



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

### Gittin Daf Nun Daled

- The Gemara had said that **R' Meir** penalizes a shogeg as a gezeirah for the case of a meizid, when dealing with a halacha D'Rabanan.
  - **Q:** A Braisa says that if a person ate terumah b'shogeg, he must repay the Kohen with produce of tahor chullin. What would be if he paid with tamei chullin? **Sumchos in the name of R' Meir** says, if it was paid that way b'shogeg, then he is considered to have fulfilled his repayment obligation. If it was done b'meizid, he has not. The **Chachomim** say, in either case it is considered a valid repayment, but we make him pay again with tahor chullin, as a penalty. **R' Acha the son of R' Ika** explained that the machlokes in the Braisa is that **R' Meir** holds we do not penalize the shogeg as a gezeirah for the meizid and the **Chachomim** hold that we do. This contradicts what was said about **R' Meir** earlier!? **A:** The Gemara says, in the earlier case of **R' Meir** the person who did the damage was not trying to do something righteous, therefore we penalize him. In this case, the person was attempting to pay back for his inadvertent action, which is what he is supposed to do, so we will not penalize him for doing so.
  - **Q:** A Braisa says, if blood of a korban became tamei and the Kohen offered it on the Mizbe'ach, if it was offered b'shogeg, the korban is considered to be valid. If it was done b'meizid, it is not valid. This is presumably due to a penalty of the **Rabanan**. We see that we do not penalize the shogeg as a gezeirah for the meizid!? **A:** **R' Meir** would say, the Kohen is trying to do the proper thing and offer a Korban. We will not penalize him for doing so.
  - **Q:** A Mishna says, if one separates maaser on Shabbos (which is assur to do D'Rabanan), if it was done b'shogeg, the remaining produce may be eaten on Shabbos. If it was done b'meizid, it may not be eaten. We see that we do not penalize the shogeg as a gezeirah for the meizid!? **A:** The Gemara says, the person is trying to do the proper thing and give maaser. We will not penalize him for doing so.
  - **Q:** A Mishna says, if one toivels a keili on Shabbos (which is assur to do D'Rabanan), if it was done b'shogeg he may use the keili on Shabbos. If it was done b'meizid, he may not. We see that we do not penalize the shogeg as a gezeirah for the meizid!? **A:** The Gemara says, the person is trying to do the proper thing and toivel a keili. We will not penalize him for doing so.
- **Q:** There is a contradiction between **R' Yehuda's** shita (brought down previously, that the **Rabanan** did not penalize a shogeg as a gezeirah for the case of a meizid by a D'Rabanan), and **R' Yehuda's** shita in a Braisa. The Braisa says, if nuts of orlah fell into mutar nuts and the nuts were then smashed (which D'Rabanan is the only way that they can become batul if there is 200 times as much mutar nuts as there are assur nuts), **R' Meir and R' Yehuda** say that whether they were smashed b'shogeg or b'meizid, the nuts are assur. **R' Yose and R' Shimon** say that if it was done b'shogeg it is mutar, and if it was done b'meizid it is assur. We see that **R' Yehuda** penalizes in the case of shogeg as a gezeirah for the case of meizid!? **A:** The reason he penalizes in that case is because he is concerned that if we allow the shogeg, people will smash the nuts b'meizid and claim that they had done so b'shogeg. However, in other cases, where this concern does not exist, he does not penalize the shogeg.
  - **Q:** A Mishna says that one may not pick grapes from a vine of orlah or klayim that became mixed in mutar vines, because doing so would cause them to become batul. If one did pick them, and it was done b'shogeg, it would become batul if there are 200 times as much of the permitted vines. If it was done b'meizid, it remains assur. **R' Yose** said, even if it was done b'meizid, it would become batul. We see that in this Mishna **R'**

**Yose** does not even penalize the meizid, which is different than he said in the Braisa!? **A:** We have learned that **Rava** said, that it is very uncommon for such a mix-up to occur. That is why **R' Yose** would not penalize in this unusual case. **Ravin in the name of R' Yochanan** said this as well.

#### MISHNA

- If a Kohen made a Korbon become piggul (through his improper thoughts), if it was done b'meizid, he would be chayuv to pay for the Korbon.

#### GEMARA

- A Braisa says, if a person tells someone “the taharos that I was working on for you are tamei”, or if a Kohen tells someone, “The Korbon that I was offering for you is piggul”, he is believed. However, if he says, “The taharos that I was working on for you on a particular day” or “The Korbon I was offering for you on a particular day”, he is not believed.
  - **Q:** What is the difference between the cases that yield different results? **A: Abaye** said, in the first cases, since he has the power now to make it tamei or to make it piggul, he is believed. In the second set of cases, since he no longer has the ability to make it tamei or to make it piggul, he is not believed. **A: Rava** said, the reason he is not believed in the second cases is because it is discussing where the people had met earlier and no mention was made of the taharos becoming tamei or the Korbon becoming piggul. It was only at a later meeting that the issue was brought up. He is not believed since he did not bring it up at the first encounter.
  - A person once told his friend “The taharos that I worked on for you on a particular day are tamei”. **R' Ami** said, the person is not believed. **R' Assi** said, although you say he is not believed, **R' Yochanan in the name of R' Yose** said “I must believe him, because the Torah believes him in this case”.
    - **Q:** Where do we find that the Torah believed him? **A: R' Yitzchak bar Bisna** said, we see this from the Kohen Gadol on Yom Kippur, who offers the Korbon with no one else in the Ohel Moed, and yet he would be believed to come out and say that the Korbon became piggul (although he can no longer make the Korbon piggul at the time).
      - **Q:** Maybe we would only believe him when someone was able to overhear him making a statement of piggul? **A:** That wouldn't make it piggul, because it would be impossible to verify that the statement was made during the offering of the korbon, and not afterwards. Therefore, it must be that it becomes piggul solely because we believe him.
        - **Q:** Maybe the case is that they saw him through a tiny opening and knew that it was said during the offering of the Korbon? **A: KASHYEH.**
    - A sofer once went to **R' Ami** and told him “The Sefer Torah that I wrote for ploni is not valid because I didn't write the Names of Hashem with proper intent”. **R' Ami** asked him, who is in possession of the Sefer Torah now? He said the purchaser had the Sefer Torah. **R' Ami** told him, you are believed regarding your wages (you say you didn't write a valid Sefer Torah, so you don't deserve to get paid), but you are not believed to make the Sefer Torah invalid. **R' Yirmiya** asked **R' Ami**, he should lose his wages that he got for writing the Names of Hashem, but he should not lose his wages for having written the rest of the Sefer Torah!? **R' Ami** said, such a Sefer Torah is worthless, because it cannot be repaired, and therefore he loses all of his wages.
      - **Q:** Shall we say that **R' Ami** does not agree with **R' Yehuda**, who says that if a Name of Hashem was written without the proper intent, it can be traced over with proper intent and become valid? **A:** Even **R' Yehuda** would agree that that can be done in one place in a Torah, but not to every single Name of Hashem written in the Torah, because it would take away from the beauty of the Torah.
    - A sofer once went to **R' Avahu** and told him “The Sefer Torah that I wrote for ploni is not valid because I didn't work out the parchment with proper intent”. **R' Avahu** asked him, who is in possession of the Sefer Torah now? He said the purchaser had the Sefer

Torah. **R' Avahu** told him, since you are believed regarding your wages, you are also believed to make the Sefer Torah invalid.

- **Q:** Why is the result in this case different than in the last? **A:** In the last case it may be that the sofer thought he was only going to lose a small amount of his wages (like **R' Yirmiya** thought to say) and was willing to give up that small amount to cause anguish to the purchaser. However, in the case of **R' Avahu**, since he is admittedly going to lose his full wages, it must be that he is saying the truth.