

Even one who brings a גט from רקם

אף המביא מרקם –

OVERVIEW

רקם will discuss if there are Jews living in רקם.

The דם of a נדה is מטמא. Similarly if a garment is stained with דם נדה (a כתם) it is also מטמא. This דין of טומאה of דם נדות is only by ישראלים. The כתמים of גוים are not מטמא.

משמע דברקם דרין בה ישראל –

This seems to indicate that Jews lived in רקם, for otherwise why are we discussing the דין of one who brings a גט from רקם if there is no ישראל there.

תוספות asks:

והא דתנן בפרק דם הנדה (נדה נו,ב) כל הכתמים הבאים מרקם טהורים –

And concerning that which we learnt in a משנה in פרק דם הנדה, 'All blood stains that come from רקם are טהור' as far as דם נדות is concerned, because the stains are not from ישראלים, and the כתמים of גוים are not מטמא -

ורבי יהודה מטמא מפני שהן גרים וטועין –

And ר' יהודה maintains that these blood stains are טמא, because (some of) the people of רקם are really גרים, therefore their כתמים are מטמא, however they mistakenly think that they are not ישראלים. In any event it seems that there are no (observant) ישראלים in רקם, otherwise why should all the כתמים be טהור according to the קמא; and even ר' יהודה seemingly agrees, that there are no observant ישראלים there, only גרים וטועים. How therefore can there be a גט from רקם?¹

תוספות answers: It is not because there are no observant ישראלים in רקם, rather the reason why the כתמים from רקם are טהורים -

היינו משום דהכתמים הנמצאים שם דעובדי כוכבים הם דישראל מצניעים כתמיהם -
That is because the כתמים that are found there in רקם belong to the גוים for the ישראלים hide away their כתמים, and they are not to be found. Therefore if one finds a כתם from רקם, he may rest assured that it is from the גוים, who are not careful about their כתמים, and it is not מטמא.

ורבי יהודה מטמא נראה לו דאותם שנוהגין תורת עובדי כוכבים הם גרים וטועין -

And the reason why ר' יהודה is מטמא is because he is of the opinion that those inhabitants of רקם who conduct themselves as גוים, they really are

¹ See 'Thinking it over' # 2.

גוים² and they conduct themselves as גוים, but they are mistaken, גרים

ולעולם ישראל נמי דרים בה –

And in truth ישראל also live in רקם, therefore our משנה discusses the case of רקם which come from גיטין.

SUMMARY

Both ר' יהודה and ת"ק agree that there are observant Jews in רקם, therefore our משנה can discuss the status of a גט that arrives from רקם. They also agree that we are not concerned that the כתמים came from the (observant) Jews, because they hide their כתמים, and they will not be found. They disagree as to the status of (some of) the inhabitants of רקם who conduct themselves as גוים. ת"ק maintains that they are indeed גוים, and therefore their כתמים are not טמא. ר' יהודה maintains that they are גרים, who mistakenly follow the lifestyle of גוים, and their כתמים (which are not hidden and are found) are טמאים.

THINKING IT OVER

1. What would be the difference between the הו"א and מסקנא of תוספות as far as the makeup and conduct of the inhabitants of רקם are concerned?
2. Why cannot we answer תוספות question,³ that even if there are no (observant) Jews living in רקם on a permanent basis, the משנה may still discuss the case of a גט coming from רקם, if perchance a person wanting to give a גט happened to be in רקם together with a סופר ועדים וכו'?
3. Why did תוספות find it necessary to explain in the תירוץ what ר"י meant when he said: "שהם גרים וטועים"; it is seemingly exactly the same way we understood it in the question of תוספות?⁵

² See מהרש"א הארוך whether תוספות means that they conduct themselves as גוים in all respects, or only concerning (not) hiding their כתמים.

³ See footnote # 1.

⁴ See מהר"ם שי"ף.

⁵ See מהרש"א הארוך.