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Gittin Daf 87

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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

“Klal” and “Tofes”

The *Mishna* had stated: If five people wrote a general *Get* and the *Get* specified that “So-and-so is divorcing So-and-so, and So-and-so is divorcing So-and-so, etc.” and the witnesses are signed underneath, the *Get* is valid and it should be given to each woman. If the body of the *Get* was written for each separately and the witnesses signed underneath, only the *Get* of whoever has witnesses that are read with it (*the last one*), is valid

The *Gemora* asks: What is the case of “general” and “separate *tofes*” in our *Mishna*?

Rabbi Yochanan says: If there is only one date for all five divorces, this is general. If there is a separate date for each one, this is the case of “*tofes*.”

Rish Lakish says: Even if there is one date for all of them, it can still be a case of “*tofes*.” What is a general *Get*? If it says, “We, So-and-so and So-and-so, have divorced our wives So-and-so and So-and-so.”

Rabbi Abba asked: According to Rabbi Yochanan, why don’t we suspect that the witnesses’ signatures are only on the last divorce? Doesn’t the *braisa* say: If witnesses are signed on a greeting at the end of the *Get*, the *Get* is invalid, as we suspect that they only witnessed the greeting, not the actual *Get*?

The *Gemora* answers: Didn’t Rabbi Avahu teach regarding this *braisa* that Rabbi Yochanan explained to him that if the greeting was stated as a separate statement, it is

invalid. However, if the greeting was started by saying “*v’Sha’alu*” -- “*And inquire*,” this indicates that the greeting was a continuation of the *Get*, and the witnesses signed on the *Get* as well. Here too, the case is where the people on the *Get* are listed as “So-and-so *and* So-and-so *and* So-and-so” (*are each divorcing their wives; indicating that the witnesses are signing on all of them*).

The *Gemora* asks: According to Rabbi Yochanan, why don’t we say that there is a problem in this *Get* that the first couples divorcing only had their witnesses testify after many other divorces were written? [*The Gemora assumes that a different date was written for each section, and the date of the signing was the same as the last one, but not of the previous four.*] This is akin to one who writes a divorce during the day and has it signed at night, which is invalid!?

Mar Keshisha, the son of Rav Chisda, said to Rav Ashi: This is what was said in the name of Rabbi Yochanan. The *Get* said afterwards that each person divorced his wife on a certain day; i.e. on Sunday.

Ravina said to Rav Ashi: According to Rish Lakish that the case of a general *Get* is one that says, “We So-and-so and So-and-so have divorced our wives So-and-so and So-and-so,” it must be that two people can divorce with one *Get*. However, the Torah says, “*And he will write for her*,” implying only for her and not for her and her friend.

The *Gemora* answers: The case is where the *Get* later says, “So-and-so divorced So-and-so” and “So-and-so divorced So-and-so.”

Ravina said to Rav Ashi: What is the difference between this and the *braisa* that states that if a man in writing gives away his property to two of his slaves simultaneously (*by giving the documents to an agent, who acquires it for both of them at the same time*), they acquire ownership (*of half of his possessions*) and may emancipate one another!?

The *Gemora* answers: The case there is when each slave was given a separate document (*unlike our case*).

There is a *braisa* that supports Rabbi Yochanan and one that supports Rish Lakish. The *braisa* supporting Rabbi Yochanan states: If five people wrote a *Get* which says, “So-and-so divorces So-and-so, So-and-so divorces So-and-so, So-and-so divorces So-and-so etc.” and they all are on one date and the witnesses are signed underneath, they are all valid and the *Get* should be given to each one of them. If each had its own date written in the document and the witnesses signed underneath all of the writing, the divorce that the witnesses are read with (*the last one*) is valid. Rabbi Yehudah ben Beseira says: If there is space between each divorce, then indeed, the first four are invalid (*even if there is one date*). If not, they are valid, as the date is not considered a divider between them (*into separate divorces*).

The following *braisa* supports Rish Lakish. The *braisa* states: If five people generally divorced their wives in a *Get*, stating, “We So-and-so and So-and-so divorced So-and-so and So-and-so; with So-and-so divorcing So-and-so and So-and-so divorcing So-and-so, etc.,” if there is one date and the witnesses signed underneath, they are all valid and the *Get* should be given to each one. If there is a separate date for each one and a space between each one, only the *Get* which the witnesses are read with is valid. Rabbi Meir says: Even though there is no space

between them, the *gittin* above (*the bottom one*) are invalid, as the date on the *Get* separates them.

The *Gemora* asks: According to Rish Lakish, why does the *braisa* (*supporting him*) make a distinction between whether the date is for all of them or for each one separately? Didn’t Rish Lakish say that even if there is one date for all of them, it can still be called a “*tofes*?”

The *Gemora* answers: Rish Lakish meant that if the names (*of the men and the women*) were not grouped together originally (*one date can be given for all of them*). However, where they were all grouped together, it indeed makes a difference if they were split up with individual dates. (87a)

Mishna

Two *gittin* were written one next to the other (*on the same parchment*) and two Jewish witnesses were signed underneath. [*They were signed in a way where the name of the witness was under the first Get, but his father’s name was under the second Get. The second witness signed under him in the same fashion.*] And below those signatures appeared the signature of two Jewish Greeks in Greek in the same fashion. Whichever *Get* has the first name of the regular Jewish witnesses under it is valid, and the other is not. [*This is because the Greek signatures are opposite most signatures in that they sign their father’s name first (see the Gemora below for more explanation.)*] If the signatures were done in a way where there was one regular Jewish witness and then one Jewish Greek witness signed in the above fashion, and this was then repeated with the other two witnesses, both *gittin* are invalid. (87a)

Jewish and Greek Witnesses

The *Gemora* asks: Why don’t we say that one *get* should be valid because of the signature of “Reuven” (*referring to the witnesses’ names*) and the other with “Ben Yaakov,” as the *Mishna* states that if a witness signed, “son of So-and-so, a witness,” it is valid?



The *Gemora* answers: The case is where under the first *Get* was “Reuven son of,” and under the second *Get* was “Yaakov, a witness.” [Therefore, it is not valid, for it did not say, “son of Yaakov, a witness.”]

The *Gemora* asks: Why don’t we say that this signature should be good for the Greek witnesses, as “Reuven son of” means the son of Reuven, and “Yaakov a witness” is also valid, as the *Mishna* says “So-and-so a witness” is valid?

The *Gemora* answers: He did not write witness. Alternatively, although he wrote “witness,” we know that this signature is not that of Yaakov (*but rather that of his son*).

The *Gemora* asks: Perhaps he signed using his father’s name?

The *Gemora* answers: This is not a normal thing to do.

The *Gemora* asks: Perhaps he made this a sign of his signature? For example, we know Rav used to make a picture of a fish; Rabbi Chanina a palm branch; Rav Chisda a letter “*samech*”; Rabbi Hoshiya a letter “*ayin*”; and Rabbah bar Rav Huna used to sign a mast. [Why can’t he choose his father’s name for his sign?]

The *Gemora* answers: A person is generally not so brazen to use the name of his father as his symbol.

The *Gemora* asks: Why isn’t one side valid because of the two regular Jewish witnesses, and one side valid because of the two Greek Jewish witnesses? This is as the (*next*) *Mishna* states: A *Get* written in Hebrew whose witnesses are Greek, or if it was written in Greek and its witnesses are regular Jews, is valid. If you will say that the reason it is invalid is because the signatures of the witnesses are two lines removed from the body of the *Get*, didn’t Chizkiyah say that even if the two lines is filled with

signatures of relatives, it is valid? [According to Chizkiyah, only two empty lines are a problem.]

The *Gemora* answers: Zeiri indeed taught a *braisa* that read that both *gittin* are valid (*not invalid*).

The *Gemora* asks: What about our *Tanna* (*who clearly did not agree with Zeiri*)?

The *Gemora* answers: Perhaps they signed out of character, and all of the signatures are only under one name.

The *Mishna* had stated: If the signatures were done in a way where there was one regular Jewish witness and then one Jewish Greek witness signed in the above fashion, and this was then repeated with the other two witnesses, both *gittin* are invalid.

The *Gemora* asks: In the second case of the *Mishna*, why isn’t each *Get* good because it has one Jewish witness and one Greek witness? The (*next*) *Mishna* indeed states that a *Get* with one Jewish witness and one Greek witness is valid!

The *Gemora* answers: Zeiri indeed taught a *braisa* that read that both are valid.

The *Gemora* asks: What about our *Tanna* (*who clearly did not agree with Zeiri*)?

The *Gemora* answers: Perhaps they signed out of character, and three of the signatures were on one *Get* and one on the other. (87a – 87b)

Mishna

If the rest of the *Get* was written in a second column, and the witnesses signed underneath it, the *Get* is valid.



If they signed at the top of the page, on the side, or on the back of a regular *get*, it is invalid.

If he connected the heads of each column and had the witnesses sign in between them in the middle, it is invalid.

If he connected the ends of each *Get* and had the witnesses sign in between the *gittin* in middle, whichever part the witnesses signatures face, so that they would normally be read as part of the *Get* is valid.

If he combined the *gittin* by putting the head of one next to the end of the other with the witnesses signing in middle, whichever *Get* the witnesses are naturally read with (*at the end of the Get*) is valid.

If a *Get* was written in Hebrew and its witnesses were signed in Greek, or if it was written in Greek and its witnesses were signed in Hebrew, or if one witness is a regular Jew and the other a Greek Jew, or if there is the handwriting of the scribe and one witness, it is valid.

If a witness signs, "So-and-so, a witness," the signature is valid. "The son of So-and-so who is a witness," is also valid. If someone writes, "So-and-so the son of So-and-so," without writing "witness," it is also valid. This was the way the pure-minded people in Yerushalayim would sign.

If he wrote the husband's family name and the wife's family name (*in the text of the get*), the *Get* is valid. (87b)

INSIGHTS TO THE DAF

Many Dates on the Get

The *Mishna* had stated: If five people wrote a general *Get* and the *Get* specified that "So-and-so is divorcing So-and-so, and So-and-so is divorcing So-and-so, etc." and the witnesses are signed underneath, the *Get* is valid and it should be given to each woman. If the body of the *Get* was written for each separately and the witnesses signed

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The *Gemora* asks: According to Rabbi Yochanan, why don't we say that there is a problem in this *Get* that the first couples divorcing only had their witnesses testify after many other divorces were written? [*The Gemora assumes that a different date was written for each section, and the date of the signing was the same as the last one, but not of the previous four.*] This is akin to one who writes a divorce during the day and has it signed at night, which is invalid!?

Reb Akiva Eiger asks: How can this case be disqualified because it is written by day and signed at night? It is clearly evident that there are many times recorded in this *get*! Obviously, the witnesses signed on the last date mentioned in the *get*! Since it is recognizable from within the *get*, they will not rely on the earlier dates at all. Consequently, we will have no concern that the husband will take pity upon his niece (*his wife, if she committed adultery, he would cover it up by claiming that she was previously divorced*), nor should we be concerned that the produce will be illegally seized!?

The *Toras Gittin* answers: Since there are many dates recorded on this *get*, we are concerned that the adulteress wife will erase the other dates on the *get*, and she will claim that there were merely conditions written in that place. She will only leave the earlier date recorded in the *get*, and the people will think that the witnesses signed based on that date. It emerges that she will cover up for herself!



QUESTIONS AND ANSWERS FROM YESTERDAY'S DAF

to refresh your memory

Q: What are the three cases of *gittin* that the Rabbis decreed that they are invalid?

A: If he wrote the *Get* in his own handwriting without witnesses; if there are witnesses but no date; or, if there is a date and only one witness.

Q: What are cases of *gittin* that the Rabbis disqualified, but are not listed in the *Mishna*?

A: An old *get*, a bald *get* and one that was not written for the correct kingdom.

Q: According to Rabbi Eliezer, must the giving of the *get* be done *lishmah*?

A: According to Rabbi Yirmiyah; yes. According to Abaye; no; as long as it was written *lishmah*.

DAILY MASHAL

Gas Masks

The Mishna discusses how the “pure-minded” of Jerusalem would sign a Get.

I saw the following story: On one of those difficult days in Yerushalayim, on one of the long lines at a gas mask distribution center in Yerushalayim was the known HaRav HaTzaddik Moreinu HaRav Rebbe Yitzchak Dovid Gutfarb zt”l, one of the pure minded of Upper Yerushalayim, one of the earliest of the oldest settlement and the greatness of his trust in Hashem Yisbarach was well known. A man was standing there, and he saw R’ Yitzchak Dovid standing in line and he was very surprised and he asked him out of amazement: “R’ Yitzchak Dovid, are you also afraid of the

attacks?” “Not at all”, replied R’ Yitzchak Dovid, “But, I believe with all my heart that Moshiach Tzidkeinu will come very soon and I am embarrassed to stand before him like this... perhaps he will see the many sins that are engraved on my forehead... therefore, I came to get a gas mask... so that I could cover my face before Moshiach Tzidkeinu.

We see from the essence of this story, that the thoughts of those who fear are gone, that for everything they think how this relates and applies to the service of Hashem Yisbarach and when he heard about ‘gas masks,’ he immediately connected this to the mask that he will eventual need to hide from his sins.