

And this master maintains that we say בפ"נ since עדים are not available to authenticate it, and these cities are also not frequented.

OVERVIEW

The מקשן maintains that the מחלוקת whether we say בפ"נ in the case of סמוכות (ת"ק, who depends on whether we follow the reason of לשמה (it is required; ר"ג) or does not require בפ"נ (שכיחי). Concerning מובלעות even ר"ג agrees (to the ת"ק) that we do not say בפ"נ, since by מובלעות it is שכיחי.¹ The מקשן however does not state specifically why ר"א maintains that מובלעות do say בפ"נ. Our תוספות will discuss the reason why ר"א maintains that מובלעות are required to say בפ"נ.

Generally, if at all possible, it is preferable that a מחלוקת should not be based on factual differences.² It is preferable that the disputing parties agree on the facts; the dispute should be about differing concepts. The argument whether the reason of saying בפ"נ is on account of לשמה or on account of אין עדים מצויים לקיימו, is a conceptual argument – מחלוקת בסברא; a disagreement whether סמוכות and/or מובלעות are לשמה or not (or if אין עדים מצויים לקיימו or not), is a factual argument – מחלוקת במציאות.

The תוספות will offer a possible explanation for the opinion of ר"א (in this אמינא) that מובלעות are required to say בפ"נ, and then reject it.

וטעמא דרבי אליעזר לא משום דקסבר דמובלעות נמי לא שכיחי³ -

And the reason that ר"א maintains that מובלעות are also required to say בפ"נ is not because ר"א is of the opinion that the engulfed cities are also not frequented;⁴

אלא שלא תחלוק במדינת הים -

But rather⁵ the reason that מובלעות are required to say בפ"נ according to ר"א

¹ The גמרא does not explicitly state this. It is however self-evident.

² The reason for this would be; there is no need to argue about the facts, we should merely try to verify them. In addition, if it is a factual disagreement, then seemingly one of the disputants are definitely wrong. These two difficulties are avoided in a conceptual argument.

³ This would be in opposition to ר"ג who will maintain that מובלעות are שכיחי.

⁴ The reason we may have thought (in this הו"א) that ר"א is מחייב to say בפ"נ by מובלעות because לא שכיחי, is since the גמרא gives only one reason for the חיוב to say בפ"נ by מובלעות; namely שכיחי. This would seemingly apply to ר"א by מובלעות (as well as to ר"ג by סמוכות).

⁵ The reason תוספות rejects the previous interpretation may be because the גמרא now preferably maintains

is that we should not differentiate among the overseas cities; to maintain that some are required to say בפ"נ and others are not required. We prefer that all cities in מדה"י say בפ"נ (even if there are מצויין לקיימו), as not to lead to any confusion.

כדמשמע בסמוך -

As is evident later in the מסקנא of the גמרא, that the reason why ר"א requires בפ"נ by מובלעות is an account of שלא תחלוק במדה"י. We may therefore assume that at this point of the גמרא as well (in the אמינא), the same reason applies.

SUMMARY

The reason ר"א requires בפ"נ אמירת בפ"נ (as in the מסקנא) is not because מובלעות are not שכיחי (גמירי), but rather במדינת הים שלא תחלוק במדינת הים.

THINKING IT OVER

1. Why indeed according to the מסקנא (where the ת"ק and ר"ג [seemingly] have a מחלוקת במציאות), did not the גמרא say that ר"א also has a factual disagreement with ר"ג (and the ת"ק) whether מובלעות are שכיחי וגמירי?⁷

2. According to תוספות that (even) in the הו"א the גמרא assumed that the reason why ר"א requires בפ"נ מובלעות is because שלא תחלוק, then why was it necessary for the תרצן to state it (again)?⁸

that the dispute between the ת"ק and ר"ג is based on the cause of saying בפ"נ. It is a מחלוקת בסברא; not a מחלוקת במציאות (whether or not they are שכיחי or בקיין [see 'Overview']). If however we were to maintain that ר"א argues factually with ר"ג concerning מובלעות, whether or not מובלעות are שכיחי, then the entire advantage of this interpretation is lost. There is no compelling סברא to assume this interpretation. Therefore תוספות prefers to keep the dispute on a conceptual level as opposed to a factual disagreement (in the הו"א as well).

⁶ Others change the text to read: 'כדמשני בסמוך' – 'as he answers later'. They are seemingly of the opinion that it is not merely משמע בסמוך; it states so clearly, that the טעם of ר"א is שלא תחלוק. Our reading of the text ('כדמשמע') will claim however, that indeed later the גמרא states explicitly this reason in the מסקנא, however we cannot be sure that in the הו"א we follow the same reasoning (see footnote # 4). It is only משמע; since later even when we have a factual dispute between the ת"ק and ר"ג concerning סמוכות, nevertheless the גמרא does not want to carry on this factual מחלוקת מובלעות and wants to limit the factual מחלוקת as much as possible. Therefore in the הו"א where there is no factual מחלוקת between the ת"ק and ר"ג (and the basis of the הו"א was that this type of מחלוקת is preferable) there is certainly no need to create a factual מחלוקת between ר"ג and ר"א. See 'Thinking it over' # 2.

⁷ See מהרש"א (הארוך).

⁸ See אמ"ה # 145.