

So in what do they differ

אלא מאי בינייהו -

OVERVIEW

After the גמרא establishes that רבה אית ליה דרבא and רבה agrees that there is also the טעם of קיום, the גמרא then asks; what is the difference between רבה and רבא (in the case of ממדינה למדינה בא"י). They will both agree that בפ"נ is (generally¹) not required בא"י. Seemingly this same question arises as soon as the גמרא said (previously) that בפ"נ is not required בא"י even according to רבא, since עולי רגלים מישכח שכיחי. Our תוספות will explain why the question is valid only after we maintain that רבה אית ליה דרבא and not previously².

לעיל כי משני כיון דאיכא עולי רגלים מישכח שכיחי -

Previously when the גמרא **answered** the question, why רבא does not require בפ"נ ממדינה למדינה בא"י; to which the גמרא replied, **'since there are pilgrims in א"י, therefore witnesses can be easily found'**. That is why בפ"נ is not required in א"י. It follows therefore that both רבה and רבא agree that ממדינה למדינה בא"י there is no requirement to say בפ"נ.

תוספות states (negatively) the anticipated question:

לא הוה מצי למיבעי מאי בינייהו -

The גמרא **could not have asked** the same question the גמרא is asking now, namely **what is the practical difference between** the opinions of רבה ורבא; since they both agree that בפ"נ is not required בא"י ממדינה למדינה.³

תוספות responds; that at that point there is no valid question:

דאכתי איכא בינייהו מקומות דלא קביעי בתי דינין או שמקפידין זה על זה -

For there is as yet a difference between רבה ורבא ממדינה למדינה בא"י; in such

¹ Except in cases mentioned at the end of תוספות where they will both agree that it is required.

² See: רבה אית רש"י ד"ה אלא who maintains clearly that the question actually refers to both this conclusion of רבה אית ליה דרבא and the previous answer of עולי רגלים מישכח שכיחי. Our תוספות will seemingly disagree with רש"י. See however סוכת דוד אות ס' in the first parenthesis.

³ The original difference between רבה and רבא in the case of ממדינה למדינה בא"י was that according to רבה, בפ"נ is required and according to רבא it is not required. As soon as the גמרא said that even according to רבה, בפ"נ is not required in א"י, that difference was eliminated. This question does not seemingly become any stronger when the גמרא also concludes that רבה אית ליה דרבא. Therefore the question is why did the גמרא wait till it concluded that רבה אית ליה דרבא, and not ask this question immediately when we answered that כיון עולי רגלים מישכח שכיחי?

places where there are no established בתי דינים or they are hostile to each other; in these two aforementioned cases (before we concluded that רבה אית ליה דרבא there would be a difference between רבה ורבא in א"י. According to רבה there is no need for רבא since they are בקיאים לשמה (and at this point רבה does not yet agree to רבא). According to רבה however, רבא would be required; since there are no בתי דינים in this vicinity or they are extremely hostile to each other there are no עדים מצויין לקיימו. It is only when we establish that רבה אית ליה דרבא; then even in these (two) instances רבה and רבא would both agree that רבא is required. Therefore the גמרא rightfully asks at this point: מאי בינייהו!

SUMMARY

The question: 'What is the practical difference between רבה ורבא in א"י', is valid only after we establish that רבה אית ליה דרבא. For then they will both agree that if there are עדים מצויין לקיימו then רבא will not be required; otherwise it will be required. However before we established that רבה אית ליה דרבא, even though we have concluded that in א"י since there are עולי רגלים (or בתי דינים) therefore עדים are מצויין לקיימו, nevertheless there will still be a difference between רבה ורבא; specifically in the cases where there are no בתי דינים or where the two cities are מקפידין זה על זה.

THINKING IT OVER

How is לא קביעי בתי דינים and מקפידין זע"ז convinced that in the cases of רבא according to א"י in בפ"נ one would be required to say רבא?⁴

⁴ See רש"י ש.