

OVERVIEW of the Daf

- 1) **Testifying that the גט was written in his presence**
 R' Ashi rules that even if the agent only heard the sound of writing he may testify that the גט was written in his presence.
 A Baraisa is cited that supports this ruling.
 One of the halachos of the previously-cited Baraisa is clarified.
- 2) **The status of Bavel**
 Rav and Shmuel dispute whether the halachos in Bavel are the same as those in Eretz Yisroel or in the Diaspora concerning the requirement upon the agent to make a declaration.
 It is suggested that this dispute relates to whether the declaration is required out of a concern that the גט was not written for the sake of the woman or out of concern that it will be difficult to find witnesses to confirm the validity of the גט.
 This explanation is rejected and an alternative explanation is presented.
 Proof to this explanation of the dispute is recorded.
 An unsuccessful challenge to Rav's position is presented.
- 3) **Defining the borders of Bavel**
 R' Pappa and R' Yosef dispute the borders of Bavel regarding matters of gittin.
 A ruling of R' Chisda is presented.
 An explanation of this ruling is suggested but rejected.
 Another explanation of this ruling is offered.
 A dispute is presented regarding the necessity to make this declaration if the גט is brought from places close in proximity to each other.
 Rava's position on this matter is clarified.
 An incident involving Rav is cited.
 Rav's ruling is explained.
 A Baraisa is cited that supports this ruling.
- 4) **The status of Bavel (cont.)**
 R' Evyasar taught R' Chisda that it is unnecessary for an agent to make a declaration concerning gittin delivered in Eretz Yisroel from Bavel.
 After the Gemara explains the rationale behind R' Evyasar's ruling, R' Yosef questions whether R' Evyasar is reliable.
 Tangentially, the Gemara presents a dispute regarding the minimum number of words that require scored lines.
 Abaye cites evidence that R' Evyasar is reliable.
- 5) **Pilegsh b'Givah**
 Tangential to the previous discussion R' Yehudah explains why the man in the incident of Pilegsh b'Givah became more disturbed by a hair than a fly.
- 6) **Instilling fear in one's household**
 R' Chisda derives a lesson from the incident of Pilegsh b'Givah.
 Different Amoraim echo this same principle. ■

Distinctive INSIGHT

In which case of Bavel do Rav and Shmuel disagree?

בבל—רב אמר כארץ ישראל לגיטין, ושמואל אמר כחוץ לארץ

Tosafos (ד"ה בבל) explains that the argument between Rav and Shmuel is in a case where a messenger brings a גט from one district to another within Bavel itself. Rav holds that he does not have to verify the גט by saying that it was written and signed in his presence, while Shmuel says that the messenger does have to make this declaration. However, when bringing the גט within a district of Bavel, even Shmuel holds that the messenger need not say this formula.

In addition, Rav and Shmuel are not arguing about a case of bringing a גט from Bavel to Eretz Yisroel, as that is the case which R' Evyasar and Rav Yosef dispute on 'עמוד ב'.

Rashba and Ritva note that in the Gemara immediately discusses the extent to which the border of Bavel reaches. This question is based upon the assumption that Bavel is indeed different than other places of "the foreign lands," which reflects the opinion of Rav. Rav Yosef is among the Amoraim who responds with an opinion, saying that the border extends to the "second willow swamp across from [a certain] bridge." This suggests that Rav Yosef agrees with the premise of Rav. Yet, Rav Yosef himself is the one who says later ('עמוד ב') that one who brings a גט from Bavel to Eretz Yisroel must say "בפנינו". This indicates that when Rav himself said "Bavel has the same law as Eretz Yisroel" he meant it only in the cases of bringing it within the same district within Bavel (where even Shmuel agrees that the messenger need not say the formula of "בפנינו"), and in the case where the גט is brought from one district to another within Bavel.

Rashba cites a Yerushalmi (1:2) where the opinion of Shmuel is that the messenger bringing a גט in Bavel must say "בפנינו" even within the same district (משכונה לשכונה), while Meiri explains that Rav and Shmuel argue even in the case of bringing a גט from Bavel to Eretz Yisroel. Here, Rav does not require that the messenger declare "בפנינו" (unlike the opinion of Rav Yosef, who holds that it must be said). ■

REVIEW and Remember

1. Why is Bavel different than the rest of the Diaspora regarding gittin?

2. Why didn't the residents of Mechuza recognize one another's signatures?

3. How did Abaye defend the reliability of R' Evyasar?

4. What is the result of instilling too much fear in one's home?

HALACHAH Highlight

Examining tefillin

And he wrote it without scoring the paper

Ritva¹ writes that the parchment used for tefillin does not have to be scored (שרטוט). The reason is that since there is no obligation to check one's tefillin to assure that they are valid there will not be anyone who will be reading them. Mezuzos, on the other hand, must be checked and read once every seven years², so the parchment must be scored. The statement that tefillin do not have to be checked is repeated in Shulchan Aruch³ where he rules that tefillin that have a presumption of being kosher do not have to be checked. If, however, the tefillin are worn only occasionally they must be checked twice every seven years. Magen Avrohom⁴ advises examining tefillin, since there is a concern that perspiration may have damaged the tefillin, although he does not write how frequently they should be checked.

Rav Shlomo Zalman Auerbach⁵ commented that nowa-

כתב ליה בלא שרטוט

days the custom is that we no longer examine tefillin unless there is a specific concern. The reason is that nowadays tefillin are made following the highest standards and using the best materials so it is unlikely that perspiration will damage the tefillin. Furthermore, opening tefillin often creates more issues than it solves, so it is safer to keep them closed and rely on the presumption that they are kosher. A similar logic is found regarding mezuzahs. Some Poskim⁶ write that a mezuzah that is contained in a glass container and thus protected from the elements does not have to be examined even after a long period of time has transpired. This approach, however, represents the letter of the law. Pious and righteous people exercise a greater degree of caution and have their tefillin checked once a year during the month of Elul⁷ which is a time for people to be generally more cautious about proper fulfillment of mitzvos. ■

1. ריטב"א ו: ד"ה א"ר יצחק.
2. ע' בגמ' יומא י"א. דבדוקים המזוזה פעמיים לז' שנים.
3. שו"ע או"ח סי' ל"ט סעי' י'.
4. מג"א שם ס"ק י"ד.
5. הליכות שלמה ח"א פ"ד אות ל"ו.
6. ע' פסקי תשובות ח"א סי' ל"ט הע' 33.
7. מטה אפרים סי' תקפ"א סעי' י'. ■

STORIES Off the Daf

The End of Prophecy

"דאסכים מריה על ידיה..."

A certain melamed once asserted to his students in the middle of a shiur, "The commentary of the Ohr Hachaim Hakadosh was most certainly not written with רוח הקדש since prophecy was lost to the Jewish people long before the Ohr HaChaim lived."

When the people of the town heard this they were infuriated and removed their children from the melamed's instruction. They decided to consult with the Divrei Chaim of Sanz, zt"l. "Is this man's view a valid opinion? If it is not, and he is unfit to teach, what should be done with his back wages?"

The Divrei Chaim replied, "I see

no room for doubt regarding this man's opinion: he is definitely incorrect. This emerges from numerous sources. For example, in Gittin 6 we find that Hashem 'agreed with' Rav Evyasar. Rashi explains: Hashem agreed to reveal a secret to him, as we see from the fact that He enabled Rav Evyasar to understand correctly what transpired in private. The Midrash Rabbah says even more than this: 'Once there was a woman who stayed too long at Rav Meir's Friday night shiur. Her husband refused to allow her into the house until she spat three times in Rav Meir's face. Rav Meir saw with רוח הקדש...' Rav Meir lived well after the end of the age of prophecy yet the Midrash tells us that he saw with רוח הקדש.

The Divrei Chaim continued, "Another proof: Rashi explains the Gemara in Kiddushin 72a that Rebbi

had a prophecy on the day he died. The only person who could deny all this is a heretic. Not only was the Ohr Hachaim Hakadosh surely written with רוח הקדש, but any truly worthy author, even in our generation, writes his works with רוח הקדש. Interestingly, the Tumim applies this fact halachically: 'One may not say that he holds like an opinion which argues on the Shulchan Aruch to excuse himself from paying money, since the Shulchan Aruch was written with רוח הקדש.'

The Divrei Chaim concluded, "You were definitely correct to remove your children from the influence of this man, but as for his wages this can only be ruled upon when he is present. Perhaps his statement was a misunderstanding. In this matter you should rely on your community's halachic authority." ■

