

OVERVIEW of the Daf

1) **MISHNAH:** The Mishnah begins with a discussion regarding the halacha that a person delivering a גט that originated from outside of Eretz Yisroel is obligated to declare that the גט was written and signed in his presence. The exact borders of Eretz Yisroel are discussed. The Mishnah concludes with a ruling related to delivering a גט that originated in Eretz Yisroel.

2) The declaration that the גט was written and signed in his presence

Rabbah and Rava disagree about why it is necessary for the agent to declare that the גט written outside of Eretz Yisroel was written and signed in his presence.

Three practical differences between these explanations are presented.

The Gemara wonders why, according to Rabbah, a single witness is believed to declare the validity of a גט rather than requiring two witnesses.

One explanation that is dismissed is that a single witness is believed regarding matters of prohibition (עד אחד נאמן באיסורין).

The Gemara suggests that the reason a single witness is believed is based on the fact that most scribes that write גיטין are knowledgeable that when a גט is written is must be intended for a specific woman (לשמה). ■

REVIEW and Remember

1. What are the novelties of R' Gamliel's and R' Eliezer's rulings?
2. How does one confirm a גט when there are those who challenge its validity?
3. What are the two reasons why the agent delivering a גט must make a declaration?
4. What are the practical differences between Rabbah's and Rava's explanations?

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Gemara GEM

The enactment to report that the גט was written לשמה לפי שאין בקיאיין לשמה

Rabbah, holds that the reason for the enactment that a witness must declare that the גט was written and signed in his presence is that we are unsure whether the גט was written "לשמה—for the sake of the wife."

Tosafos (ד"ה לפי - השני) inquires about the opinion of Rabbah from a statement of the Gemara later (5a) that if the husband himself brings the גט from מדינת הים, he need not declare that it was written and signed before him. This means that he need not verify that the גט was written לשמה. Now, according to Rabbah, there should be no difference between the husband and anyone else who brings the גט from outside Eretz Yisroel, we still need to know that the foreign court was competent in this regard.

Tosafos provides a classic answer in understanding Rabbah. According to the conclusion of the Gemara, we assume that most courts even outside Eretz Yisroel are expert in the laws of a גט needing to be done לשמה, and most scribes are competent. We do not suspect that a גט may be deficient in this regard. We are concerned, though, that the husband might one day come and challenge the גט claiming it was not לשמה, and that it was written by a scribe who was merely practicing, and the witnesses were not aware of the halachos of לשמה. Here, the situation would result in questioning the validity of this גט, and the circumstances would remain disgraceful (לעז). Normally, this risk is neutralized by clarifying up front that the גט was written לשמה, and if the husband later comes we can dismiss him out of hand. However, if the husband himself is the one who is bringing the גט, we do not suspect that he himself will later come to challenge the גט. Here, he does not have to declare that the גט was written לשמה as he brings it.

This answer is adequate according to Tosafos and his understanding of Rabbah. However, Rashi (ד"ה רבנן) understands that the problem of לשמה is that we believe that foreign courts do not know about לשמה. How does Rashi deal with the question of Tosafos?

Pnei Yehoshua explains that Rashi understands that when a husband brings a גט from far away, we immediately quiz him about it, and we will automatically determine if it was written לשמה. There is no need to make a rule that the husband tell us that it is לשמה, as we will figure it out

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HALACHAH Highlight

Honoring parents outside of Eretz Yisroel

ואשקלון כדרום

And Ashkelon is like the south [and not considered part of Eretz Yisroel]

Tosafos Yom Tov¹ writes that the length of days the Torah promises for those who fulfill the mitzvah of kibbud av v'em is limited to those who fulfill the mitzvah in Eretz Yisroel but those who perform the mitzvah in the Diaspora are not assured of length of days. He bases this position on the wording of the pasuk that states (Shemos 19:12): למען תאריךך את האדמה אשר ה' אלוקיך נתן לך – In order that you will have length of days on the land that Hashem your G-d gives to you. The emphasis is that the reward will be experienced on the land that Hashem promised, i.e. Eretz Yisroel. Netziv², however, disagrees and writes that despite the language of the Torah it is clear that even those who fulfill the mitzvah in the Diaspora will merit length of days.

ספר תרנן לשוני³ suggests that the Gemara in Kiddushin (31a) is proof that the reward for honoring one's parents applied even in the Diaspora. The Gemara there relates the incident of Dama ben Nesina who lived in Ashkelon and was rewarded for the honor he accorded his father. Since Ashkelon is part of the Diaspora it is evident that one is rewarded for honoring his parents even in the Diaspora. He then rejects this proof for two reasons. One reason is that our Gemara presents a dispute whether Ashkelon is part of Eretz Yisroel or not. Even if one was to accept that Ash-

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by ourselves. However, when a messenger arrives with a גט, we do not ask him extensive questions, as there is no reason to assume that he is aware of the specifics of the case. This is why the sages required a statement of בפני נחתם נכתב ובפני נחתם on the part of a messenger, for otherwise this information might not be ascertained. ■

kelon is considered part of the Diaspora there is no proof that one is rewarded with length of days for honoring a parent in the diaspora because the Gemara there only mentions that he merited wealth but does not indicate the he merited length of days.

Torah Temimah⁴ subscribes to the position that one is rewarded with length of days for honoring a parent in the Diaspora but arrives at that conclusion from a different angle. He asserts that the Torah's promise for length of days refers to length of days in the World-to-Come. This is based on the Gemara's declaration (Kiddushin 39b) that there is no reward for mitzvos in this world. Further proof that the reward promised refers to length of days in the World-to-Come is that if the pasuk is to be understood literally we would be forced to conclude that only those who fulfill the mitzvah in Eretz Yisroel will be rewarded which he maintains is illogical since honoring one's parents is not a mitzvah that is related to the land. ■

1. מעדני יו"ט על הרא"ש ברכות פ"א ס"ז אות ט'.
2. העמק דבר לשמות כ: יב.
3. ספר תרנן לשוני ס"א ומובא דבריו בפניי הלכה בספר מתיבתא למס' גיטין.
4. תורה תמימה דברים פרק ה' פסוק ט"ז אות ח'.

STORIES Off the Daf

A גט of Twelve Lines

"המביא גט..."

There are many minor-seeming details of hilchos gittin that can invalidate a גט even בדיעבד. For example, if the husband or wife's name was misspelled even by one letter the גט is worthless.

There is a very interesting halachah brought in Tosafos on today's daf. Tosafos writes that the custom is to write a twelve line גט. One reason

explained is that the numerical value of the word גט is 12.

A certain scribe wrote a גט of less than 12 lines. The obvious question was: must he rewrite the גט? When this question reached the Rosh ז"ל, he ruled: "The sofer must definitely rewrite the גט. Even בדיעבד, if a man already presented his wife with a גט of less than 12 lines, he must rewrite the גט. It is only if a new גט cannot be procured that such a גט can be relied upon to permit the woman to remarry so as not to create an agunah."

When this same question reached the Rashbah, ז"ל, he disagreed. "We

don't find that one must write a גט with twelve lines in Shas Bavli or Yerushalmi. On the contrary, the mishnah on Gittin 19 states that one may write a גט on a detached olive leaf. Presumably even a large olive leaf doesn't have space for twelve lines yet we see that a גט written on such a leaf is kosher. This clearly implies that a גט need not have twelve lines.

"Obviously, one should write a גט with twelve lines in keeping with the custom but, even a גט written with less than twelve lines is certainly valid. One may even give such a גט lichatchilah."

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