

OVERVIEW of the Daf

1) Combinations (cont.)

The Gemara continues to explore the exact case where Ilfa's inquiry (i.e. whether hands can be purified in halves) is relevant.

The exact case where Ilfa's question applies is identified.

R' Yirmiyah rules that one who immerses his head and the majority of his body in drawn water or one upon whose head and majority of his body drawn water was poured becomes tamei.

R' Yirmiyah asks whether immersing and pouring will combine to make the person tamei and the question remains unresolved.

R' Pappa rules that if nine kav of water is poured on a sick ba'al keri he is tahor.

R' Pappa inquires about his status if he immersed part of his body, and poured water on the other part. The question remains unresolved.

2) Two witnesses who deliver a גט

R' Shmuel bar Yehudah in the name of R' Yochanan rules that a גט is valid if delivered by one witness who saw the writing of the גט and one who witnessed its signing.

The Gemara infers that this ruling indicates that R' Yochanan holds that when two people deliver a גט it is unnecessary for them to make a declaration.

Abaye formulates an unsuccessful challenge to this ruling.

A second version of this discussion is recorded.

It is suggested that the dispute in the Mishnah cited by Abaye is the same as the dispute between Rabbah and Rava concerning the rationale for the declaration.

The parallel is rejected and Rabbah and Rava explain the Baraisa in accordance with their respective opinions.

The Gemara wonders why R' Yehudah did not disagree in the Mishnah's first case.

Ulla asserts that he did disagree with that halacha as well.

R' Oshaya unsuccessfully challenges Ulla's assertion.

R' Yehudah is cited as ruling that R' Yehudah and Rabanan dispute the halacha of two witnesses who deliver a גט from outside of Eretz Yisroel.

The Gemara begins to present a related incident. ■

Distinctive INSIGHT

The enactment of entering a tub of drawn water

הבא ראשו ורובו במים שאובים

Eighteen rabbinic decrees were decided in the upper chamber of Chananya ben Chizkiya (Shabbos 13b-14a). Among them is that if someone submerged himself in a mikveh to become purified, he would contract a rabbinic second level of tumah if he then had three lug of drawn water (מים שאובים) poured upon himself, or if he submerges in drawn water collected in a container. In his commentary to our Gemara, Rashi explains that this rabbinical enactment includes not only a person who was tamei, who entered the mikveh to become purified, but also anyone who submerges in drawn water, including a person who was previously tahor. However, in Gemara Shabbos (13b) Rashi states that this enactment only affects one who had entered a mikveh that same day to become purified. Tosafos and Ramban (in their commentaries to our Gemara in Gittin, see also Shabbos 14a) understand that only one who has just gone to the mikveh is subject to the rule of being submerged in a tub of drawn water, while anyone who has drawn water poured upon him becomes a שני לטומאה. Mishne Lamelech (שאר אבות הטומאות ט: א) understands that Rashi also holds according to this distinction.

Rambam (ibid.) learns that both enactments apply to anyone who has water poured upon him or who enters into a tub of water, and not only for a person who had just gone to the mikveh for purification. In either case, he becomes a שני לטומאה.

The reason for the distinction made by Tosafos and Ramban is explained by Tosafos. The mikvaos in those days were not always clean. People used to take a shower, or pour drawn water upon themselves after having submerged in order to rinse off the unclean water. They used to then mistakenly think that it was not the mikveh water which purified them, but rather the clean, drawn water used afterwards. In order to reinforce their rule, the rabbis then decreed that taking a bath also would have the same effect. The rabbis also realized that they had to generalize their rule to anyone taking a shower to become שני לטומאה, but only in the case of taking a shower or having water poured upon them. They did not extend their enactment to taking a bath, as that case was not the original enactment.

Ramban adds another consideration to this case. He explains that the enactment was not extended to anyone who takes a bath, for the community could not tolerate it if the rule was that taking a bath automatically causes a person to become שני לטומאה.

Tosafos Harosh cites this reason, but he notes that the enactment was only if a person submerges his head and most of his body at once. Most people who take a bath do not do this. ■

HALACHAH Highlight

Bathing after immersion

וטהור שנפלו על ראשו ועל רובו שלשה לוגין מים שאובין טמא

If three lugin of drawn water falls on the head of someone who is tahor he is tamei

The Gemara (Shabbos 13b) relates that there was a time when the mikveh waters were dirty and people would bathe in drawn water (מים שאובין) after immersing for cleanliness purposes. After some time people mistakenly thought that it was the bath water that made them tahor rather than the mikveh waters. In order to dispel this mistaken notion a decree was enacted that a person who immerses his head and majority of his body in drawn water or has three lugin of drawn water poured over his head is considered tamei. Poskim debate whether this decree was enacted specifically for those who will eat terumah or was the decree enacted even for a niddah. Rema¹ writes that after immersing it is permitted for a woman to return to the bathhouse to warm herself but there are those who prohibit bathing and that this is the custom. Gra² notes that there are earlier authorities who are lenient with regard to this matter but Rav Moshe Feinstein³ recommends conforming to the custom mentioned by Rema when possible.

Whether men are permitted to bathe after immersing on Erev Shabbos is also a matter of debate. Shevet Halevi⁴ cites the sefer Yesod V'shoresh Ha'avodah⁵ who writes that it is a praiseworthy activity for one to bathe after immersing on Erev Shabbos. Shevet Halevi then notes that although technically it is permitted

REVIEW and Remember

1. What is טופח על מנת להטפיה?
2. What are the two Rabbinic decrees of tumah mentioned in our Gemara?
3. What is the point of dispute between R' Yehudah and Rabanan?
4. Are two agents who bring a גט from outside of Eretz Yisroel required to make a declaration?

to bathe after immersing on Erev Shabbos, nevertheless, it is appropriate to avoid bathing one's entire body and one should not wash more than his face and hands. Ben Ish Chai⁶ writes in the name of Arizal that one should not use a towel after immersing on Erev Shabbos because the body is supposed to draw in the Shabbos waters. The practice, however, is not essential to the mitzvah of immersing on Erev Shabbos, therefore, one who finds it difficult is not required to conform to this practice. ■

1. רמ"א יו"ד סי' ר"א סעי' ע"ה.
2. גר"א שם ס"ק קכ"ז.
3. שו"ת אג"מ יו"ד ח"ב סי' צ"ו.
4. שו"ת שבט הלוי ח"ז סי' ל"ג אות ב'.
5. יסוד ושורש העבודה שער השמיני שער העליון פרק א'.
6. בן איש חי שנה שניה פרשת לך לך אות י"ז. ■

STORIES Off the Daf

The Bride's Ring

"הבא ראשו ורובו במים שאובין..."

There was a time when some couples took a less traditional route and decided to make amendments to the regular marriage service. They felt that they would like to enhance their marriage with a symbolic gesture that would demonstrate their mutual love and respect for one another. One way they might do this would be for the bride to give the groom a ring and say, "הריני מקודשת לך," "I am hereby consecrated to you," or "אתה מקודש לי," "you are consecrated to me."

Rabbi Efraim Greenblatt, zt"l, wondered if this was more than just non-traditional; perhaps this nullified the kid-

dushin altogether? And if such a practice does not invalidate the marriage, could such a course of action be permitted as a general rule? He referred this question to Rav Moshe Feinstein, zt"l.

Rav Moshe replied, "It definitely does not invalidate the marriage, since by the time she gives him her ring she is already married. Even if they made this a condition for the marriage to take effect it still does not render their marriage invalid since this is like any other condition. If he said that she must give him a sum of money for the marriage to take effect, the marriage will also take effect only if she gives him the money.

"However it is definitely prohibited for a bride to do as you described. If this is a gentile custom it is prohibited from the Torah, just like following any other gentile custom. Even if this is not the custom of

the gentiles, it is still prohibited for her to give a ring even without saying anything under the chuppah. Even if they wait until after the chuppah to say a nusach, this is prohibited. This is similar to the situation of a t'vul yom who came into contact with three lugim of water whose immersion is rabbinically invalid, as we see on Shabbos 14 and Gittin 16. The Gemara in Shabbos explains that at times people wash off with clean water from another source after immersing in dirty water that was kosher for tevilah. It was feared that people would say that the shower was what purified, not the immersion in a mikveh.

Rav Moshe concluded, "The same is true in our case. If she gives the ring as well, people could become confused and think that this is what finalizes the marriage!" ■

