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Gittin Daf 62

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Daf Notes is currently being dedicated to the neshamot of

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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

The Baker and Olive Presser

The *Gemora* cites a *braisa*: Rabbi Yosi ben Hameshullam testified in the name of Rabbi Yochanan his brother who said in the name of Rabbi Elozar ben Chisma: A *challah* is not to be set aside by a *chaver* baker for an *am ha’aretz* in *taharah* (*for we assume that the dough has already become tamei*), but the baker can prepare for him his ordinary dough in *taharah* and take from it enough for *challah* and put it in a *chefisha* or an *anchusa* (*types of baskets that cannot become tamei and are not ordinarily used for storing dough; this will remind the am ha’aretz not to touch it*). And when the *am ha’aretz* comes to take his dough, he can take both and the baker does need not be worried that the *am ha’aretz* will touch the *challah*. Similarly, a *chaver* olive presser should not set aside *terumah* from an *am ha’aretz’s* olives in *taharah* (*since they must have become wet from their oil and then they become tamei from his vat*), but he can prepare his ordinary olives in *taharah* and take from them *terumah*, and put it in the vessels of a *chaver*, and when the *am ha’aretz* comes, he can take both of them, and the presser does need not be worried that the *am ha’aretz* will touch the *terumah*.

Rabbi Yochanan explains the reason for these concessions (*for perhaps the am ha’aretz will contaminate the challah or the terumah*): It is to enable the baker and the olive presser to earn a livelihood.

The *Gemora* asks: But let us be concerned that the *am ha’aretz* will touch the *challah*?

The *Gemora* answers: We tell him that if he touches the *challah* (*making it tamei*), his dough will revert to *tevel*, and this, he does not want, for if he brought the dough to the *chaver* to have it rectified, he obviously does not want it reverting to its forbidden *tevel* status.

The *Gemora* asks: But let us be concerned that the *am ha’aretz* will touch the *terumah* (*since it was not placed in a special type of container, what will remind him not to touch it*)?

The *Gemora* answers: He places the *terumah* in utensils made from dung, or stone, or earthen utensils (*which cannot become tamei and are not the usual type of containers that he uses*). (62a)

Working with an Idolater

The *Mishna* had stated: And one may assist idolaters during a *Shemita* year, but not to Jews.

The *Gemora* asks: Is it permitted to assist them in their work during *Shemita*? But Rav Dimi bar Shishna said in the name of Rav: It is forbidden to hoe together with idolaters during *shemita*, nor may one give a double greeting of Shalom (*the Name of Hashem*) to them!?

The *Gemora* answers: Our *Mishna* just means that one is permitted to say to them: Be strong (*wishing them success*). Rav Yehudah used to say to them: Be strong! Rav Sheishes used to say to them: Strength to you! (62a)

Greeting an Idolater

Rav Dimi had ruled: One may not give a double greeting of Shalom to idolaters.

Rav Chisda used to greet them first (*in order to avoid responding with the double greeting of Shalom*). Rav Kahana used to say: Shalom to the master (*thinking about his teacher, not the idolater*).

The *Mishna* had stated: One may greet idolaters in the interest of peace.

The *Gemora* asks: Seeing that we are permitted to encourage them at their work, do we need to be told that we may greet them?

Rav Yeiva answered: The rule had to be stated only for their holiday. For it has been taught in the following *braisa*: One should not enter the house of an idolater on his holiday and greet him (*for this would cause him to thank his deity*). If one found him in the street, he may greet him in a mumbling tone and with downcast head.

Rav Huna and Rav Chisda were once sitting together when Geniva passed by them. One of them said, "Let us rise before him, for he is a learned man." The other one replied, "Shall we rise before a quarrelsome man?" [*For Geniva argued with Mar Ukva, the head of the Beis Din!*] At this point he came up to them and said,

"Shalom to you, kings, Shalom to you, kings!" They said to him, "From where do you learn that the Rabbis are called kings?" He replied, "Because it is written: *By me (the Torah) kings reign*."

They then asked him, "And from where do you learn that a double greeting of Shalom is to be given to kings?" He replied, "It is from that which Rav Yehudah said in the name of Rav: How do we know that a double greeting of Shalom should be given to a king? It is because it says: *Then the spirit came upon Amasai, who was chief of the officers, etc Shalom, Shalom to you*."

They said to him, "Would you care to eat something?" He replied, Rav Yehudah said in the name of Rav: It is forbidden for a man to taste anything until he has given food to his animal, as it says: *And I will give grass in your field for your cattle*, and only then does it state: *You shall eat and be satisfied*. (62a)

WE SHALL RETURN TO YOU, HANIZAKIN

Mishna

If a husband tells someone, "Accept this *get* on behalf of my wife," or, "take this *get* to my wife," the *halachah* is that if he wants to retract, he may retract (*as long as his wife did not receive the get yet*). If a woman says, "Accept my *get* on my behalf," if he wants to retract, he may not retract (*for she is divorced as soon as the get reaches the hand of her agent*). Therefore, if the husband said to him, "I do not want you to accept the *get* on her behalf, but rather, take it and give it to her," if he wants to retract, he may retract. Rabban Shimon ben Gamliel says: Even if the woman says, "Take my *get* for me," if he wants to retract, he may not retract (*for "take" also means "accept"*). (62b)

Is "Take" Equivalent to "Acquire"?

Rav Acha the son of Rav Avya said to Rav Ashi: The reason why the *Mishna* ruled that the husband may retract (*when he said, "Take the get to my wife"*) is because the wife did not make the man her agent to accept the *get*. We may infer that if she had indeed made him the agent to accept her *get*, the husband would not be at liberty to retract. This would show that "take" is equivalent to "acquire" (*and that is why he cannot retract*).

The *Gemora* rejects the proof: I could still maintain that "take" is not equivalent to "acquire," and nevertheless, it was necessary to specify the case where the husband said, "Accept this *get* on behalf of my wife." For I might have thought that since the husband does not have the ability to make him an agent for accepting the *get*, therefore, even when the *get* reached her hand, it would not be valid. The *Mishna* teaches us that in saying "accept," he means to say, "Accept and take this *get* to my wife."

The *Mishna* had stated: Therefore, if the husband said to him, "I do not want you to accept the *get* on her behalf, but rather, take it and give it to her," if he wants to retract, he may retract.

It may be inferred that the only reason that the husband may retract is because he said, "I do not want you to accept the *get* on her behalf," but if he did not say that, he may not retract. This is a proof that "take" is equivalent to "acquire" (*and that is why he cannot retract*)!

The *Gemora* rejects the proof: Perhaps our *Mishna* is discussing a case where he said, "This *get* is for you"

(*but if he would have said, "Take this get to her," he would not be able to retract*). (62b)

Men and Women Agents

It is obvious that a man may be an agent for delivering a *get* to the wife, seeing that it is the husband who delivers the *get* to his wife. A woman may similarly be an agent for accepting the *get*, seeing that it is the woman who accepts the *get* from the hand of her husband.

May a man become an agent for accepting the *get*, and may a woman become an agent for delivering the *get*?

Come and hear from our *Mishna*: If a husband tells someone, "Accept this *get* on behalf of my wife," or, "take this *get* to my wife," the *halachah* is that if he wants to retract, he may retract (*as long as his wife did not receive the get yet*). If a woman says, "Accept my *get* on my behalf," if he wants to retract, he may not retract (*for she is divorced as soon as the get reaches the hand of her agent*). Is the *Mishna* not discussing where there is the same agent for both cases, which would show us that the one who is qualified for accepting the *get* is also qualified for delivering it?

The *Gemora* answers: No! We are speaking of two different agents.

The *Gemora* attempts to prove it from the next part of our *Mishna*: Therefore, if the husband said to him, "I do not want you to accept the *get* on her behalf, but rather, take it and give it to her," if he wants to retract, he may retract.



In this case, there is but only one agent, and yet we see that an agent who is qualified to accept the *get* for her is also qualified to deliver the *get*.

The *Gemora* notes: We can conclude from this that a man is qualified to accept the *get* for her. This is logical since we know that a father may accept a *get* on behalf of his minor daughter. Whether a woman may become an agent for delivering a *get* is still a question. What is the *halachah*?

Rav Mari said: Come and hear from an earlier *Mishna*: Even the women who are not believed to say, “Her husband died” (*the Mishna in Yevamos states that everyone is believed to give testimony that a woman’s husband died, besides her mother-in-law, daughter of her mother-in-law, co-wife, her potential co-wife (if she would fall to yibum), and the daughter of her husband*) are trusted to bring her *get*, and there, they are agents for delivering!

Rav Ashi said: We can prove the same from the last part of that *Mishna*, which states: The woman herself may bring her *get*, provided that she declares, “It was written and signed in my presence,” and we explained this case to mean that she was serving as the husband’s agent to deliver the *get*. This is indeed a proof (*that a woman is qualified to become an agent for delivering a get*). (62b)

QUESTIONS AND ANSWERS FROM YESTERDAY’S DAF to refresh your memory

Q: What is the difference if taking the found object of a minor is forbidden because of the interest of peace or if it is treated Rabbinically as theft?

A: If *Beis Din* can force the person who took it to give it back.

Q: Why does the *Mishna* allow a woman to help the wife of an *am ha’aretz* to make flour? Isn't it helping her to commit a transgression?

A: Abaye says that most of them separate *ma’aser*. Rava says that we are talking about an *am ha’aretz* according to Rabbi Meir who gives *ma’aser*, but eats *chullin* that is *tamei*, which is not a Biblical prohibition.

Q: Where do find a mother-in-law’s good intentions causing a problem?

A: If she is the wife of an *am ha’aretz*, and her son-in-law leaves flour by her, he must give *ma’aser* before he leaves it by her and then again when he takes it back. We suspect that she may switch it for better quality food, since she wants her daughter to have good food.