



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

Gittin Daf Samach

- The people of the Galil asked **R' Chelbo**, may we use a "chumash" (one of the 5 sefarim of a Sefer Torah, written as would a Sefer Torah, on parchment, etc.) to read for the tzibbur? He was unsure of the answer. They then asked **R' Yitzchak Nafcha**, and he too was unsure. They then asked in the Beis Medrash and they answered based on the statement of **R' Shmuel bar Nachmeini in the name of R' Yochanan** who said that if even one section of a Sefer Torah is missing, it may not be used for reading for the tzibbur.
 - The Gemara says this is not a good comparison, because the chumash is not missing anything that was intended to be written, so it may be different. Still, **Rabbah and R' Yosef** both said that a chumash may not be used to read for the tzibbur out of respect for the tzibbur.
 - **Rabbah and R' Yosef** said, if a sefer is written only containing the portions of the nevi'im needed for the haftorah readings, it may not be used for reading for the tzibbur, because one is not supposed to write less than entire books of Tanach.
 - **Mar bar R' Ashi** said it is even assur to handle such sefarim on Shabbos, since it is assur to use to read (and is therefore muktzeh).
 - However, the Gemara says that both these rulings are incorrect, for we find that **R' Yochanan and Reish Lakish** would read from books of aggadah (which is Torah shebaal peh and may not be written) on Shabbos. The reason is, that we say, that since we had no choice but to write these books to prevent these teaching from being forgotten, we say that **Rabanan** allowed them to be written under the premise of "eis laasos La'Shem", and therefore it is not muktzeh either. The same can be said regarding the sefer of only the haftorah portions. Since many communities could not have all the Sifrei Nevi'im, the **Rabanan** allowed the haftorah portions to be written in a Sefer and used to be read from for the tzibbur.
- **Q: Abaye** asked **Rabbah**, may a sefer containing only a small portion of the Torah be written for the sake of teaching a child or not? This is a question if you hold that the Torah was given in pieces, because we can say that since it was given in pieces it may be written in pieces, or we can say that since it was eventually put together it may no longer be written in pieces. It is also a question if you hold that the entire Torah was given at once, because maybe we say since it was given whole, it may not be written in part, or maybe we say that since there is no choice but to write small portions for a child, we may do so. **A: Rabbah** answered, we may not write such a sefer, because a Torah may not be written in less than its full form.
 - **Q:** A Mishna says that the parshas sotah was written alone on a golden tablet!? **A: Reish Lakish in the name of R' Yannai** said, it was written in abbreviated form, which is allowed.
 - **Q:** A Braisa says that the Kohen would look at the tablet and write the parsha. This suggests that it was written out in full form!? **A:** It means he wrote it "like" it was written, but different, because on the tablet it was abbreviated, and the Kohen wrote it out in full form.
 - **Q:** A Braisa says the Kohen would write as stated on the tablet the words "Ihm shachav..." and "Ihm lo shachav..."!? **A:** The beginning of each pasuk was written out, but the remainder of each pasuk was written in abbreviated form, and that is why it was allowed.

- We see from a Braisa that it is actually a machlokes among Tanna'im. The T"K says that an incomplete sefer may be used only if the intention is to eventually complete the sefer, and **R' Yehuda** says it is mutar as long as an entire topic is written in the sefer.
- **R' Yochanan in the name of R' Bena'ah** said that the Torah was given down in pieces (in separate topics, and was later combined into one), as we see that Dovid referred to the Torah as "megillas sefer" (which suggests it was in smaller pieces). **Reish Lakish** said, the Torah was given complete, as the pasuk says "lakoach es Sefer HaTorah hazeh".
 - **R' Yochanan** says the other pasuk is referring to after the Torah was combined into one. **Reish Lakish** will say that "megilla" can refer to the complete Torah as well, as we see in other pesukim. He can also say like **R' Levi**, who said that there were 8 parshiyos that were needed to be taught on the day that the Mishkan was put up for the first time. These parshiyos are from various places in the Torah, so for that day they were clearly written on separate, smaller portions. It may be the reason why the entire Torah is referred to as a megilla.
- **R' Elazar** said, the halachos of the Torah are mostly in the Written Torah, and a minority are in the Oral Torah, as a pasuk suggests this as well. **R' Yochanan** said, most are in the Oral Torah and a minority are in the Written Torah, as is suggested by another pasuk.
- **R' Yehuda bar Nachmeini**, the Meturgaman of **Reish Lakish** darshened, one pasuk says "ksav lecha es hadevarim ha'eileh" and another pasuk says "ki ahl pi hadevarim ha'eileh". This teaches that the Written Torah may not be taught orally, and the Oral Torah may not be written.
 - **R' Yishmael** taught a Braisa, that the word "eileh" teaches that only "these words", of the Written Torah, may be written, but the Oral Torah may not be written.
 - **R' Yochanan** said, the pasuk teaches that a special bris was made between Hashem and the Yidden only because of the Oral Torah – the pasuk says "ki ahl pi hadevarim ha'eileh karati itcha bris v'es Yisrael".

ME'ARVIN B'BAYIS YASHAN MIPNEI DARKEI SHALOM

- **Q:** Why must it be kept in the same place? It can't be for the honor of the owner of the house, because we find that a community owned shofar was moved from **R' Yehuda to Rabbah to R' Yosef to Abaye** and finally to **Rava**, and we were not concerned for their honor!? **A:** An eiruv should be kept in the same place because if it is moved, when people go into that house and don't see the eiruv they will think that there is no longer an eiruv and that people are carrying against halacha.

BOR SHEHU KAROV L'AMAH...

- We have learned that farmers that have fields along a river, **Rav** says the downstream fields are to be watered first and **Shmuel** says the upstream fields are to be watered first.
 - If the water is strong enough to water all the fields all would agree that everyone may take water. The machlokes is where there is not enough water and the water must therefore be diverted. **Shmuel** says the upper people are closer to the water and therefore have first right. **Rav** says the lower people have first rights to the water, because they use it without having to divert it from anyone else.
 - **Q:** Our Mishna says that the closer water hole has rights to the water first!? **A:** **Shmuel** said that **Rav** would say that case of the Mishna is where the owner of the bor does not need to divert the water in order for it to fill the bor. The chiddush is that we would think that we tell the owner to plug up his bor so that it not fill with water. The Mishna teaches that he need not do so as long as he is not diverting the water.
 - **R' Huna bar Tachlifa** said, since we don't know who to pasken like, the halacha will be that the stronger party wins.
 - **R' Simi bar Ashi** went to **Abaye** and asked him to learn with him. **Abaye** said I need the day to learn on my own. He asked **Abaye** to learn with him at night, and **Abaye** said I have to water my fields at night. **R' Simi bar Ashi** told him, I will water your fields by day and we can learn at night. **Abaye** agreed. **R' Simi bar Ashi** went to owners of the field more upstream from **Abaye** and told them that the downstream people have rights to the water first. He then told the people more downstream from him that the upstream people get the water first. He then went and diverted the water to **Abaye's** fields,

making the watering an easy job. When **Abaye** heard what he did, he refused to eat from the produce of that year.

- People near the Shanvasa River diverted water into a semicircle that watered their fields and then poured back into the river. The people upstream from this diversion said that the diversion is causing the river to overflow upstream. **Abaye** told the people who made the diversion, you must dig it deeper to prevent the river from overflowing. The people said, if we do so it will cause the irrigation channel to dry up! **Abaye** said, if so then close the whole diversion, because you have no right to cause damage to the upper fields.

METZUDOS CHAYA V'OFOS V'DAGIM YEISH BAHEN...

- If the trap has a receptacle to it, all would agree that taking from it is true theft. The machlokes is where a string or a hook is used, and there is no receptacle. That is where there is a machlokes.

METZIYAS CHEIREISH SHOTEH...

- **R' Chisda** said, **R' Yose** means that it is truly stealing on a D'Rabanan level.
 - **Q:** If so, how does he differ from the **T"K**? **A:** According to **R' Yose**, if the minor went to Beis Din they would require the other person to give the found item back to him. According to the **T"K** Beis Din would not require it to be returned.