



Daf In Review – Weekly Chazarah

Maseches Gittin, Daf ט – Daf ך

Daf In Review is being sent I'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vI'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

-----Daf ט---4-----

- **Q:** Our Mishna said that **R' Gamliel** says even when a get is brought from Rekem or Cheger, the shaliach must say BNB. **R' Eliezer** said that BNB must be said even if the get is brought from Kfar Ludim to Lud. Now, **Abaye** explained that the machlokes here is regarding cities close to EY or surrounded by EY (the city is outside EY but is surrounded by EY, because it juts into the border of EY), and **Rabbah bar bar Channa** said he saw these cities and saw that they are considerably close to EY. Now, based on this maybe we can say that the machlokes in the Mishna is as follows. The **T"K** holds that the reason for saying BNB is because the people of chutz laaretz are not familiar with the requirement of lishma, and since the cities of chutz laaretz that are very close to the border of EY are familiar with these laws there would be no need to say BNB when bringing from these cities. However, **R' Gamliel and R' Eliezer** hold that the reason BNB is said is because we will not be able to find witnesses to confirm the signatures on the get. Therefore, even though the cities are very close to EY, since there is not a lot of traffic travelling between these cities and EY, BNB must be said! **A: Rabbah and Rava** can each explain the Mishna in a way that everyone would agree with them.
 - **Rabbah** would say that all agree the reason that BNB is said is because of unfamiliarity with the halachos of lishma. The machlokes in the Mishna is that the **T"K** holds that the cities of chutz laaretz that are close by are also familiar with these halachos, and therefore BNB is not said when a get is brought from them. **R' Gamliel** says that only cities that are totally surrounded by EY are familiar with these halachos. **R' Eliezer** says that even a get brought from a surrounded city must say BNB so as not to differentiate among the cities of chutz laaretz.
 - **Rava** would say that all agree that the reason that BNB is said is because of the concern that we will not have witnesses to confirm the get. The machlokes is that the **T"K** holds that the cities very nearby EY have traffic travelling to EY and therefore we will be able to find witnesses who can confirm the get. **R' Gamliel** says that there is only such traffic from cities surrounded by EY, not from ones that are simply nearby. **R' Eliezer** says that even a get coming from a surrounded city must have BNB said so as not to differentiate between the cities of chutz laaretz.
- **Q:** Our Mishna said that the **Chachomim** say that one bringing a get *to* EY and one bringing a get *from* EY needs to say BNB. This would suggest that the **T"K** holds that one taking a get *from* EY need not say BNB. Maybe we can say that the machlokes is that the **T"K** holds the reason for BNB is like **Rabbah** said, and therefore when taking a get from EY there is no need to say BNB, whereas the **Chachomim** hold like the reason of **Rava**, and therefore, when bringing a get from EY to chutz laaretz the same concern exists and BNB must be said? **A: Rabbah and Rava** can each explain the Mishna in a way that everyone would agree with them.
 - **Rabbah** would say that all agree that the reason that BNB is said is because of unfamiliarity with the halachos of lishma. The machlokes in the Mishna is whether we have to be goizer to say BNB in a case when the get is going from EY to chutz laaretz to make sure that BNB will always be said when the get is going from chutz laaretz to EY. The **T"K** would say that we are not goizer, and the **Chachomim** would say that we are goizer.
 - **Rava** would say that all agree that the reason that BNB is said is because of the concern that we will not have witnesses to confirm the get. The view of the **Chachomim** is actually just a clarification of the view of the **T"K**, and is not a different view.
- **Q:** The Mishna said, if one brings a get from one province to another in chutz laaretz he must say BNB. This implies that if it is brought *within* one province in chutz laaretz, BNB need not be said. This is a proof to **Rava** and problematic for **Rabbah**!? **A:** That is the wrong inference. The inference should be that if the get is brought from one province to another in EY, BNB need not be said. Understood as such, it is a proof to **Rabbah**.

Daf In Review – Weekly Chazarah

- **Q:** The Mishna explicitly says that if one brings a get within EY, BNB need not be said, so that can't be the inference of the earlier part of the Mishna!? **A:** If we only had that part of the Mishna we would think that it is only b'dieved that BNB need not be said, but that l'chatchila it should be said. Therefore, the Mishna says it again, explicitly, to teach that it is even l'chatchila.
- **Q: Others** made an inference from the Mishna as a question on **Rava**. They said that the inference from the Mishna is that from one province to another within EY there would be no need to say BNB. This is problematic according to **Rava** and a proof for **Rabbah**!? **A:** To that the Gemara says that the wrong inference is being made. The proper inference should be that within one province in chutz laaretz there would be no need to say BNB.
 - **Q:** The Gemara asks, does that mean that if a get is brought from one province to another in EY he would have to say BNB? If so, the Mishna should simply say "when a get is brought from one province to another he must say BNB", and not specify chutz laaretz!? **A:** When a get is brought from one province to another within EY there is no need to say BNB. The reason is that people are oleh regel, and because of that we will always be able to find people to confirm the signatures on the get.
 - **Q:** What about after the Beis Hamikdash was destroyed? **A:** Since there is a system of courts set up throughout EY, they will always be able to find people to confirm the signatures on the get.
- **Q:** The Mishna said, that **R' Shimon ben Gamliel** said, BNB must be said even when a get is brought from one place of rulership to another within the same city. **R' Yitzchak** gave an example of this and used a city in EY that was under two ruling parties. According to **Rava** this makes sense, but according to **Rabbah**, since it is within EY he should not need to say BNB!? **A: Rabbah** agrees with **Rava's** reason. He adds a second reason of lishma. So, although in this case the reason of lishma does not apply, since **Rava's** reason applies, **Rabbah** would agree that BNB must be said.
 - **Q:** If so, what is the actual difference between **Rabbah and Rava**? **A:** The difference would be where 2 people brought a get from chutz laaretz (according to **Rava** there is no need to say BNB and according to **Rabbah** it must be said). Another difference would be where a get is brought within one province in chutz laaretz. According to **Rava** there would be no reason to say BNB and according to **Rabbah** it would have to be said.
- **Q:** A Mishna says, if one brings a get from chutz laaretz and cannot say BNB, then if there are witnesses who can confirm the signatures on the get, that would suffice. The Gemara there explains that the Mishna is talking about a case where a shaliach took the get and then became a deaf-mute before saying BNB. Now, this Mishna fits well according to **Rava**, but is problematic according to **Rabbah** (how will confirmation of the signatures take the place of saying BNB)!? **A:** The Mishna is talking about a time after which all people were learned in the halachos of lishma.
 - **Q:** If so, even if a shaliach is able to say BNB, why does he need to do so? **A:** We make them do so as a gezeira in case people once again become unfamiliar with the halachos of lishma.
 - **Q:** Why doesn't this gezeirah apply in a case where the person is not able to say BNB? **A:** The case of a person becoming a deaf-mute after becoming a shaliach is very uncommon, and the **Rabanan** are not goizer for an uncommon case.
 - **Q:** The **Rabanan** are goizer and require a woman who is a shaliach to say BNB, even though the case of a woman being a shaliach is uncommon!? **A:** They did so to make sure not to differentiate between one type of shaliach and another.
 - **Q:** If so, when the husband himself brings the get he should have to say BNB so as not to differentiate, and yet a Mishna says that he does not have to say BNB!? **A:** The whole purpose of saying BNB is to prevent the husband from coming later and claiming that the get was passul. When he himself brings the get we do not have that concern and that is why there is no need for him to say BNB.

Daf In Review – Weekly Chazarah

-----Daf 17---5-----

- **Q: Shmuel** once asked **R' Huna** whether in a case where there are 2 sheluchim who bring the get, they must both say BNB, and **R' Huna** answered that they do not have to say BNB, because they can simply be believed by saying, “she was divorced in front of us”. According to **Rava** it makes sense that BNB need not be said in this case, however, according to **Rabbah**, there should still be a concern that it was not written lishma and we should require them to say BNB!? **A:** The case is talking about a time period after which all people were learned in the halachos of lishma.
 - **Q:** If so, even a single shaliach should not need to say BNB? **A:** We make him do so as a gezeira in case people once again become unfamiliar with the halachos of lishma.
 - **Q:** Why doesn't this gezeirah apply in a case where there are two sheluchim? **A:** The case of having two sheluchim bring a get is very uncommon, and the **Rabanan** are not goizer for an uncommon case.
 - **Q:** The **Rabanan** are goizer and require a woman who is a shaliach to say BNB, even though the case of a woman being a shaliach is uncommon!? **A:** They did so to make sure not to differentiate between one type of shaliach and another.
 - **Q:** If so, when the husband himself brings the get he should have to say BNB so as not to differentiate, and yet a Mishna says that he does not have to say BNB!? **A:** The whole purpose of saying BNB is to prevent the husband from coming later and claiming that the get was passul. When he himself brings the get we do not have that concern and that is why there is no need for him to say BNB.
- **Q:** A Braisa says, if a get is brought from chutz laaretz and BNB is not said, it is still valid b'dieved by confirmation of the signatures of the witnesses. The Braisa explains this is because BNB was instituted as a kula for her, not a chumra. Now this makes sense according to **Rava**, but is problematic according to **Rabbah**!? **A:** This is also referring to a period after which the people became well versed in the halachos of lishma.
 - **Q:** We said that we must be concerned for the possibility that people will once again forget the halachos of lishma!? **A:** The case is discussing where the woman remarried to a second husband on the basis of the get. In that case, the **Rabanan** were not goizer to make the get passul for the possibility that people will again forget the halachos of lishma.
 - **Q:** If that is the reason they did not make the get passul, the Braisa should not say that the reason is because BNB was enacted as a kula, and not as a chumra. Rather, the Braisa should say that b'dieved it is valid because she has already remarried!? **A:** The Braisa means to say, if you will think that we should be machmir even in a case where she remarried, you should know that we will not be machmir, because the whole enactment of BNB was to be meikel, not to be machmir. The reason for BNB is to prevent the husband from coming and saying the get is passul. In this case the husband has not come and said this, should we come and make the get passul!?
- The machlokes between **Rabbah** and **Rava** is also the machlokes between **R' Yochanan** and **R' Yehoshua ben Levi**, because one of them says the reason for BNB is because people are not familiar with the halachos of lishma, and the other says it is due to the concern that we will not find witnesses to confirm the signatures.
 - We can prove that it is **R' Yehoshua ben Levi** who says the reason is based on the lishma requirement, because **R' Shimon bar Abba** once came to him with a get and asked whether he must say BNB. **R' Yehoshua** responded to him that it need not be said, because it was enacted at a time when people were unlearned in the halachos of lishma, but today people are learned, and therefore there is no reason to say BNB.
 - **Q:** We have previously said that **Rabbah** must hold of **Rava's** reason as well, so how could **R' Yehoshua** not require him to say BNB? Also, we have said that even when people are learned **Rabbah** would require that BNB be said as a gezeira for a time when people become unlearned!? **A:** **R' Shimon bar Abba** had someone else who brought the get with him, and therefore the only reason to say BNB was for the concern of unlearned people. Although we are goizer for a time when people may become unlearned, we have said that the case of two people bringing a get is uncommon and the **Rabanan** were not goizer in an uncommon case. The

Daf In Review – Weekly Chazarah

reason why the story only mentions **R' Shimon bar Abba** was out of respect for him, but in truth there was another person with him as well.

- There is a machlokes between **R' Yochanan** and **R' Chanina** with regard to how many people must be present when the shaliach gives the get to the woman: one says there must be 2 people there and the other says there must be 3 people there.
 - We can prove that **R' Yochanan** is the one who requires 2 people, because when **Ravin bar R' Chisda** brought a get to Eretz Yisrael, **R' Yochanan** told him that he should give it to the woman in front of 2 people and should say BNB. **BNBN**.
 - Maybe we can say that the machlokes is as follows: the one who says you need two people holds that **BNBN** is said for purposes of the halachos of lishma (therefore, 2 people are sufficient to serve as witnesses that it was written lishma), and the one who says that 3 are needed holds that **BNBN** is said in place of confirming the signatures, and therefore it must be done in front of 3 (which constitutes a Beis Din) just like any confirmation of witnesses.
 - **Q:** That can't be, because because we said above that **R' Yehoshua ben Levi** holds like **Rabbah**, which would mean that **R' Yochanan** holds like **Rava**, but here **R' Yochanan** is saying that it must be given over in front of 2 people, which according to this explanation means that he holds that the reason for **BNBN** is lishma!? Also, we have already said that even **Rabbah** holds of the reason of **Rava** as well!? **A:** Everyone holds that the reason for **BNBN** is to act as a confirmation of signatures. The machlokes is whether the shaliach can serve as a witness and then whether a witness can serve as a judge. The one who holds it must be given in front of 2 people holds that the shaliach is ultimately considered a member of the Beis Din as well, so there are actually 3 people. The one who holds that there must be 3 people besides the shaliach holds that the shaliach can serve as a witness, but cannot serve in the capacity of a judge.
 - **Q:** We pasken that when dealing in D'Rabanan matters a witness can serve as a judge!? **A:** The machlokes is as follows. Since a woman may act as a shaliach for a get, people may consider her as a judge as well, and that is certainly not valid. To prevent this, they said that a shaliach may never act as a judge. The view that holds that the shaliach may act as a judge holds that people will not err and say that the woman can act as a judge.
 - There is a Braisa that is a proof to **R' Yochanan**. The Braisa says that if a woman is given a get without the shaliach having said **BNBN**, and she remarried based on that get, **R' Meir** says that she must get divorced and any child born from her second husband is a mamzer. The **Chachomim** say that the child is not a mamzer. Rather, the shaliach should take the get back from her and give it to her again in front of 2 people and say **BNBN**.
 - **Q:** Why would **R' Meir** say that the failure to say **BNBN** makes the children into mamzeirem? **A:** This is based on his statement elsewhere which was said by **R' Hamnuna in the name of Ulla**, that whoever deviates from the exact formulation enacted by the **Rabanan** for gitten must get divorced (if she remarried) and any child she had (from the second marriage) is a mamzer.
- **Bar Hedya** wanted to bring a get from chutz laaretz to EY and asked **R' Achi** what process he must follow to do so. He told **Bar Hedya** that he must be present as each and every letter of the get is written. He then went to **R' Ami** and **R' Assi** who told him that he need not do so, and even more, he *should* not do so, because doing so would make people say that other gitten where the shalaich was not present during the writing of each and every letter are passul.
 - **Rabbah bar bar Chana** brought a get to EY, and only half the get had been written in his presence. **R' Elazar** told him, even if only one line of the get was written lishma in your presence, it would not be necessary to witness anything further being written lishma. **R' Ashi** said, even if the shaliach only heard the scratching of the quill on the parchment, that would be sufficient.
 - A Braisa is a proof to **R' Ashi**. The Braisa says that even if the shalaich is on a different floor than the sofer while the get is written, or even if he was walking in and out of the room, that is sufficient. Now, when they are on different floors the only thing the shaliach could have heard is the scratching of the quill, and we see that that is sufficient.

Daf In Review – Weekly Chazarah

- **Q:** When the Braisa says that “he was walking in and out”, who is that referring to? It can’t be referring to the shaliach, because if it is enough for the shaliach to be on a different floor than the sofer, for sure it would be enough if he walked in and out!? **A:** It must be referring to the sofer.
 - **Q:** Why would we think that the sofer walking in and out would make the get passul? **A:** We would think that we should be concerned that the sofer went to the market and met someone there with the same name as the person he was writing the get for, and that person asked the sofer to write a get for him, and the sofer then went back and gave the new person the get he had written for somebody else. The Braisa therefore teaches that we do not have to be concerned for that.

-----Daf 1--6-----

- **Rav** says that Bavel has the same status of EY with regard to gittin (and therefore BNB need not be said when bringing a get from Bavel), and **Shmuel** says it has the status of chutz laaretz.
 - **Q:** Maybe we can say that the machlokes is that **Rav** holds like **Rabbah**, and since the people of Bavel are learned they have the status of EY, and **Shmuel** holds like **Rava**, and it is a concern that finding people to confirm signatures in Bavel is also a problem? **A:** We have said that even **Rabbah** agrees with the reason of **Rava**! Rather, all agree with **Rava**, and the machlokes is that **Rav** holds that since the great yeshivos were located in Bavel, people are always travelling there and witnesses for confirmation will be found. **Shmuel** says the people in yeshiva are busy learning and are therefore not available to confirm signatures.
 - **Q:** **R’ Yirmiya** asked, the Mishna lists the boundaries of EY and says that anything north of Akko (according to **R’ Yehuda** this includes Akko as well) is considered to be chutz laaretz. Now, Bavel is north of Akko, so it must be considered chutz laaretz!? **A:** The Mishna means everything besides Bavel.
 - **Q:** What are the borders of Bavel for this purpose? **A:** **R’ Pappa** said, the same boundaries that are used to determine Bavel for purposes of yichus are used for gittin as well. **R’ Yosef** says, although there are differing opinions for purposes of yichus, for matters of gittin all agree that the border goes until the second willow near the bridge.
- **R’ Chisda** required BNB to be said for a get brought from Aktisfon to Bei Ardishir, but not visa-versa.
 - **Q:** Maybe the reason is because the people of Bei Ardishir were fluent in the halachos of lishma while in Aktisfon they were not? **A:** We have said that even **Rabbah** agrees with the reason of **Rava**! Rather, the reason is that the people of Bei Ardishir would go to the market in Aktisfon, therefore the people of Aktisfon would be familiar with their signatures. The reverse was not true, because the people of Bei Ardishir were busy in the marketplace and didn’t pay attention to the signatures of the people of Aktisfon.
- **Rabbah bar Avuha** would require that BNB be said when bringing a get from one side of the street to the other. **R’ Sheishes** would require from one neighborhood to another. **Rava** would require it even for a get brought within a neighborhood.
 - **Q:** **Rava’s** reason is for the concern of not being able to confirm signatures, and within one neighborhood that concern doesn’t exist!? **A:** The area of Mechuza is different, because the people are always travelling, and therefore never become familiar with each other’s signatures.
- **R’ Chanin** said, that **R’ Kahana** once brought a get – either from Sura to Naharada’a or visa-versa – and asked **Rav** if he must say BNB, and **Rav** said that it need not be said, but if it is said it is effective.
 - **Q:** What does that mean “it is effective”? **A:** That if the husband claims that the get is passul we would not pay attention to that claim. We find in a Braisa as well that **R’ Yishmael** suggested to a shaliach that he say BNB even though it was not required, because even when not required, if BNB is said it dismisses a potential claim of invalidity by the husband.
- **R’ Evyasar** sent to **R’ Chisda**, if a get is brought from Bavel to EY there is no need to say BNB.

Daf In Review – Weekly Chazarah

- **Q:** Maybe the reason is because he holds like **Rabbah**, and since the people of Bavel are learned there is no reason to say BBNB? **A:** We have already said that **Rabbah** holds of **Rava's** reason as well! The reason why BBNB need not be said is because there is a lot of travel between Bavel and EY and therefore we will find witnesses to confirm the signatures.
- **Q:** **R' Yosef** asked, who says that we are to follow **R' Evyasar** as a reliable opinion? In fact we find that he once wrote a pasuk without making "sirtut" even though **R' Yitzchak** said that one may not write more than two words without sirtut! **A:** **Abaye** said, just because someone didn't have the kabbalah of the halacha of **R' Yitzchak**, that does not make him any less great. It is not as if he made a mistake in logic. In fact, we are told a story where we find that Eliyahu Hanavi met and spoke to **R' Evyasar** and mentioned that Hashem agreed with a pshat that **R' Evyasar** had said. This certainly proves that he was a great man. The pshat that was discussed was regarding the story of the Pilegish B'Giva. The question was what the pilegish had done that caused her husband to become so angry. **R' Evyasar** said he found a fly in his food and **R' Yonason** said he found a hair.
 - **R' Yehuda** said, he found the fly in his food, which disgusted him, and he found a hair in her private area, which was considered to be a sakanah for him. **Others** said that he found both these in his food, but finding a fly can be thought of as an accident (which is why he at first did not become angry), but when he then found a hair, which is only due to carelessness, he became angry.
 - **R' Chisda** said, we learn from the story of Pilegish B'Giva that one should not instill a lot of fear in his house, because that is what happened in that story and the result was tens of thousands of Yidden being killed.
 - **R' Yehuda in the name of Rav** said, one who instills excessive fear in his house will ultimately come to be oiver on giluy arayos, shefichas damim, and chilul Shabbos.
 - **Rabbah bar bar Chana** said, when the **Rabanan** said that one must ask on Erev Shabbos whether his household has taken care of maaser, the eruv, and lighting candles, it must be said calmly, so that they will listen and accept these statements. **R' Ashi** said, I acted this way even without learning this from **Rabbah bar bar Chana**, since it is logical to be done this way.
 - **R' Avahu** said, one may never instill excessive fear in his house because doing so caused **R' Chanina ben Gamliel** to be given to eat (although Hashem saved him and he did not actually eat it) a piece of "eiver min hachai".

-----Daf 7-----

- **Mar Ukva** said to **R' Elazar**, there are people who verbally attack me and I have the ability to hand them over to the government, which would stop them from attacking me. May I do so? **R' Elazar** made sirtut on parchment and wrote a pasuk which teaches that even if a rasha is opposing someone, he must watch his mouth "with a muzzle", **Mar Ukva** said, they bother me a lot and I cannot stand the attacks anymore. **R' Elazar** sent back the pasuk "Dom LaHashem v'hischolel lo", which can be darshened to mean, get to the Beis Medrash early and leave late and your enemies will disappear on their own. No sooner had **R' Elazar** said that and Geniva (the person who was attacking **Mar Ukva**) was taken away in chains by the government.
- **Mar Ukva** was sent a question – how do we know that music is assur after the Churban? He made sirtut on a paper and wrote the pasuk that tells us not to rejoice like the goyim.
 - **Q:** Why didn't he send a more direct pasuk that says one shall not drink wine with music? **A:** We would think that only applies to music, but doesn't include singing. The other pasuk includes singing as well.
- **R' Huna bar Nosson** said to **R' Ashi**, that **R' Geviha from Argiza** darshened the pasuk that lists the cities of "Kinah, Dimona, and Adadah" to teach that if one has reason to be angry at someone else and remains quiet, Hashem takes care of executing judgment on the person who committed the wrong. **R' Ashi** asked, what about the pasuk that lists the cities of "Tziklag, Madmanah, and Sansanah"? He said, **R' Geviha** would probably have darshened this as well. **R' Acha of Chuzai** darshened it to mean that if a person has a financial complaint on another person and doesn't say anything to him, Hashem will take care of executing judgment for him.

Daf In Review – Weekly Chazarah

- The Reish Galusa asked **R' Huna** how we know that it is assur to have a chosson wear a crown after the Churban. **R' Huna** told him it is only assur D'Rabanan, and is taught in a Mishna. When **R' Huna** left the room, **R' Chisda** said we can actually learn it from a pasuk that compares the “mitznefes” to a crown, and teaches that when there is no Kohen Gadol wearing a mitznefes, there can be no chosson wearing a crown. When **R' Huna** heard this he said that is a nice drasha, but is not the true basis for the issur, because the issur is D'Rabanan.
 - When **Ravina** asked **Mar bar R' Ashi** why he was making a crown for his daughter, since it should be assur based on **R' Chisda's** pasuk, he replied that the pasuk only makes wearing a crown assur for men, like the Kohen Gadol, but not for women.
 - The pasuk says “zos lo zos”. **R' Avira in the name of R' Ami** (and sometimes in the name of **R' Assi**) darshened, that when Hashem said He must destroy the Beis Hamikdash, the Malachim said to Him, is this punishment fit for Klal Yisrael, who said “naseh” before “nishmah”!? Hashem replied, is this not fit for Klal Yisrael, who brought avodah zarah into the Heichal!?
 - **R' Avira in the name of R' Ami** (and sometimes in the name of **R' Assi**) darshened a pasuk to teach that if a person finds his finances to be tight, he should still give tzedaka, and surely if he is not financially tight he should certainly give tzedaka.
 - The pasuk continues “v'chein nagozu v'avar”. A Braisa of **R' Yishmael** taught that if one “sheers” from his money for tzedaka he is saved from Gehenom. He gives a mashal to two sheep crossing a river. The unshorn sheep (i.e. the person with all his money) becomes heavy and drowns, but the shorn sheep (the person who gave from his money for tzedaka) makes it safely across.
 - The pasuk says “v'inisich”. **Mar Zutra** darshened, this teaches that even a poor person who lives off tzedaka should give tzedaka. “Lo a'anech ohd” – **R' Yosef** taught a Braisa that teaches that this means he will no longer be a poor person if he does so.

R' YEHUDA OMER...

- **Q:** The Mishna says that Akko is to the north of EY. However, a Braisa discusses one who travels north from Akko to Kziv (which is in EY), so we see that Akko is not the northernmost boundary of EY!? **A: Abaye** said that Akko is to the north of most of EY, but there is a small strip of land at the west of EY that protrudes beyond that northern border. Our Mishna means that for the most part, Akko is the boundary on the north.
- **Q:** A Braisa says that one who brings a get from a boat in water of EY is considered as if he brought it from EY and another Braisa says it is considered as chutz laaretz!? **A: R' Yirmiya** said, a Mishna says that if something is grown on a boat in the waters of EY, the **Rabanan** say it is chayuv in maaser and **R' Yehuda** says it is not chayuv in maaser unless the boat is touching the ground. Based on this we can say that the first Braisa follows the **Rabanan** and the second Braisa follows **R' Yehuda**. **A2: Abaye** said, both Braisos can be following **R' Yehuda**. The first Braisa is where the boat is touching the ground and the second Braisa is where the boat is not touching the ground.
 - **R' Zeira** said, the status of a flowerpot with a hole that is on a stand (it is only separated from the ground by airspace and is therefore like a boat that is floating above the ground), would depend on the machlokes between the **Rabanan** and **R' Yehuda**. **Rava** said, that is not necessarily true. It may be that **R' Yehuda** holds as he does by a boat, because it is moving, but he may agree that this flowerpot that is not moving is considered to be attached to the ground and would be chayuv in maaser. Also, it may be that the **Rabanan** hold as they do by the boat because there is no air separating the vegetation from the ground – it is separated by water, which itself has the status of the ground. However, since the flowerpot is separated by airspace, it may be that they would say that the vegetation is not subject to maaser.

-----Daf 7---8-----

- The Gemara earlier brought contradictory Braisos. One said that a get written on a boat floating on the waters (which we understood to mean the waters of EY) had the status as if written in EY, and another Braisa said it had the status as if written in chutz laaretz. **R' Nachman bar Yitzchak** now says that we can say that both Braisos would agree that if the boat was on EY waters, the get would be considered as written in EY. The case in the

Daf In Review – Weekly Chazarah

Braisos is where the boat was in the Mediterranean Sea, not immediately adjacent to EY. A Braisa brings a machlokes where the **Rabanan** say that only the area of the Mediterranean very close to EY has the status of EY, and **R' Yehuda**, based on an extra word of “gevul” in the pasuk, says that directly west of EY the entire Mediterranean is considered to be EY. Based on this, we can say that the first Braisa holds like **R' Yehuda** and the second Braisa holds like the **Rabanan**.

- **Q:** How do the **Rabanan** darshen that extra word of “gevul”? **A:** They use it to teach that the islands in the Mediterranean near EY have the status of EY. **R' Yehuda** says we don't need a special pasuk to teach that the islands are considered to be part of EY.

R' MEIR OMER AKKO K'ERETZ YISRAEL...

- **Q:** They asked **R' Chiya bar Abba**, the halacha is that if one sells a slave from EY to someone in chutz laaretz, he goes out free. What is the halacha if the slave is sold to Suriya? **A:** He answered, we can answer this from our Mishna, where **R' Meir** says that Akko has the status of EY for gittin. This means, that for purposes of slaves it would not have the status of EY. Certainly then, Suriya, which is further from EY, will certainly not have the status of EY for slaves.
- A Braisa says, Suriya has the status of EY in 3 ways, and has the status of chutz laaretz in 3 ways: its ground is tamei like chutz laaretz, a slave sold there goes free as if sold to chutz laaretz, and a get brought from there is a get brought from chutz laaretz. On the other hand, the produce is chayuv in maaser and shmitta like EY (the Braisa holds that the conquering by Dovid Hamelech has the status of a full conquering as EY), one who wants to enter while tahor may do so (and he won't automatically become tamei) like EY (although we said the ground is tamei, the **Rabanan** did not institute that the airspace of Suriya is tamei like they did for chutz laaretz, and therefore if someone enters the airspace in a box he will not become tamei), and one who buys a field there is like one who buys a field in the suburbs of Yerushalayim (just like one who buys a field from a goy in EY may instruct a goy to write the document on Shabbos if time is of the essence, the same is for a field bought in Suriya).
- A get shichrur (emancipation document) is similar to a get of divorce in that the shaliach must say BNB. A Braisa says, if the slave himself brings his get (shichrur), and in it is written “you yourself, and my possessions are hereby acquired by you”, his statement of BNB allows him to be believed regarding him being koneh himself, but not for him being koneh the other possessions (for that, two witnesses are needed).
 - **Q:** What if the get had one statement “all my possessions are hereby acquired by you” (which includes him being koneh himself since he is a possession as well)? Since this is one statement, will the BNB allow him to be believed on all possessions? **A: Abaye** said, since he is believed regarding himself, he is also believed regarding the other possessions (the statement is not split in two). **Rava** said, he is only believed regarding himself, just like a woman is believed regarding a get that she brings, but not regarding the other possessions (the statement is viewed as two separate statements), because that would need a true confirmation of signatures like other documents.
 - **Abaye** then said, since he is not believed regarding the other possessions, he will also not be believed regarding himself either. **Rava** responded, he is not believed regarding the other possessions, because he must have a full confirmation, but he is believed regarding himself just as a woman is believed on her own get! Rather, **Rava** said that he is believed regarding himself and not regarding the other possessions even when it is made in one statement.
 - **Q: R' Ada bar Masna** asked **Rava**, your view must follow the view of **R' Shimon**, who argues on **R' Meir** and says that when someone gives “all his possessions” to his slave “except for something” he goes out free unless the master specifically excludes the slave himself. **R' Meir** says that he does not go out free in this case. We see that it is **R' Shimon** who says we can divide a single statement into two (the statement is effective in freeing the slave but not in giving him other possessions). The problem is, that **R' Yosef bar Menyumei in the name of R' Nachman** said that we do not pasken like **R' Shimon**, so how can **Rava** hold like him!? **A:** It may be that **R' Meir** also holds that a single statement can be viewed as being divisible. The reason **R' Meir** says the slave does not go out free in that case is because a get shichrur (as a get of divorce) must be

Daf In Review – Weekly Chazarah

very clear in its language of separation (based on the pasuk of “sefer krisus”). In that case it was not clear, and that is why he does not go out free.

IHM YEISH ALAV ORIRIN YISKAYEIM B'CHOSMAV

- **Q:** What is meant when the Mishna says that if there is a protest as to the validity of the get, the get should be confirmed by its signatures, and would then remain valid? It can't mean if a single person protests the validity, because **R' Yochanan** said that “protest” cannot be done with less than 2 people!? It cannot mean that 2 witnesses came to protest the validity, because in that case, even if the signatures are confirmed, it would be 2 against 2, so why would the get remain valid? **A:** The Mishna means that if the husband comes and protests the validity, the get should be confirmed by its signatures.

-----Daf 9-----

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.

Daf In Review – Weekly Chazarah

- **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.

-----Daf 10-----

MISHNA

- Any document that is signed by a Kuti is passul, except for a get and a get shichrur.
 - It once happened that they brought to **R' Gamliel** in Kfar Usnai a get that was signed by Kuti witnesses, and he said it was valid.

GEMARA

- **Q:** Our Mishna seems not to follow any view of a Braisa. A Braisa says, the **T"K** says that one can be yotzeh on Pesach by eating the matzah made by a Kuti. **R' Elazar** says one cannot be yotzeh with that, because the Kutim are not careful with the finer points of the mitzvot. **R' Shimon ben Gamliel** says that with regard to a mitzvah which the Kutim believe in, they actually are more careful with it than a Yid would be. Now, our Mishna doesn't follow any of these views. According to the **T"K** a Kuti's signature should be good on any type of document. According to **R' Elazar** it should not even be good for a get or a get shichrur. According to **R' Shimon**, if they believe in this then they should be believed for all documents, and if they don't, they shouldn't be believed for a get or a get shichrur either. If you will say that they only believe in a get and get shichrur but not in other documents, then why does **R' Elazar** (the Amora) say that it is only valid if there is one Kuti signed? It should even be valid if there are 2 Kutim signed!? So whose view does our Mishna follow? **A:** The Mishna follows the view of **R' Elazar**, and the reason that it is valid is because the case is where the Yid signed below the signature of the Kuti. If the Kuti was not reliable, the Yid would never have signed after him. Therefore, it remains valid.
 - **Q:** If so, why would other documents with such a signature become passul? Rather, it must be that we say that even though the Yid signed below, it may be that the Yid signed first and left a space above his name in case a more prominent person came around, thereby allowing him to sign above his name. Therefore, we can't say for certain that the Yid signed after the Kuti. Now, if that is a concern when dealing with other documents, why is it not a concern when dealing with a get or a get shichrur!? **A:** **R' Pappa** said, we can see from here that when signing a get, one witness does not sign without the other being present. Therefore, if the Yid signed along with the Kuti, it must be that he is a reliable Kuti.
 - **R' Ashi** explained, the reason a get is only signed when all witnesses are present is a gezeira for a case when a husband tells a number of people – “All of you write a get for my wife” – in which case the halacha is that it is only valid if all of them sign it. The gezeira makes sure that all the people will be there and will sign the get.

Daf In Review – Weekly Chazarah

- **Q:** We quoted the Amora **R' Elazar** above, that the get is only valid if there is a maximum of one witness who is a Kuti. Why is he teaching this here? Our Mishna already taught us that, because it said “Any get that has *a* Kuti witness”. We see that it may only have one such witness!? **A:** Based on the Mishna we would say that even two such witnesses would be valid for a get. The reason the Mishna says one is to teach that for other documents even one such witness would make the document passul.
 - **Q:** How can we say that 2 such witnesses would make a get passul? The Mishna said that a get was brought to **R' Gamliel** and the “eidav” (the *witnesses*) were Kutim. We see that even 2 such witnesses are valid!? **A: Abaye** said, the word in the Mishna should read “eido” (its witness), in the singular. **A2: Rava** said, the proper reading is “eidav” and **R' Gamliel** is arguing and saying that even two such witnesses would not make a get passul.

MISHNA

- All documents that are processed in the courts of the goyim, even if they are signed by goyim, they are valid documents, except if the document is a get or a get shichrur. **R' Shimon** says, even these would be valid in this case, and the only time documents were mentioned as being not valid is when they were made outside of a court, by non-professionals who are goyim.

GEMARA

- **Q:** The Mishna seems to state its rule whether the document is a document of sale (which acts as a proof to a transaction) or a gift document (which is what actually creates the kinyan). Now we can understand why a document of sale would be valid if signed by goyim, because the transaction was done in front of the judges who then wrote the document. If they hadn't seen the transaction, they wouldn't risk their reputation and write a document for him. However, by a gift document, since the document itself effectuates the transaction, how is it valid if it was done by goyim? **A: Shmuel** said, we have the concept of “dinah d'malchusa dina”, which tells us that if the document is valid under the governmental laws, it is valid for halacha as well. **A2:** The Mishna should be read as if it says “*like gittin of divorce*” – meaning that any documents that effectuate the underlying transaction are not valid, just as a get would not be valid.