



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Gittin Daf Mem Zayin

MISHNA

- If a Yid sells his field in EY to a goy, he must buy the first fruits of the field every year and bring them as bikkurim, for the benefit of the world.

GEMARA

- **Rabbah** said, although a goy can't have an ownership in land in EY to remove it from the chiyuv of maaser, he can have ownership rights to the land to do with as he wishes, even to dig ditches and make it useless. **R' Elazar** said exactly the opposite – a goy can have ownership to remove the chiyuv of maaser, but cannot have ownership to do with the land as he wishes.
 - **Rabbah** said, I can prove my view from a Mishna. The Mishna says that the leket, shikcha, and peyah of a goy are chayuv in maaser. Now, this can't be talking about the leket of a Yid's field that was picked up by a goy and then sold, because the leket of a Yid's field is not chayuv in maaser. This must be talking about the leket of a goy's field that was picked up by a Yid, and since the goy is not commanded to leave leket, it is chayuv in maaser. We see that a goy's produce is chayuv in maaser!
 - The Gemara says, this is no proof, because the Mishna may be discussing the leket of a Yid's field that was taken by a goy, and the reason the leket is chayuv in maaser is because leket is only patur from maaser when it is taken by a Yid.
 - **Q:** Maybe we can bring a proof to **R' Elazar** from a Braisa. The Braisa says, if a field of a goy was bought by a Yid before the produce grew to 1/3 of its growth, and was then sold back to the goy after the produce reached 1/3 of its growth, the produce would be chayuv in maaser, because it grew to that level in the possession of the Yid. We see from here that the produce of a goy is not chayuv in maaser!? **A:** It may be that the Braisa is talking about a field in Surya, and the Tanna holds that the conquering of an individual did not give Surya the status of EY. Therefore, the produce there is chayuv in maaser only D'Rabanan, which is why a goy's field there will not be chayuv in maaser.
 - **Q:** A Braisa says, if a Yid and a goy own a field in EY in partnership, **Rebbi** says it is as if each kernel is owned in partnership and half of each kernel is therefore subject to maaser, and **R' Shimon ben Gamliel** says, when they divide the produce, the share of the goy is patur and the share of the Yid is chayuv in maaser. Now, the machlokes seems to be whether we say "breirah" or not, but all would presumably agree that the goy does have ownership in the land even to remove the produce from any maaser obligation!? **A:** This Braisa is also discussing a field in Surya, as in the last answer given, above.
 - **Q:** **R' Chiya bar Avin** said, our Mishna says that the **Rabanan** instituted that one must buy the first produce of a field sold to a goy and bring it as bikkurim. This suggests that D'Oraisa there is no bikkurim obligation. This must be because a goy takes ownership in the field to exempt the produce!? **A:** **R' Ashi** said, there were stages to this takanah. Initially, if a Yid sold his field to a goy, the Yid would have to buy the first fruits and bring them as bikkurim D'Oraisa. However, the **Rabanan** saw that people took that to mean that the field retained its kedusha even when sold to a goy, and therefore the people felt that selling a field to a goy was allowed. Therefore, they instituted that bikkurim should not be brought from fields sold to a goy. However, people who needed money

still sold their fields to goyim and did not even try to buy them back. The **Rabanan** therefore said that bikkurim must be purchased and brought so that the people would understand not to sell their fields, and to redeem them if they had sold them.

- If one sells the rights to the produce of his field to another (but not the actual field), **R' Yochanan** says the purchaser brings bikkurim and even reads the parsha, because the rights to produce is equal to having the rights to the actual field. **Reish Lakish** says that he would bring bikkurim but would not read the parsha, because rights to the produce are not equal to rights in the actual field.
 - **Q: R' Yochanan** asked, a Braisa learns from the pasuk of “uliveisecha” that a husband brings bikkurim from his wife’s melog property and reads the parsha. Now, a husband only has the right to the produce of melog, and you see that he reads the parsha, which means that rights to produce are equal to having rights in the actual field!? **A: Reish Lakish** answered, that case is the exception, based on the gezeiras hakasuv of “uliveisecha”.
 - **Others** say that **Reish Lakish** asked this as a question to **R' Yochanan**, that we see the Torah had to make an exception, which means that generally the rights are not equal!? **R' Yochanan** answered, that that case is not an exception, but rather serves as the basis for all other cases.
 - **Q:** A Braisa says that if one was bringing bikkurim from his wife’s melog property, and on his way to Yerushalayim he heard that she died, he brings the bikkurim and reads the parsha. Now, this suggests that only after she died (and he therefore inherits her) does he read the parsha, but if she was still alive, he would not read the parsha!? **A:** He would read even if she didn’t die. The chiddush is, that **R' Yose the son of R' Chanina** says that one who sends bikkurim with a shaliach, and the shaliach dies on the way, and the owner then went to bring it on his own, the owner would not read the parsha, because the pasuk teaches that to read the parsha it must be one person having brought the bikkurim from start to finish. We would think that since this husband is changing status from melog holder to owner he should not read. The Braisa therefore teaches that he does.
 - **R' Yochanan and Reish Lakish** follow their own reasoning, because we have learned that if one sells his field in a time when Yovel is in force, **R' Yochanan** says the buyer brings bikkurim from that field and reads the parsha (although the field will be taken from him at yovel and he therefore only has an ownership of the produce, that “ownership” is the equivalent of having ownership of the field itself), and **Reish Lakish** says that he brings but does not read (because it is not as if he owns the actual field).
 - They needed to argue in this case (of yovel) and in the previous case (where the purchaser specifically only bought the rights to the produce). If we would have only said the previous case, we would say that it is there that **Reish Lakish** said that he is not considered to own the actual field, because he specifically said he is only buying the rights to the produce, but in the case of yovel, where he intended to own the actual field, maybe he would agree with **R' Yochanan**. If we would only have the case of yovel, we would say that it is only there that **R' Yochanan** says that he is considered to own the land, but where he specifically purchased only the rights to the produce, maybe he would agree with **Reish Lakish**. That is why both cases are needed.