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Gittin Daf 60

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h
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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

The people of Galil sent a question to Rabbi Chelbo: After them [the Kohen and Levi,] who are to be called up? He did not know what to reply, so he went and asked Rabbi Yitzchak Nafcha, who said to him: After them are called up the scholars who are appointed Parnasim of the community, and after them scholars who are qualified to be appointed Parnaasim of the community, and after them the sons of scholars whose fathers had been appointed Parnasim of the community and after them heads of synagogues and members of the general public. (59b4 – 60a1)

Scrolls

The people of Galil sent a question to Rabbi Chelbo: Can one use a *Chumash* (a volume containing one of the five books of the Torah) to read from the Torah in public? He did not know the answer, and neither did R' Yitzchak Nafcha. He asked this question in the study house, and they tried to extrapolate the answer from a statement of Rabbi Shmuel bar Nachmeini in the name of Rabbi Yochanan. He said: A *Sefer Torah* that is missing one column cannot be used for reading (in public). [This implies that a volume also cannot be used.]

The *Gemora* rejects this proof. In the case of a *Sefer Torah*, it is called a *Sefer Torah* that is missing a column. However, each volume of *Chumash* that is complete is not missing anything, and it is therefore possible that it could be used.

Rabbah and Rav Yosef both say: One cannot use a volume of *Chumash* to read from in the synagogue due to the honor of the congregation.

Rabbah and Rav Yosef both say: A book of the various *haftaros* cannot be read from on *Shabbos*. Why? They are not supposed to be written (in this fashion, a section here and a section there, but rather in whole volumes of prophets). Mar bar Rav Ashi said: One cannot even carry it on *Shabbos*. Why? It cannot be read from (and it therefore is *muktzah*).

The *Gemora* says that this is incorrect. It can be both carried and read from. This is apparent from the fact that Rabbi Yochanan and Rish Lakish used to carry and read books of *aggadah* (homiletics) on *Shabbos*. How could they do so? Isn't *aggadah* not allowed to be written down (as the Oral law is technically not allowed to be written)? The reason they were allowed to do so it because it was becoming impossible for people to remember the Oral law without writing it down, as the verse states, "There is a time to do for Hashem; they should go against their Torah." So too regarding the book of *haftaros*. Being that it was not possible for every congregation to have a whole collection of the Prophets, it became permitted for them to have a book of *haftaros*.

Abaye asked Rabbah: Can one write a portion or two for a child in order that he should learn from it? This can be asked both according to the opinion that the *Torah* was written one portion at a time and then completed, or



according to the opinion that it was only written in its entirety at the end of the forty years in the desert.

According to the former opinion, do we say that because it was done this way in the desert it can be done this way as well today? Or do we say that once all of the scrolls were compiled and put together, a scroll can no longer be written by itself?

According to the latter opinion, do we say that because the *Torah* was given all together it cannot be written one or two scrolls at a time? Or do we say that because it is not possible (*meaning it is difficult*) it is permitted?

Rabbah answered: It cannot be done. Why? It is forbidden (*even according to the opinion that it was written scroll by scroll, once the Torah was finished it can no longer be written in that fashion*).

The *Gemora* asks: The *Mishnah* in Yoma (37a) states that Queen Hilni had the portion of *sotah* written on a golden tablet. [*This implies that a single parshah can be written by itself!*]

Rabbi Shimon ben Lakish answered in the name of Rabbi Yannai: It was written in an abbreviated fashion.

The *Gemora* asks from a *Baraisa*: When he writes (*the megilas sotah*), he would look at the tablet and write what was there (*on the megilas sotah, implying that the tablet was not abbreviated*).

The *Gemora* answers: It means that he would understand what to write based on the abbreviations that appeared in the tablet.

The *Gemora* asks from a different *Baraisa*: When he would write, he would look at the tablet and write what was written in the tablet. What was written there? "*If he*

slept...if he didn't sleep." [*This implies that whole verses were written there.*]

The *Gemora* answers: It was written with interruptions (*meaning that while the verse started with whole words, the rest of it was abbreviated*).

There is an argument among the *Tannaim* regarding this topic. The *Baraisa* states: One cannot write a portion or two of the *Torah* for a child to learn with, but if his intent is to end up finishing the writing, he may do so. Rabbi Yehudah says: One may write from the beginning of Bereishis until the story of the generation of the flood, or from the beginning of Vayikra until "And it was on the eighth day." [*Rabbi Yehudah holds that it is permitted if the scroll contains a complete topic.*]

Rabbi Yochanan says in the name of Rabbi Banaah: The *Torah* was written scroll by scroll, as the verse states, "Then I said, behold I have come with a "*megilas sefer*" written about me."

Rabbi Shimon ben Lakish says: All of the *Torah* was written at once, as the verse states, "Take this *Sefer Torah*."

The *Gemora* asks: How does Rabbi Yochanan understand "Take this *Sefer Torah*?"

The *Gemora* answers: He understands that it is referring to the *Torah* after all the scrolls had been compiled.

The *Gemora* asks: How does Rabbi Shimon ben Lakish understand "With a "*megilas sefer*" written about me?"

The *Gemora* answers: This is because the entire *Torah* is referred to as a scroll. This is apparent from the verse, "And he said to me: What do you see? And I said to him: A scroll flying."



Alternatively, the *Gemora* answers, this could be as per the statement of Rabbi Levi. Rabbi Levi says: Eight passages were said on the day that the Mishkan was set up. They are: The passage regarding the *Kohanim*, *Levi'im*, the impure ones, sending the impure ones out of the camp, the passage beginning with *acharei mos*, not being allowed to be in the Mishkan after imbibing wine, lighting the *menorah*, and the red heifer. (60a1 – 60b1)

Torah

Rabbi Elozar says: Much of the (*laws of the*) *Torah* is able to be derived from the verses within it, and a minority of it is not hinted at in the *Torah*, but is transmitted orally. This is as the verse states: “I will write for him most of my *Torah*, like a stranger they will be.” Rabbi Yochanan says most of it is transmitted orally while only a small amount is able to be derived. This is as the verse says, “For “al pi” -- “according” to these things.” [*The word “pi” can also mean mouth, indicating that these words are mainly transmitted orally.*]

The *Gemora* asks: How does Rabbi Yochanan understand the verse, “I will write for him most of my *Torah*?”

The *Gemora* answers: He understands that this is a question. “Will I write for them most of my *Torah*? Won’t this be like a stranger?”

The *Gemora* asks: How does Rabbi Elozar understand the verse, “For according to these things?”

The *Gemora* answers: It means that the *Torah* is generally transmitted orally because it is difficult to know how to derive all of the laws properly.

Rabbi Yehuda bar Nachmeini, the *meturgaman* (*one who said over the lectures*) of Rish Lakish (*to the public*), taught: The verse states, “Write for yourself these things.” It also states, ““For “al pi” -- “according” to these

things.” How can we reconcile these verses? This teaches us that verses that are written cannot be recited from memory, and oral teachings cannot be written down. The house of Rabbi Yishmael taught: “These,” means that these you should write, but not laws. Rabbi Yochanan said: Hashem only made a covenant with Bnei Yisroel because of the Oral Law, as the verse states, “Because due to these things I have made a covenant with you, Israel.” (60b1 – 60b2)

Eruv in the Same House

The *Mishnah* had stated: They make an *eruv* in an old house, in the interests of peace. [*If several houses open into a courtyard, one is Rabbincally forbidden to carry from the house into the courtyard and vice versa, unless they make an eruv. Bread, which is owned by all the residents, is placed in one of the houses. They are now regarded as if they have a common residence and the courtyard is their private domain. They are now allowed to carry from the merged houses into the courtyard and vice versa. This Mishnah teaches us that if the eruv was initially placed in one house, it should not be switched to another in the interest of peace.*]

The *Gemora* asks: What is the reason for the *Mishnah*’s law that we continue to place the *eruv* in the same house as before? If this is because of the honor of the house owner, this is unlike the fact that the *shofar* used to announce that *Shabbos* was approaching was first in Rav Yehudah’s house, then it was moved to Rabbah’s house, Rav Yosef’s house, Abaye’s house, and Rava’s house!?

The *Gemora* answers: The reason here is because of suspicion. [*People who are used to seeing the eruv chatzeiros there will see that it is no longer there, and will suspect that the people of the chatzer are carrying without an eruv.*] (60b2)

Water Channel

The *Mishnah* had stated: The pit which is closest to the water-canal is filled first, in the interests of peace. [The farmers would dam the public water channel for their private use. To avoid fighting, it was established that whomever's cistern was further upstream, they would have the first right to the water.]

It was stated: Rav and Shmuel argue regarding fields that are on a riverbank. Rav says: The lower fields should get water first. Shmuel says: The higher fields should get water first. If the river is not dammed, everyone agrees that anyone who wants can take water from the river at any time. The argument is regarding a case where the upstream people want to make a dam and the downstream people want to water their fields first (and there is not such a large amount of water). Shmuel says: The owners of the upstream fields have first rights, as they are closer to the river. Rav says: The owners of the downstream field have first rights, as they can say that the river should be allowed to take its normal course (and not make a dam).

The *Mishnah* had stated: The pit which is closest to the water-canal is filled first, in the interests of peace. [This seems like a proof to Shmuel who says the top get to make a dam.]

Shmuel answered this question for Rav: The case is where the river naturally will fill up the reservoir without having to make a dam.

The *Gemora* asks: If so, why does it need to be said?

The *Gemora* answers: One might think the downstream farmers could claim that those upstream should close up the openings of their pits so that the river's flow will remain the same, and he should take water naturally from

the river like everyone else. This is why it says that he can allow it to fill up.

Rav Huna bar Tachlifa says: Now that the law is not clearly established according to either opinion, whoever is strongest prevails.

Rav Simi bar Ashi came before Abaye. He said to him: "You should sit down with me to learn." Abaye answered: "I have my own time I must learn." Rav Simi replied: "What about at night?" Abaye replied: "At night I water the fields." Rav Simi replied: "I will water your fields during the day, and you will sit down to learn with me at night." Abaye agreed. Rav Simi went to the owners of the upstream fields (when Abaye's was on the bottom end of a river) and said that the bottom field owners should get first (like Rav's opinion). He went to the owners of the downstream fields and told them that the upstream fields are entitled to get first (like Shmuel's opinion), and made a dam accordingly (so that the water would first get to Abaye's top fields). When he went to Abaye (and either told him about this or Abaye had heard what he did), Abaye remarked: "You did for me like two (opposite) opinions?!" Abaye therefore did not taste from the produce of that year's crop.

There were some people from Chermech who made a dam at the top of the Shenvasa River, diverting a stream from the river to circle some of the top fields and then flow back into the river. When the owners of the top fields came before Abaye, they told him: "They are stopping the river (it is not flowing as well as before because of their diversion, and it is flooding our fields)!" Abaye told them: "Dig the diversion more steeply (so that it will flow faster, and not rise into your fields)." They answered: "If we make it too deep, then when there is not enough water the water lever will not reach the irrigation paths at the top of the diversion, and our fruits will dry up!" Abaye told them: "Close your diversion." (60b2 – 60b3)



DAILY MASHAL

The Gemora ruled that words that are meant to be written cannot be said by heart, and words that are meant to be spoken cannot be written.

There are times the Gemora says: It is as if there are missing words and this is how it should be taught. The question is asked: Why did the Tanna teach us in an ambiguous manner and not directly?

The Ponivizer Rav cites the Gr"m that it is because of the ruling that words that are meant to be spoken cannot be written. The reason why it's permitted to write Torah shebaal peh is only because of: Eis laasos LaHashem heifeiru sorasecha – a special ruling for otherwise Torah would be lost. Accordingly, if we are able to understand the ruling without it being written – that is the preferable way.

QUESTIONS AND ANSWERS FROM YESTERDAY'S DAF

to refresh your memory

Q: Which three people were zocheh to lead their generation in both Torah and Gedula?

A: Moshe Rabbeinu, Rabbi Yehuda HaNasi, and Rav Ashi.

Q: A Katan can be Koneh and Makneh in order to survive. Can he give out presents?

A: Rav Yeimar says no. Mar bar Rav Ashi and Rav Ashi say yes (if he didn't get benefit from the person he would not be giving a present)

Q: Can a Kohen give Kavod to a Yisroel and let him have the first Aliya?

A: Not on Shabbos. Only on Monday and Thursday.