



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

Gittin Daf Ayin Tes

MISHNA

- If a woman was standing on top of her roof, and her husband threw her get up to her from his chatzer below, once the get reaches the airspace of the roof, she is divorced.
- If he was on his roof above, and she was in her chatzer below, once the get leaves the reshus of the roof, even if it gets erased or burned, she is divorced.

GEMARA

- **Q:** In the first case how is she divorced if the get is not guarded? **A: R' Yehuda in the name of Shmuel** said, the Mishna is discussing a roof that has a gate around it, which prevents the get from being blown off. **Ulla bar Menashyeh in the name of Avimi** said, the Mishna is discussing where the get came to within 3 tefachim of the roof, which has the status as if it came to rest on the roof itself.

HU LIMAALA

- **Q:** The get is not guarded in the chatzer, so why is she divorced? **A: R' Yehuda in the name of Shmuel** (and a number of others) said, the Mishna is discussing where the walls surrounding the chatzer are higher than the roof (so as soon as the get leaves the reshus of the roof it is enclosed in the chatzer).
 - **Q: R' Abba** asked **Ulla**, this seems to only follow **Rebbi**, who says regarding the halachos of Shabbos, that something that has entered into an airspace is viewed as if it has landed on the ground!? **A: Ulla** said, it may even follow the **Rabanan** who argue on **Rebbi**, because they only argue regarding Shabbos. However, in our case it is a matter of whether the get is guarded, and since the walls are higher, it is guarded and the **Rabanan** would therefore agree that it is as if it came to rest on the ground in the chatzer.

NIMCHAK

- **R' Nachman in the name of Rabbah bar Avuha** said, the Mishna is only discussing where the get was erased when it was already on its descent. However, if it got erased on its way up, she would not be divorced, because the get is not viewed as being given to her until its descent, and at that time the get was already erased.

NISRAF

- **R' Nachman in the name of Rabbah bar Avuha** said, the Mishna is only discussing where the get entered the airspace before the fire was there. However, if the fire was there first, she would not be divorced, because the get is destined to be destroyed before reaching the ground and therefore does not have the status of having reached the ground.
- **R' Chisda** said, reshusim are separate for purposes of gittin (if a husband lends a place in his property for his wife to use to be koneh her get, she cannot use a different piece of his property for that purpose).
 - **Rava** explained to **Rami bar Chama**, this is learned from our Mishna. The Mishna's first case is where he throws the get from the chatzer to the roof. Now, if both of these areas belong to her, she should be koneh the get even in the chatzer. If both areas belong to him, she should not be koneh the get at all. It must be that the roof belongs to her and the chatzer belongs to him. Now, in the second case of the Mishna, we would have to say the reverse, that the chatzer belongs to her and the roof belongs to him. It is difficult to say that the two cases are speaking about such reverse sets of circumstances!? Rather, it must be that both cases are discussing where both areas belong to the husband and in the first case he lent her the roof and in the second case he lent her the

chatzer, and we see that he only lends her that one area, not others. **Rami bar Chama** said, this is no proof, because it may be that each case is discussing its own set of circumstances – in the first case she owns the roof and he owns the chatzer, and in the second case he owns the roof and she owns the chatzer.

- **Rava** said, there are 3 ways in which gittin differ from other halachos:
 - When **Rebbi** says that something within the airspace is considered as if it landed, and the **Rabanan** argue, that is only with regard to Shabbos. However, with regard to get, the determining factor is whether the get is being guarded, and since the get is guarded even the **Rabanan** will agree that we view the get as having landed.
 - When **R' Chisda** said that a platform on a pole that is 100 amos high in the reshus hayachid still has the status of that reshus hayachid, that was only said in regard to Shabbos, but in regard to get, since the get cannot be guarded up there, it will not be viewed as having landed into that reshus hayachid.
 - When **R' Yehuda in the name of Shmuel** said that one may not carry from one side of a roof to another on Shabbos in the case where underneath the roof there are two separate houses, that distinction was only made regarding Shabbos. However, regarding gittin, if the husband lent her one side of the roof to use to be koneh her get, she may even use the other side of the roof as well.
- **Abaye** said, if there are two chatzeiros – one within the other, with the inner one belonging to the wife and the outer one belonging to the husband, and the outer one's walls are taller than the walls of the inner one, and he threw a get to her in her chatzer, even if the get has not yet dipped below the level of the inner walls, she is divorced, because the get is protected by the taller, outer walls. This is different than the case of 2 boxes, one within the other, where the inner belongs to her and the outer belongs to him, and he throws a get into the airspace of the inner box, in which case the halacha would be that she is not divorced until it actually lands in her box.
 - **Q:** Even when it lands in the box, it is the keili of the buyer in the property of the seller, so why is she koneh at all? **A:** The case is that the outer box has no bottom, so the inner box is sitting directly on the ground, and not in the box of the husband.

MISHNA

- **B"S** say a man may divorce his wife using a "get yashan", and **B"H** say it is assur.
 - What is a get yashan? It is a get where the husband secluded himself with his wife after the get was already written.

GEMARA

- The machlokes is that **B"S** are not concerned that if they conceive a child in that seclusion and he then gives the get (which was written before the seclusion) people will say that she had the child out of wedlock. **B"H** is concerned for that.
- **R' Abba in the name of Shmuel** said, if a woman remarried on the basis of a get yashan, she need not get divorced from her new husband. **Others** say that he said that if she received a get yashan she may even remarry based on it, l'chatchila.