



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

Gittin Daf Tes

MISHNA

- If a shaliach brings a get from chutz laaretz and can't say BNB, then if there are witnesses signed on the get he should confirm the signatures.
- A get of divorce and a get of emancipation for a slave are alike in that when it is brought from chutz laaretz to EY or visa-versa, the shaliach must say BNB. This is one of the ways in which a get is like a get shichrur.

GEMARA

- **Q:** What does the Mishna mean that "he can't say BNB"? It can't be that he is a deaf-mute, because such a person can't be a shaliach!? **A: R' Yosef** said, the case is that the shaliach *became* a deaf-mute after giving over the get, but before saying BNB.

ECHAD GITEI NASHIM V'ECHAD SHICHRUREI AVADIM

- A Braisa says, there are 3 ways in which a get is similar to a get shichrur: they are similar in that when they are brought to EY or from EY the shaliach must say BNB, they are similar in that all documents become passul if a Kuti is signed as a witness except for a get and a get shichrur which remain valid, and they are similar in that all other documents that are signed by goyim and processed in the courts of the goyim remain valid, but a get and a get shichrur would be passul. **R' Meir** says there is a 4th way in which they are similar: if a person appoints a shaliach to give a get to his wife or a get shichrur to his servant, he may retract until it reaches the hand of his wife or his servant.
 - **Q:** According to the **Rabanan** the Braisa says there are "3 ways", because it wants to exclude the statement of **R' Meir**. However, according to **R' Meir**, what does the number come to exclude? **A:** It comes to exclude the Braisa that says that if witnesses don't know how to sign their names, we etch their names on a piece of paper and they fill it in with ink. **R' Shimon ben Gamliel** says, this leniency only applies to a get of divorce. With regard to a get shichrur and other documents, if they know how to read and sign they may sign. If not, they may not sign.
 - **Q:** The T"K did not mention anything about the ability to read, so why did **R' Shimon** mention that? **A:** The Braisa is missing words and should read as follows: If witnesses don't know how to read, we read the document to them and they can sign. If they don't know how to sign, we etch paper for them and they fill in with ink...
 - **Q:** There are more ways in which a get is similar to a get shichrur!? There is the halacha that if a man instructs that a get be given to his wife or that a get shichrur be given to his slave and he dies before it is given, it may not be given to them after his death!? **A:** This halacha applies to all documents, and is not special to get and get shichrur. That is why it is not mentioned.
 - **Q:** They are similar in that they both must be written lishma!? According to **Rabbah** this is not problematic, because the Braisa says they are similar in the requirement to say BNB, which according to **Rabbah** is based on the halacha of lishma, but according to **Rava**, why isn't this similarity mentioned in the Braisa!? **Q2:** There is also the halacha that the get and the get shichrur cannot be written on something attached to the ground!? **A:** The Braisa only lists similarities in halachos D'Rabanan, and these halachos are D'Oraisa.

- **Q:** The Braisa mentions the similarity that they can't be processed in a court of the goyim, and that is a halacha D'Oraisa!? **A:** The case of the Braisa is where there are Jewish witnesses who witnessed the giving over of the get, which according to **R' Elazar** suffices to make it valid.
 - **Q:** A Mishna later (similar to the Braisa being discussed) brings the shita of **R' Shimon** that even a get and a get shichrur are valid if processed in a court of goyim, and **R' Zeira** explains it is because he follows the view of **R' Elazar**. This means that the **T"K** does *not* hold of **R' Elazar**!? **A:** They both hold of **R' Elazar**. The difference between them is that **R' Shimon** says if the witnesses are clearly names of goyim the get will be valid with the eidei mesira and there is no reason to be goizer that we will come to allow the goyim to be eidei mesira. The **T"K** holds we are goizer and that is why it is always going to be passul if the signed witnesses are goyim.
- **Q:** The case of the husband/master retracting is D'Oraisa, and yet the Braisa lists it!? **A:** We can say that the Braisa only lists things that do not apply to kiddushin as well. The halachos of lishma and of writing it on something attached to the ground apply to kiddushin as well, and they are therefore not listed in the Braisa.
 - **Q:** The case of retraction applies to kiddushin as well, and still the Braisa lists it!? **A:** The Braisa is discussing a shaliach appointed against the woman's will, which can only be done by get, and cannot be done by kiddushin.