

What is she doing by him

מאי בעיא גביה –

OVERVIEW

The גמרא argues that the אמה העבריה must be a קטנה, for if she is a נערה, she can no longer remain an אמה, but must be freed. תוספות explains that she can never become a slave again.

תוספות responds to an anticipated question; it is possible that after she left her master (because she grew שתי שערות), she sold herself (on her own volition) as a slave (just as a man can sell himself as a slave. תוספות responds -

דהיא נמי אינה יכולה למכור עצמה אחרי כן כדאיתא בספרי¹:
for a freed אמה [also²] cannot sell herself for a slave after she has left her original master, as is mentioned in ספרי.

SUMMARY

A woman cannot be a slave once she is a נערה or older.

THINKING IT OVER

תוספות rules that a woman cannot sell herself as a slave. Can we infer this (somewhat) from the לשון of the גמרא?

¹ states that only the father can sell his daughter (when she is a קטנה), but she can never sell herself. See also ערכין כט,ב.

² Not only her father and ב"ד cannot sell her when she becomes a נערה, but she also cannot sell herself.