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Gittin Daf 32

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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Mishnah

If someone sends a *Get* to his wife, and he later meets up with the messenger (*that he sent the Get with*) or he sent another messenger to tell the first messenger that the *Get* that he gave is nullified, the *Get* is indeed nullified. If he met up with his wife (*before she lawfully received the Get*) or sent a messenger to tell her that the *Get* is nullified, it is indeed nullified. Once she receives the *Get*, he can no longer nullify it (*if he has not done so already*).

Originally, a husband was allowed to establish a *Beis Din* of three people in any area to nullify the *Get* before them. Rabban Gamliel the Elder decreed that this should not be done, in order to benefit the world. [*He wanted to prevent the possibly drastic outcome that the messenger and woman, who would not know about the nullification, would presume that the Get is valid. This could lead to her remarrying and having children when she would in fact still be married to her first husband.*] (32a2)

Mishnah’s Cases are Necessary

The *Gemora* asks: The *Mishnah* does not state, “he reached him (*after chasing after him*),” but rather “he met up with him.” This implies that we do not assume that the man in fact just wants to pain his wife and really wants to still give the *Get*.

The *Gemora* asks: Why, then, does the *Mishnah* also give a case where he sent a messenger after him?

The *Gemora* answers: One might have thought that the second messenger does not have the power to nullify the first messenger. The *Mishnah* therefore says that this is untrue.

The *Gemora* asks: What is the *Mishnah* teaching us when it also gives a case of him telling his wife (*before the messenger arrives that the get is nullified*)?

The *Gemora* answers: One might have thought that although when he nullified the *Get* in the first case of the *Mishnah*, we do not assume that he wants to pain his wife; perhaps that is only because he nullified it in front of the messenger. However, if he tells his wife she will not receive her *Get* because it is null, it is possible we should assume that he just wants to pain her, and he really still wants to give the *Get*. The *Mishnah* therefore states this case as well to teach us that the *Get* is null and void.

The *Gemora* asks: What is the *Mishnah* teaching us when it also gives a case of him sending a messenger to tell her that the *Get* is nullified?

The *Gemora* answers: One might have thought that while the husband himself will not bother to pain her that the *Get* is nullified, he won't mind doing so through a messenger (*and he really does not intend to nullify the Get, as he just wants to pain her*). The *Mishnah* therefore teaches us this case as well (*that the Get is nullified*).

The *Gemora* asks: It is obvious that if she has already received the *Get* he can no longer nullify it!

The *Gemora* answers: The case is where before she received the *Get*, he had been trying to reach her to nullify it (*i.e. he was running after her*). One might have thought that this shows that retroactively the *Get* is nullified. The *Mishnah* teaches us that even in such a case, the *Get* is valid. (32a2 – 32a3)

Other Expressions

The *Baraisa* states: If a husband states about a *Get*, “It is null,” or “I don’t want it,” his words are upheld (*and the Get is null and void*). If he says, “It is unfit,” or “It is not a *Get*,” he has not said anything.

The *Gemora* asks: This implies that, “It is null,” also means “It should be null.” However, didn’t Rabbah bar Aivu say in the name of Rav Sheishes, and some say it was Rabbah bar Avuha: If after someone receives a present, he says, “This present is nullified,” or “it should be nullified,” or “I don’t want it,” he has not said anything. If he says, “It is null,” or “It is not a present,” his words are upheld. This implies that when he says, “It is null,” it means that it was previously null (*not that it should be null, as we are saying here*)!?

Abaye answers: It can mean both; it should be null and that it was previously null. Regarding *Get*, its usage is in a way that it will be helpful to the husband, and regarding a present, its usage is in such a way where it will be useful to the person who is saying that he never accepted the present.

Abaye says: We rule that a messenger for a present has the same status as a messenger of a *Get*. The halachic application based upon this comparison is in a case when someone says “take this,” that it is not as if he is saying “acquire this” (*for the recipient*). [*The acquisition only transpires when the recipient actually receives it.*]

Ravina found that Rav Nachman bar Yitzchak was leaning on the doorpost and asking: What if the husband just says, “nullified?”

This question remains unanswered.

Rav Sheishes says, and some say a *Baraisa* states: If a husband says, “This *Get* should not help/permit/cause to leave/send/divorce” or “It should be earthenware” or “It should be like earthenware,” his words are upheld. However, if he says, “It does not help/permit/cause to leave/send/divorce” or “It is earthenware” or “It is like earthenware,” his words are nothing. [*With the latter expressions, he is saying that something presently is deficient in the get; since that is not the case, the get is still valid.*]

The *Gemora* asks: If he says, “This is earthenware,” what is the law? [*Is he referring to the future, in which case, the get will be void, or is he referring to the past, and the get will still be valid?*]

Ravina said to Rav Acha the son of Rava, and some say that Rav Acha the son of Rava said to Rav Ashi: Why should this be different from a case where one says, “It is *hekadesh* (*sanctified*) or *hefker* (*ownerless*)?” [*These terms are effective.*] (32a3 – 32b1)

Status of the Voided Get

The *Gemora* asks: Can one decide to use a *Get* that he has once nullified, or can it no longer be used, once it is nullified?

Rav Nachman says: He may use it. Rav Sheishes says that he may not. The law is like Rav Nachman that he may.

The *Gemora* asks: Is this so? Doesn’t the law regarding *Kiddushin* follow the position of Rabbi Yochanan, that she may retract? [*The case is where someone gave a woman*

betrothal money that was supposed to take effect in thirty days. Rabbi Yochanan says that she can retract her consent for marriage within those thirty days. The Gemora is asking that just as in that case the Kiddushin money was nullified from having a status of Kiddushin, so too, the Get here should be nullified.]

The Gemora answers: In that case, the words of *Kiddushin* are nullified by her words of rejection. In this case, even though he has nullified his messenger, he has not nullified the *Get* itself. [*He is merely taking away the messenger's status of being empowered to give the Get.*] (32b)

DAILY MASHAL

When Rabbi Yehoshua from Sosnovitz was a nine year old boy, his father took him to the Rav of the city to be tested on his learning. The Rav asked him to say over the first Mishnah in the fourth *perek* of *Gittin*. The child explained the *Mishnah* as follows: Rabban Gamliel decreed regarding the beards. The Rav realized that the boy couldn't even translate the words of the *Mishnah* correctly, let alone, explain it properly! Yet, he was hesitant to inform the father of this, for he thought that it would cause him too much pain.

Reb Yehoshua's father returned and asked the Rav for his assessment of his child. The Rav just related to him the boy's translation of the *Mishnah*, so the father could ascertain for himself. When the father heard this explanation, he proclaimed, "I didn't know that my son was on such a lofty level!"

Many years later, when Reb Yehoshua became well known as one of the righteous men in the generation, there was an edict issued from the government that all Jews are required to shave off their beards. They came to Reb Yehoshua for his advice and to beseech him to pray on their behalf that the decree should be nullified. Reb

Yehoshua responded: "When I was a child, I explained the *Mishnah* to mean that Rabban Gamliel decreed regarding the beards. The meaning is that Rabban Gamliel decreed that no nation will have the ability to interfere with the beards of the Jewish people. There is nothing at all to be concerned about." It was only a short time afterward that the decree was rescinded!

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

Q: The *Mishnah* rules: If one puts aside produce so that he might separate from it *terumah* and *ma'aser*, and they are found to be lost (*the produce that was separated*), we must be concerned for a period of twenty-four hours. Which twenty-four hours?

A: *Machlokes*: R' Yochanan – the last period before the examination. R' Elozar – the period after he placed aside the produce.

Q: Why is it necessary to know the three times during the year that grain or wine should be sold?

A: One partner can sell without asking the other one.

Q: Which wind blows with all of the other winds?

A: The north wind.