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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

### **Mishna**

[A get – bill of divorce - must be written specifically for the woman who is being divorced (lishmah), as it is written: then he writes her - writes in her name. The Tannaim disagree as to what must be "in her name" (lishmah): Rabbi Meir says "he writes her" refers to the signatures of the witnesses (edei chasimah) whose action transforms the bill of divorce into a *sefer kerisus* - a "document of separation," capable of terminating the marriage. Therefore the signatures of the witnesses need to be "in her name." Rabbi Elozar, however, maintains that "he writes her" refers to the writing of the get, and the signatures of the witnesses are merely a Rabbinic ordinance, since it is the "witnesses of transfer" (edei mesirah), i.e., the two witnesses in whose presence the husband gives the get to his wife, that effect the separation. Therefore, it is the writing of the get which must be "in her name." The law is in accordance with Rabbi Elozar. Our Mishnah discusses a case in which an agent is sent by the husband, who is in a distant land, to deliver a get to his wife in Eretz Yisroel. This agent is called "an agent of delivery" (shaliach leholachah).]

One (*an agent sent by the husband to the wife*) who brings a *get* (bill of divorce) to Eretz Yisroel from abroad must say, "In my presence it was written, and

in my presence it was signed." [*The Gemora will explain the reason for this decree.*] Rabban Gamliel says: This is required even in a case where one brings it from Rekem and from Cheger (*two border towns*). Rabbi Eliezer says: This is required even in a case where one brings it from Kefar Ludim (*which was outside Eretz Yisroel*) to Lud (*which was situated on the border, inside Eretz Yisroel*). And the *Chachamim* say: He is not required to say, "In my presence it was written, and in my presence it was signed," unless he brings it from abroad, or he takes it there. [*The Gemora will explain their opinions.*] And one who brings a *get* from province to province abroad, he is required to say, "In my presence it was written, and in my presence it was signed." Rabban Shimon ben Gamliel says: This is required even in a case where one brings it from jurisdiction to jurisdiction.

Rabbi Yehudah says: From Rekem eastwards is considered "abroad," and Rekem itself is like those areas to the East (*and if one brings a get from Rekem, he would be required to testify that it was written and signed in his presence*). From Ashkelon southwards is considered "abroad," and Ashkelon itself is like those areas to the South. From Akko northwards is considered "abroad," and Akko itself is like those areas to the North. [*The Western border is the Mediterranean Sea.*] Rabbi Meir says: Akko is like Eretz Yisroel with respect to *gittin*.



If he brings a *get* within Eretz Yisroel, he is not required to say, "In my presence it was written, and in my presence it was signed." If there are any who dispute the validity of the *get* (*the husband claims later that it is a forgery*), it must be confirmed by its signatories (*either the witnesses themselves testify that they indeed signed it, or other witnesses testify that they recognize the signatures*). (2a)

### **Reason for the Decree**

The *Gemora* asks: What is the reason for the decree (*that when one brings a get to Eretz Yisroel from abroad, he must say, "In my presence it was written, and in my presence it was signed"*)?

Rabbah said: It is because the people living abroad are not familiar with the rule that a *get* must be made specifically for that woman (*referred to as the halachah of lishmah; after he declares that he observed the signing and the writing of the get, they question him if the get was made for her sake*).

Rava said: It is because witnesses are not readily available to authenticate the signatures (*since people in Eretz Yisroel will probably not recognize the signatures on the get; the agent is believed that he observed the signing, even though he is only one witness*).

The *Gemora* asks: What is the halachic difference between the two explanations?

The *Gemora* answers: A difference would be in a case where two agents brought the *get* from abroad.

[*According to Rabbah, it would still be necessary for them to testify that the get was written and signed in front of them, for this way, we know that it was made for her sake. According to Rava, however, they would not be required to make this declaration, for if the husband will claim that the get is a forgery, they will be available to authenticate the signatures.*] Alternatively, another difference would be in a case where the agent brought the *get* from one province to another province within Eretz Yisroel. [*According to Rabbah, the declaration would not be necessary, for people in Eretz Yisroel are familiar with the halachos of lishmah, and we do not need them to authenticate the signatures. According to Rava, however, it would still be required because caravans between the two provinces are not so common, and there will not be people available to authenticate the signatures.*] Alternatively, another difference would be if the agent brought the *get* from one town to another within the same province abroad. [*According to Rabbah, it would still be necessary for them to testify that the get was written and signed in front of them, for this way, we would know that it was made for her sake. According to Rava, however, they would not be required to make this declaration, for if the husband would claim that the get is a forgery, they would be available to authenticate the signatures.*] (2a – 2b1)

### **A Single Witness**

The *Gemora* asks: According to Rabbah, who holds that the declaration is necessary in order for us to ascertain if the *get* was made for her sake, two witnesses should be required, similar to all other testimony in the Torah!?

The *Gemora* answers that one witness is believed with respect to prohibitions. [*Rashi explains that one witness is believed that he separated terumah, that he slaughtered an animal properly, or that he removed the forbidden veins and fats from an animal.*]

The *Gemora* asks: A single witness would only be believed with respect to prohibitions only in a case, for example, where there is a piece of fat, and we are uncertain if it is forbidden fat (*cheilev*) or perhaps it is permitted fat (*shuman*). Since in that case, it has never been established that there is something prohibited here, the single witness would be believed. However, here, it has been established that there is something forbidden, for up until now, the woman was a married woman; it therefore is regarded as a matter concerning an *ervah*, and there is a principle that two witnesses are required in all matters concerning *ervah* (*forbidden marital relationships*)!?

The *Gemora* suggests a different answer: Most people (*even those living abroad*) are familiar with the laws of writing a *get* for the sake of the woman.

The *Gemora* interjects: And even according to Rabbi Meir, who is concerned on account of the minority, most court scribes know these *halachos* (*that the get must be written lishmah; and therefore there is only a slight chance that the get wasn't written for her sake; even Rabbi Meir would not be concerned for this remote possibility*).

The *Gemora* continues its explanation: It is only the Rabbis who mandated that the agent should declare that the *get* was written in front of him (*for Biblically, the get is valid on account of the majority*), and since they did not want the woman to remain an *agunah* (*a woman who is held back from getting married*), they were lenient and allowed the testimony of a single witness.

The *Gemora* asks: Is this a leniency? On the contrary, it is a stringency! For if you would require two witnesses, the husband will not be able to contest the validity of the *get*. However, if only one witness is required, the husband can still contest the validity of the *get* (*by claiming that it is a forgery*).

The *Gemora* answers: Since the master has said: In front of how many people must the agent give over the *get* to the woman? Rabbi Yochanan and Rabbi Chanina dispute this matter. One of them says that he gives it over in front of two people and one of them says that he must give it over in front of three people. Based upon this, the agent will carefully check before declaring that the *get* was written correctly, for he does not wish to ruin his reputation. (2b1 – 3a1)

## INSIGHTS TO THE DAF

### *Rekem and Cheger*

The *Gemora* in Moed Katan states that at Rav Huna's funeral, R' Abba began a eulogy, saying that if not for the fact that Rav Huna had lived in Bavel (outside Eretz Yisroel, which is deemed permanently tamei),

the Shechinah would have undoubtedly rested upon him. Rav Chisda's son asked, doesn't the verse say that Yechezkel received prophecy in Kasdim? Rav Chisda answered: since Yechezkel had begun his prophecies in Eretz Yisroel, the Shechinah remained with him when he went to Kasdim.

The Zohar states that the presence of Yosef's coffin in Egypt ensured that Bnei Yisroel would be able to survive the bondage. But how could Yosef, who had so withstood tests, be subjected to the Tum'ah of an Egyptian burial? The Zohar answers that we see how Yechezkel continued to enjoy the Shechinah while in the land of Kasdim on the river Kevar. Since he was by the river, and water of Chutz LaAretz – outside of Eretz Yisroel - does not become tamei like the land of Chutz LaAretz, Yechezkel was able to retain the Shechinah. As such, Yosef was also protected from tumah by being sunk in the Nile.

The verse says that the well of Lechai Roi was situated between Kadesh and Bored. The Targum says that these were also known as Rekem and Chegra. Our Mishna indicates that Rekem and Cheger were Chutz LaAretz, thus requiring one who delivered a bill of divorce from there to say he had witnessed its writing and signing. As such, how could an angel appear before Hagar in the vicinity of Lechai Roi which was Chutz LaAretz, if the Shechinah does not rest on anyone in Chutz LaAretz?

The Ramas Shmuel suggests that for this reason, the verse took pains to identify exactly where the angel appeared to Hagar, since the Shechinah can appear even in Chutz LaAretz, near water.

## DAILY MASHAL

### "Get"

A bill of divorce is referred to as a *get*. Tosfos writes that it is the practice for a *get* to be written in twelve lines, because the numerical value (*gematria*) of the word *get* is twelve ( $gimmel = 3; tes = 9; 3 + 9 = 12$ ).

The Vilna Gaon adds that the document could have been called differently, for there are many combinations of letters that add up to twelve, such as a "*ches*" and a "*daled*." However, what is unique about the "*gimmel*" and the "*tes*" is that you will never find these two letters next to each other in the entire Torah. This is why the document which is used as a separation between the man and his wife is referred to as a *get*.

The Steipler asked that there are other combinations of letters, such as a "*gimmel*" and a "*kuf*," or a "*zayin*" and a "*tzadi*," or a "*samech*" and a "*tzadi*" that are also never found next to each other!? He answers that the "*gimmel*" and the "*tes*" are the first of such combinations.

It can also be said that they wanted a name that would accomplish two things; one, that its numerical value is twelve, and secondly, that the two letters are never found next to each other. The "*gimmel*" and the "*tes*" are the only two letters that have both components.