



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Gittin Daf Lamed Beis

#### PEREK HASHOLEI'ACH -- PEREK REVI'I

##### MISHNA

- If a husband sends a get to his wife and meets the shaliach before he gave the get to the wife, or he sends another shaliach to reach the shaliach, and tells the original shaliach, "The get I gave you is hereby batul", the get becomes batul. If he runs to the wife before she receives the get, or if he sends a shaliach to the wife before she receives the get, and tells her "The get I have sent to you is hereby batul", the get is batul. However, if the get was already delivered to the wife, the get does not become batul.
- Initially, the husband was allowed to go to Beis Din wherever he was, and declare the get batul over there. However, **R' Gamliel Hazaken** instituted that for the benefit of the world this may not be done (when this is done the shaliach doesn't know about it and will deliver the get to the woman, who thinks it is a valid get, and will get married based on it).

##### GEMARA

- The Mishna says that the husband "met" the shaliach, and not that he ran after him to stop the get. The chiddush is, that although he made the get batul only when he happened to meet him, we don't say that his true intention was to annoy his wife and not to be mevatel the get.
- **Q:** Why is it necessary to give the case of where the husband sent a shaliach to the first shaliach to be mevatel the get? **A:** We would think that a second shaliach cannot be made to be stronger than the first shaliach (in the sense that he is nullifying the job of the first shaliach). The Mishna teaches that he can.
- **Q:** Why do we need the case of where the husband goes directly to the wife? **A:** We would think that the fact that he went directly to the wife proves that his whole intention was to annoy her. The Mishna teaches that we say that he actually intends to be mevatel the get.
- **Q:** Why do we need the case of where he sends a second shaliach to the wife? **A:** We would think that when he travels to the wife it is not just to annoy her, because he wouldn't bother travelling just to annoy her. However, when he is sending a shaliach, since he doesn't care that the shaliach is undertaking the travel, maybe we say that his whole intent is only to annoy her.
- **Q:** It seems obvious that once the get was given to the wife he can no longer make it batul!? **A:** The chiddush is, even if it is known that the husband was trying to be mevatel the get before it reached her hand, we don't say that there is a retroactive annulment of the get from before it was given to her. Rather, if he is mevatel it before it reaches her, it will be batul. If not, not.
- A Braisa says, if the husband says "it is void" or "I do not want it", the get becomes batul (his statements are saying "the get is hereby batul"). However, if he says "it is passul" or "it is not a get", the get does *not* become batul (he is saying that the get is passul, and in fact the get is not passul).
  - **Q:** This seems to suggest that saying "batel" is saying that something *shall* become void. However, **Rabbah bar Eivo in the name of R' Sheishes** said regarding a recipient who is trying to reject a gift, that it actually means something was *already* void in the past!? **A:** **Abaye** said, it can have both meanings, and we look at the context in which it is used in order to determine its intent.

- **Abaye** said, we have a kabbalah that the shaliach for a gift is like a shaliach for a get. Meaning, that in both cases the shaliach is not automatically koneh the item for the recipient (of the gift or of the get).
    - **Ravina** asked **R' Nachman bar Yitzchak**, what is the halacha if the husband says a single word – “batel”? He said, that case remains a **TEIKU**.
    - **R' Sheishes** said, if the husband said “the get should not be ineffective” or “it shall not release” or “it shall not cause to leave” or “it shall not send away” or “it shall not divorce” or “it shall be a piece of pottery” or “it shall be as a piece of pottery”, the get becomes void. If he says “it is not effective” or “it does not release”, etc., the get would not become void.
      - **Q:** What if he says “the get is pottery”? **A:** **Ravina** told **R' Acha the son of Rava**, it would be as when someone says “it is hekdesch” or “it is hefker”. Just as in those cases the statement causes the stated effect, here too the get would be void.
- **Q:** If a get was made to be void, may it be used as a get if the husband then changes his mind and wants to divorce her? **A:** **R' Nachman** said he may use the get again, and **R' Sheishes** said that he may not. The Gemara says that the halacha follows **R' Nachman**.
  - **Q:** We have learned that the halacha follows **R' Yochanan**, who says that a woman may retract her willingness to get married, and any act of kiddushin that was already done (i.e. on a condition) becomes batul. If she then changes her mind, a new act of kiddushin would be needed. Presumably, the same would hold true regarding a get, that once it becomes batul it would not be able to be used again!? **A:** Regarding kiddushin, her later words void her earlier words (of acceptance), and the earlier words can therefore not be reinstated. However, regarding the case of get, the husband has only voided the shlichus, not the actual get document. Therefore, it can be used again if he changes his mind.

#### BARISHON HAYA OSEH

- **Q:** Before the takanah (when being mevatel a get was allowed to be done wherever the husband was), how many people did the husband have to be mevatel in front of? **A:** **R' Nachman** said, in front of 2 people, and **R' Sheishes** said, in front of 3 people, because the Mishna says it had to be done in front of Beis Din, which is 3 people. **R' Nachman** says that 2 people are referred to as a Beis Din as well.
  - **R' Nachman** brings a proof from a Mishna that says that the person making the “pruzbul” should say “I am giving the loan over to so-and-so and so-and-so the dayanim. We see that there are only 2 dayanim. **R' Sheishes** said, there are really 3, but the Tanna didn't feel the need to write “so-and-so” for the third time.
  - **R' Nachman** brings a proof from a Mishna regarding “pruzbul” that says either the dayanim or the witnesses can sign. He says the dayanim are compared to the witnesses – just as we only need two witnesses, so too only two dayanim are needed for a Beis Din. **R' Sheishes** said, there is no such comparison. Rather, the Mishna is teaching that even if the dayanim sign their names with the title of being witnesses, or visa-versa, the pruzbul is still valid.