

**This is the ר"י, this is the רבנן**

**הא רבי יהודה הא רבנן -**

### OVERVIEW

The גמרא quoted contradictory ברייתות concerning whether בפ"נ is required when writing a גט on a boat in the rivers in א"י. The גמרא resolved this contradiction by comparing it to the dispute between ר"י ורבנן concerning ר"י חייב במעשר will maintain that בפ"נ is not required. ר"י who maintains that מעשר will require בפ"נ. Our תוספות discusses this comparison between גט and מעשרות.

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תוספות responds to an anticipated question:

**אף על גב דקרקעית המים הוי כארץ ישראל גרע הכא ממובלעות דלעיל -**

**Even though the riverbed is considered as א"י [why then is בפ"נ required (according to ר"י)?<sup>1</sup>]; nevertheless, the boat here has less association with א"י, than the engulfed cities which were mentioned previously<sup>2</sup>.** Concerning all but אליעזר ר' maintain that בפ"נ is not required. However a boat traveling on a river, even though the riverbed is א"י, the ship on the river does not maintain the status of א"י and even not of מובלעות.<sup>3</sup> Therefore בפ"נ is required.

תוספות asks:

**ואם תאמר<sup>4</sup> ומה ענין גט אצל מעשר -**

**And if you will say; what connection does a גט have to the laws of מעשר?**

The גמרא is making a comparison between גט and מעשר that whenever you are obligated to give מעשר you are not required to say בפ"נ and vice versa. There seems to be no connection. תוספות will attempt to show the irrationality of it.

**אטו המביא גט בעלייה בארץ ישראל יחשב כמביא בחוצה לארץ -**

**Should it be that one who brings a גט in an attic<sup>5</sup> in א"י, it should be considered as if he brought a גט in חו"ל and be required to say בפ"נ, based on the same logic -**

**משום דעפר הבא שם מחוצה לארץ פטור ממעשר<sup>6</sup> -**

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<sup>1</sup> See 'Thinking it over' # 1.

<sup>2</sup> לעיל ד,א.

<sup>3</sup> See תפארת יעקב who explains the difference between מובלעות and a boat. In the case of מובלעות the entire area appears as one unified 'body'; we cannot physically distinguish between א"י and the מובלעות. However a river is a separate entity from the rest of the land and cannot be considered as being included in the land.

<sup>4</sup> See 'Thinking it over' # 2.

<sup>5</sup> The גט was written in the attic and subsequently sent to the woman.

<sup>6</sup> Seemingly even earth from א"י would be פטור from מעשר in an attic. See נחלת משה and סוכ"ד אות יא.

**מעשר** **That since earth which comes to the attic from חו"ל is exempt from מעשר.**

That 'proves' that the attic is not א"י concerning מעשר. Following the previous logic it should therefore obligate the שליה to say בפ"נ<sup>7</sup>; in the same manner that a גט brought on a boat requires בפ"נ since the earth on the boat is exempt from מעשר.

answers: תוספות

**ואומר רבינו יצחק דלא דמי דעלייה קרקע שתחתיה בר זריעה היא -**

**And the ר"י says that these two cases are not comparable for in the case of the attic, the land below it, can be planted -**

**וראוי להתחייב במעשר ושביעית מה שאין כן בספינה -**

**And it is fit to be obligated in the laws of מעשר and שביעית.** Therefore the attic is considered א"י concerning גיטין. However, **this not the case by a boat.** The river(bed<sup>8</sup>) is not plantable and will never be מחוייב in שביעית and מעשר therefore the ספינה above the river(bed) is also not considered א"י even concerning גיטין.

## **SUMMARY**

מובלעות א"י has a lesser connection to א"י than מובלעות.

A גט written in an עלייה in א"י does not require בפ"נ even though that food grown in the עלייה are ממעשרות. Nevertheless, the ground upon which the עלייה stands is במעשרות; as opposed to a boat in the water.

## **THINKING IT OVER**

1. Why does תוספות say that a ספינה is גרע ממובלעות<sup>9</sup> Perhaps (ורבנן) ר"י agree[s] with ר"א of our משנה that even מובלעות are required to say בפ"נ<sup>10</sup>?

2. Can we connect תוספות question<sup>11</sup> with the beginning of תוספות<sup>12</sup>?

3. What is the status of עפר חו"ל that was placed in an עלייה; is the produce grown from it במעשר מחוייב or not?<sup>13</sup>

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<sup>7</sup> We will need to repeat here what was mentioned in footnote # 3, namely that an attic is also a separate entity, as is the river. See תפא"י.

<sup>8</sup> See תפא"י.

<sup>9</sup> See footnote # 1.

<sup>10</sup> See (עד"ז) in סוכ"ד אות יג.

<sup>11</sup> See footnote # 4.

<sup>12</sup> See תפא"י.

<sup>13</sup> See מהר"ם שי"ף.