



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

### Gittin Daf Ayin Hey

- A Braisa says, if a man tells his wife “this is your get, but the paper still belongs to me”, she is not divorced. If he says “on the condition that you return the paper to me”, then she is divorced.
  - **Q:** What is the difference between the two cases? **A: R' Chisda** said, the Braisa is following the view of **R' Shimon ben Gamliel** (who says the wife can return the value of the coat to the husband), and the second case of the Braisa is where she keeps the get (which is why it is effective) and gives him the value of the paper instead.
    - **Q: Abaye** asked, **R' Shimon** only says this when the item is no longer available to be returned, not when it is. Therefore, he would not allow for a return of the value of the paper instead of the actual paper!? **A: Abaye** therefore said, the Braisa follows **R' Meir**, who says that in order for a condition to be effective it must be double-sided (e.g. “if A then B, and if not A then no B”). Here, the condition was not double sided, so it is not effective and the get remains effective even if the paper is not returned.
    - **Q: Rava** asked, you are suggesting that the only thing preventing the condition from taking effect is that it is not double sided. However, another requirement of a condition (as we learn from the conversation between Moshe and the people of Gad and Reuven) is that the condition must be stated before the act, and here the act (this is your get) is stated before the condition (if you give the paper back to me)!? **A: Rava** therefore said, the reason the get is valid in the Braisa is because the condition is invalid, because the act was stated before the condition.
    - **Q: R' Ada bar Ahava** asked, you are suggesting that the only thing preventing the condition from taking effect is that the act was stated before the condition. However, another requirement of a condition (as we learn from the conversation between Moshe and the people of Gad and Reuven) is that the condition and the act cannot be regarding the same matter. If so, in our Braisa, since they are regarding the same matter, that should make the condition ineffective!? **A: R' Ada bar Ahava** therefore said, the reason the get is valid is because the condition is invalid, because the condition and the act are both regarding the same matter.
    - **R' Ashi** said, the Braisa is following the view of **Rebbi**, who says that when one says “ahl menas”, it is as if he says that it should take effect immediately. Therefore, the get is valid as soon as it is received by the woman.
  - When dealing with the get of a man who was deathly ill, **Shmuel** had the man make the condition that “if I do not die this should not be a get, and if I do die it should be a get”.
    - **Q:** Why didn't he say the part of “if I do die” first? **A:** A person would not state a negative thing (his dying) first.
    - **Q:** Why didn't he make him say “this will not be a get if I do not die, and will be a get if I do die”? **A:** We need to state the condition before the act.
    - **Q: Rava** asked, we learn from the conversation between Moshe and the people of Gad and Reuven, that the positive possibility (“if you do”) must be stated before the negative possibility (“if you don't”). If so, he should need to first state “if I die...”? **A: Rava** said, he began by saying “if I don't die” so as not to begin with a bad thing. He then began the true condition and said “If I die.....if I don't die....” And thereby had the positive before the negative.

## MISHNA

- If a man tells his wife “this is your get on the condition that you serve my father” or “on the condition that you nurse my son”, how long must she nurse him in order to fulfill the condition? Two years. **R’ Yehuda** says 18 months. If the son or the father died before that time, the get is valid.
- If a man tell his wife “this is your get on the condition that you serve my father for 2 years” or “on the condition that you nurse my son for 2 years”, and the son died or the father said he doesn’t want her serving him through no fault of hers, the get is passul. **R’ Shimon ben Gamliel** says, in this case it would be a get. **R’ Shimon ben Gamliel** said a general rule, if she did not fulfill the condition for any reason that was not her fault, the get will be valid.

## GEMARA

- **Q:** A Braisa says that if she only serves his father one day or nurses his son for even just one day, the get would be valid. Why does our Mishna require a longer time!? **A:** **R’ Chisda** said, our Mishna follows the view of **R’ Shimon ben Gamliel**, who understands a husband’s condition with the intent to profit, and therefore, without stating a timeframe, he means for it to be done for as long as necessary. The Braisa follows the view of the **Rabanan**, who understand the condition to be said literally (he wants the actual coat to be returned) and therefore, even one day of service or nursing is sufficient.
  - **Q:** The end of the Mishna is stated as being the view of **R’ Shimon ben Gamliel**, which would suggest that the beginning of the Mishna does not follow him!? **A:** We must say that the Braisa follows **R’ Shimon ben Gamliel**, who has a general view of being meikel regarding interpreting conditions, and the Mishna follows the **Rabanan**, who are more stringent regarding interpretation of conditions.
  - **Rava** said, the Mishna is referring to where no timeframe was specified, and the Braisa is discussing where a timeframe of one day was given. **R’ Ashi** said, this can’t be right, because any unspecified statement could be fulfilled with one day.
    - **Q:** Our Mishna said the **T”K** says she must nurse the baby for 2 years and **R’ Yehuda** said for 18 months. How would **R’ Ashi** understand this, since according to him even one day is sufficient!? **A:** The Mishna means that she must nurse for one day during the first two years of the baby’s life, or during the first 18 months of the baby’s life, and not after that time.
    - **Q:** The Mishna gives a second case where the timeframe was specified. According to **Rava**, the first case discussed an unspecified timeframe and the second case discussed a specified timeframe, so we understand the difference in the cases. However, according to **R’ Ashi**, who we just said holds that in the first case there was a specified timeframe as well, what is the difference between the cases in the Mishna!? This remains a **KASHYEH**.