanan **comes to teach us** that even this money belongs to the master.

BRAISA

תנא: אמר רבי אלעזר, אמרנו לו למאיר: והלא זכות הוא לעבד שיוצא מתחת ידי רבו לחירות!

It is taught in a Braisa: Rabbi Elazar said, we said to Rabbi Meir: But is it not a benefit for the slave that he goes out from under his master's hand to freedom?

BRAISA

אמר לנו: חוב הוא לו – שאם היה עבד כהן, פוסלו מן התרומה.

He said to us: It is a disadvantage for him, for if he were the slave of a Kohen, freeing him disqualifies him from eating terumah.

BRAISA

אמרנו לו: והלא מה אם ירצה שלא לזונו ושא לא לפרנסו, רשאי!

We said to him: But what if the master wishes not to sustain him and not to support him? He is permitted to do so! Thus, the slave has no guaranteed sustenance anyway.

BRAISA

אמר לנו: ומה אילו עבד כהן שפירח, ואשת כהן שמרדה על בעלה – הלא אוכלין בתרומה; וזה – אינו אוכל.

He said to us: What about a Kohen's slave who ran away, or a Kohen's wife who rebelled against her husband? Do they not still eat terumah? But this emancipated slave cannot eat terumah at all.

BRAISA

אָבֵל אִשָּׁה – חֹב הוּא לָהּ, שֶׁכֵּן פֶּסָלָהּ מִן הַתְּרוּמָה וּמִפְסִידָהּ מִן הַמְּזוּנוֹת.

But regarding a woman, receiving a get is a disadvantage for her, because it disqualifies her from eating terumah and deprives her of her sustenance.

QUESTION

מַאי קֵאָמְרוּ לִיהּ, וּמַאי קָא מְהַדֵּר לָהּ?

The Gemara asks: What did they say to him, and what did he answer them? The dialogue seems inconsistent!

EXPLANATION

הָכִי קֵאָמַר לָהּ: הַשְׁבֵּתוּנִי עַל הַמְּזוּנוֹת, מָה תְּשִׁיבוּנִי עַל הַתְּרוּמָה?

The Gemara explains: This is what he said to them: You have answered me regarding sustenance, but what can you answer me regarding the terumah itself, which he loses the right to eat?

EXPLANATION

וְכִי תִימְרוּ: אִי פְעִי, זָרִיק לִיהּ גִּיטָא וּפְסִיל לִיהּ; שְׂבִיק לִיהּ וְעָרִיק וְאַזִּיל לְעָלְמָא.

And if you say: If the master wants, he can throw him a bill of release and disqualify him anyway, so the slave is always at risk; in that case, the slave can leave him and run away to the world and still eat terumah as a runaway slave, whereas now he is permanently disqualified.

SUMMARY

The Gemara concludes that according to Rav, a master cannot refuse to sustain his slave while demanding his labor, whereas Rabbi Yochanan holds that a master can indeed tell his slave to work without providing sustenance, leaving the slave to rely on charity. In cases of injury, the master receives the compensation for the slave's loss of livelihood and medical costs, even if the slave healed faster than expected through a strong medicine that caused him extra pain. This leads back to the fundamental debate between Rabbi Meir and the Rabbis, where Rabbi Meir argues that emancipation can be a disadvantage—such as disqualifying a Kohen's slave from eating terumah—while the Rabbis counter that since a master is not unconditionally bound to sustain his slave, gaining freedom is always a net benefit.

We see in our Gemara a beautiful, deep insight into how the Torah views the human being. When a slave's hands are consecrated to the Temple, the Gemara explains that he is still allowed to borrow money to buy extra food to strengthen himself. Why? Because the Temple treasury itself wants the slave to eat well so that he will be healthy and strong. Even when something is dedicated entirely to the service of Hashem, Hashem does not want us to break our bodies or neglect our physical well-being.

Sometimes, in our desire to grow in yiras Shamayim and perform mitzvos, we might think that the most spiritual path is to neglect our physical needs—to sleep less, eat poorly, or ignore our health. But the Torah teaches us the exact opposite. Your body is the vessel for your neshama. When you take care of your health, eat properly, and get enough rest, you are not being selfish; you are maintaining the vessel that performs Hashem's work. The Master of the world wants His servants to be strong and healthy so they can serve Him with joy and vitality.

Today, when you eat, sleep, or take a moment to rest, do not look at it as a distraction from your avodah. Have in mind that you are strengthening your body specifically so that you have the energy and clarity to learn Torah, daven, and do chesed with a whole heart.