



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

Gittin Daf Pey

MISHNA

- If a man was in Bavel and dated a get based on the years to the “unworthy kingdom”, or to the kingdom of Madai, or the kingdom of Yavan, or based on the years since the building of the Beis Hamikdash, or since the Churban, or if he was in the east and wrote in the get that he was in the west, or if he was in the west and wrote in the get that he was in the east, in all these cases if she got remarried based on this get, she must leave the first and the second husband, she needs a get from the first and the second husband, she is not entitled to any kesubah, she is not entitled to have her husband ransom her if she is captured, she is not entitled to support, she is not entitled to her worn out clothing from either of the husbands. If she took such payments from any of the husbands, she must return it. The child she has from either husband (after this get) is a mamzer. If the husbands are Kohanim, neither of them may become tamei to her if she dies. Neither husband is entitled to her finds, or her earnings, or to be meifer her nedarim. If she was a Yisraelis, she now becomes passul to the Kehuna. If she was a Leviya she becomes assur to eat maaser. If she was a Kohenes she becomes passul to eat terumah. None of the heirs of either husband inherit her kesubah. If either of the husbands die childless before giving her a get, the brothers must give her chalitza, and not yibum.
- If the sofer changed his or her name on the get, or the name of his city or her city, and she remarried based on this get, she must leave both husbands and all the other penalties previously mentioned apply to her.
- With regard to all the women who the **Rabanan** said that they make their tzaros patur from being subject to yibum or chalitza, if these tzaros relied on that basis and remarried, and the women (who were the reason for the tzaros becoming patur) were found to be an aylunis (in which case their original marriage was a mekach ta'us and is therefore batul retroactively, and the tzaros were therefore never truly patur from yibum or chalitza) the tzara who remarried must leave her second husband, and all the other penalties previously mentioned apply to her.
- If a yavam did yibum to one of his brother's wives and the other wife then went and married another man (as she may do), and it turns out that the one he did yibum to was an aylunis, the other wife must leave her husband and all the other penalties previously mentioned apply to her.
- If a sofer wrote a get for the man (to give to his wife) and a receipt for a the woman (to give to her husband when the kesubah was paid), and he gave a document to each of them (the husband thought he got the get and gave that to his wife, and she thought she got the receipt and gave that to the husband), and after some time, and after the woman had remarried to another man, they each finally read the document they received and realized that the woman never got the get from her husband, the woman must leave both husbands and all the other penalties previously mentioned apply to her. **R' Elazar** says, if the mistake was noticed “immediately”, then we assume the woman was never truly divorced, and all the penalties apply. However, if this was noticed after some time, we assume she was truly divorced, because we do not believe the first husband and the wife to say that the second husband may no longer live with this woman.

GEMARA

- **Q:** What is meant by the “unworthy kingdom”? **A:** It refers to the Roman kingdom, and they are so called because they don't have their own alphabet or their own language.
- **Ulla** said, the reason a get must be dated according to the years of the local kingdom is to promote peace with the kingdom.

- **Q:** For that reason we would say that if it was done differently she must leave her husband and any children are mamzeirem!? **A:** Yes. **R' Meir** is following his view elsewhere, where **R' Hamnuna in the name of Ulla** said that **R' Meir** said, if anyone deviates at all from the process that the **Rabanan** set in place for gittin, the child will be a mamzer.

L'SHUM MALCHUS YAVAN

- The Mishna needs to give all these examples. If it would just say that dating to the years of the Romans is passul, we would say that is so because they are a present kingdom, but Yavan and Madai, who are kingdoms of the past, there would be no problem of making the local kingdom angry and the get would not be passul. Therefore the Mishna teaches that dating to the kingdoms of Yavan and Madai are also passul. If we would only say Yavan and Madai, we would think that dating to them is passul because they are other kingdoms, but dating to the building of the Beis Hamikdash would not cause any problems. If we would only mention dating to the building of the Beis Hamikdash, we would say it is passul there, because the local kingdom will have a problem with the Jews as being disloyal, but dating to the Churban should not be a problem. The Mishna therefore teaches that even dating to the Churban makes the get passul.

HAYA B'MIZRACH V'KASAV B'MAARAV

- **Q:** This can't refer to where the husband was in the east and in the get it said he was in the west, or where the wife was in the east and it said she was in the west, because that is already dealt with in the Mishna where it said "if he changed the name of his city or her city"!? **A:** It is referring to where the sofer was in the east and wrote that the get was written in the west. As we find that **Rav** and **R' Huna** would tell their sofrim to write the place where the get was written even if the instruction was given elsewhere.
- **R' Yehuda in the name of Shmuel** said, the rule that the get must be dated by the years of the local kingdom, follows the view of **R' Meir**. However, the **Rabanan** say, even if it is dated by the years of the town's clerk, the get would be valid.
 - It once happened that a get was dated according to the years of a city governor. **R' Nachman bar R' Chisda** asked **Rabbah** if this would be valid. He answered that in such a case even **R' Meir** would agree that it would be valid, because dating to a governor is showing respect for the local kingdom. Dating for the town clerk is considered an embarrassment and that is why in that case **R' Meir** would say that it would be passul.
 - **R' Abba in the name of R' Huna in the name of Rav** said, the **Chachomim** would agree with **R' Meir** that a get dated in this way should not be used. They only argue that if it was used, the child of this marriage will not be a mamzer. The **Chachomim** would agree however, that if his name, her name, his city's name, or her city's name were changed, and she remarried based on that get, that the child would be a mamzer.
 - **R' Ashi** said, we can prove this from our Mishna. The Mishna does not combine the invalidities of the first list (dated by some other government) with those of the second list (changed his name, her name, etc.). It must be because the first list is the view of **R' Meir**, and the second list is the view of the **Rabanan**, and we see that they do not agree with the halacha of the first list, but do agree with the second list.

KOL ARAYOS SHE'AMRU...

- **Q:** The Mishna says that if the tzaros *married* other men they become assur to the yavam. This would suggest that if they were mezaneh without having married they would remain mutar to the yavam. This refutes **R' Hamnuna**, who says that such a woman would be assur to the yavam as well!? **A:** The Mishna means to include a woman who was mezaneh as well. The reason it only mentions a woman who married is because it is a more refined speech.
 - **Others** say that the Mishna means to include a woman who was mezaneh as well.
 - **Q:** Maybe we can say that this is a proof to the halacha of **R' Hamnuna**? **A:** The Mishna may mean to include only a woman who remarried, and the reason such a woman would be assur is because she is similar to the case of a woman who remarried based on being told that her husband who was overseas had died.

HAKONEIS ES YEVIMTO...

- We need both of these similar cases (where one of the wives is an ervah who is later found to be an aylunis, and where yibum was done and the yevama was found to be an aylunis) to be taught

in the Mishna. If we would only have the first case we would say we are very machmir, because the mitzvah of yibum was never done. If we would only say the second case, we would say that we are very machmir in that case, because she had fallen to the yavam for yibum (in the first case she was patur and never fell for yibum).

KASAV HASOFER V'TA'AH V'NOSSAN GET L'ISHA...

- **Q:** What is considered “immediately” and what is considered “after some time”? **A: R' Yehuda in the name of Shmuel** said, as long as they are still sitting and discussing the divorce, it is called “immediately”. Once they got up, it is called “after some time”. **R' Ada bar Ahava** said, if she never remarried yet, it is called “immediately”, if she had remarried, it is called “after some time”.
 - **Q:** The Mishna says that after some time we don't believe them, because the first husband is not believed to effect the rights of the second husband. According to **R' Ada bar Ahava** this makes sense, but according to **Shmuel**, who says there is a second husband here? **A:** The Mishna means the rights befitting a second husband, but not to say that there actually is a second husband.