

# Gitten In Charts

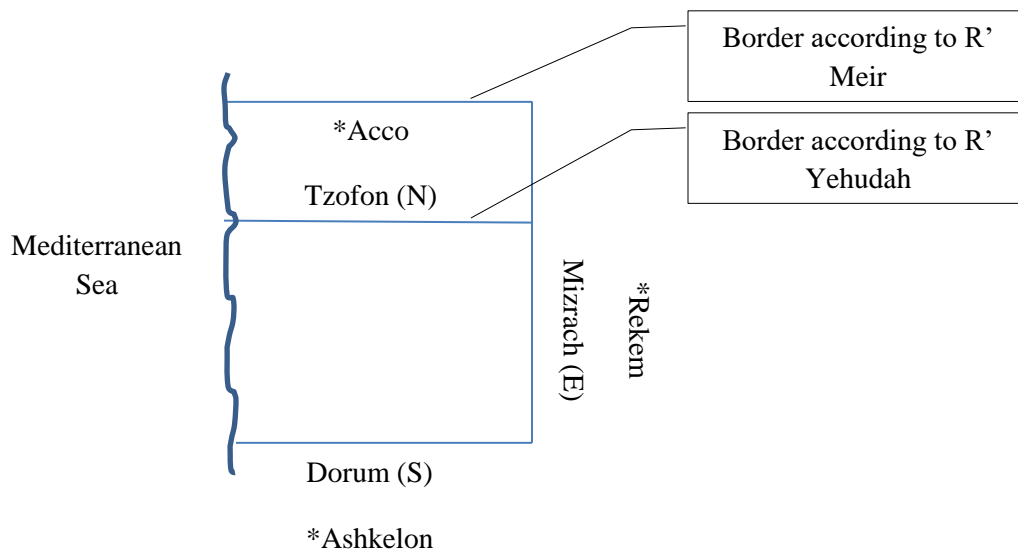
Noson S. Yanofsky

Please send all criticisms and comments to [noson@sci.brooklyn.cuny.edu](mailto:noson@sci.brooklyn.cuny.edu)

## 2a) Mishna: Which Divorces Demand a Proclamation.

- **Tanna Kamma:** Anyone from outside of Israel (Rashi adds from Babylonia.)
- **Rabban Gamliel:** Even divorces from Rekem and Cheger.
- **Reb Eliezer:** Even from Kfar Ludim to Lud.
- **Chachomim:** Anyone from outside of Israel to Israel; from Israel to outside of Israel; from one province to another outside of Israel;
- **Rabban Shimon ben Gamliel:** From one jurisdiction to another.

## 2a) Mishna: The Borders of Israel with Respect to Divorces.



**2b) Differentiating Cases Between Rabbah and Rava**

Legend	
✓	Proclamation required
✗	Proclamation not required

Reason for requiring a proclamation	<b>Rabbah</b> People abroad are not familiar with the need for the divorce to be intentional.	<b>Rava</b> Witnesses (abroad) are not easily available.
Case 1: Two agents bring the divorce from abroad	✓ People abroad still need to be intentional.	✗ The two agents <i>are</i> the witnesses.
Case 2: From one province in Israel to another	✗ They are from Israel and know about intentional.	✓ So that there is no search for witnesses even within Israel.
Case 3: From one town to another in the same province abroad	✓ People abroad are ignorant of the need to be intentional.	✗ The witnesses are near so no need to make the agents proclaim.

**2b) Why Rabbah Demands Only One Agent/Witness Rather Than Two.**

	Explanation	Objection
Attempt 1	One witness is enough to make the wife legal	That is only if there is no presumption about the wife
Attempt 2	A leniency to protect the women from becoming “chained”	This does not help women. Rather it hurts them for fear of making mamzerim.
Attempt 3	The single agent will be careful.	

**3b) Why Rava Demands Only One Agent/Witness Rather Than Two.**

	Explanation	Objection
Attempt 1	One witness is enough to make the wife legal.	That is only if there is no presumption about the wife.
Attempt 2	A leniency to protect the women from becoming “chained”.	This does not help women. Rather it hurts them for fear of making mamzerim.
Attempt 3	The single agent will be careful.	

**Why Rabbah and Rava Disagree With Each Other.**

	<b>Rabbah</b> People abroad are not familiar with the need for the divorce to be intentional.	<b>Rava</b> Witnesses abroad are not easily available.
<b>Rabbah</b>	✓	<b>Rabbah:</b> The agents/witnesses would only need to say that “it was signed before me.” Not “written.” <b>Rava:</b> We don’t want to confuse divorce confirmation with general document confirmation.
<b>Rava</b>	<b>Rava:</b> The agents are obligated to say “it was written before me.” Not “written before me with intention.” <b>Rabbah:</b> That is too long.	✓

**Differences between Divorce Confirmation and General Document Confirmation**

	“Hocha” Divorce Confirmation	“Hosom” General Document Confirmation
Difference 1	The witnesses need to say that they saw the signing	The witnesses need to say they know the signatures
Difference 2	Woman is believed	Woman is not believed
Difference 3	Principle is not believed	Principle is believed

**According to Rabbah, Who Is Our Mishna's Tanna Kamma? Part I.**

Legend	
✓	Required
✗	Not Required

	Intentional Writing	Intentional Signing
<b>Tanna Kamma</b>	✓	✓
<b>R' Meir</b>	✗	✓
<b>R' Eliezer</b>	✓	✗

**3b) According to Rabbah, Who Is Our Mishna's Tanna Kamma? Part II.**

	Intentional Writing	Intentional Signing
<b>Tanna Kamma</b>	✓	✓
<b>R' Meir</b>	✗ Biblically	✓
	✓ Rabbinically	
<b>R' Eliezer</b>	✓	✗ Biblically
		✗ Rabbinically
		✓ Tikun Haolem (Only if there are signatures)
<b>R' Yehuda</b>	✓	✓

**Three Divorces That Are Biblically Valid and Rabbinically Invalid.**

- The husband wrote it himself and gave it without witnesses.
- There were witnesses but there was no date.
- Written by someone else and one other witness.

**4a) Distinctions of the Tannayim In Our Mishna.**

Legend	
✓	Required
✗	Not Required

	From cities in Israel	For Cities near Israel (e.g. Rekem and Cheger)	From cities surrounded by Israel (e.g. Kfar Ludim)	
<b>Tanna Kamma</b>	✗	✗	✗	Like <b>Rabbah</b> : people from near or surrounded cities know about the requirement of intentional.
<b>Rabban Gamliel</b>	✗	✓	✗	Like <b>Rava</b> : people from cities near and surrounded by Israel are hard to find.
<b>R' Eliezer</b>	✗	✓	✓	

**4a) How Rabbah and Rava Can Conform to Our Mishna.**

	<b>Rabbah</b>	<b>Rava</b>
Reason for requiring a proclamation Tanna	People abroad are not familiar with the need for the divorce to be intentional.	Witnesses (abroad) are not easily available.
<b>Tanna Kamma</b>	People from near or surrounded cities know about the requirement of intentional.	Witnesses of nearby and surrounded cities are usually available
<b>Rabban Gamliel</b>	People from surrounded cities know about intentional. People from near towns do not know it and hence are required to proclaim.	Witnesses of surrounded cities are usually available
<b>R' Eliezer</b>	Even though surrounded city people know and near city people do not know, we do not make the distinction between surrounded and nearby cities.	Don't make the distinction between surrounded and nearby cities

**Interpreting the Dispute in Our Mishna as the Dispute between Rabbah and Rava.**

Legend	
✓	Proclamation required
✗	Proclamation not required

	<b>Rabbah and Tanna Kamma</b>	<b>Rava and Chachomim</b>
Entering Israel	✓ People abroad are not familiar with the need for the divorce to be intentional.	✓ Witnesses abroad are not easily available.
Leaving Israel	✗ People in Israel are familiar with the need for the divorce to be intentional.	✓ Witnesses in Israel are not easily available outside of Israel.

**4b) Interpreting the dispute in Our Mishna in Accordance with Both Rabbah and Rava.**

Reason for requiring a proclamation Tanna	<b>Rabbah</b>		<b>Rava</b>	
	People abroad are not familiar with the need for the divorce to be intentional.		Witnesses abroad are not easily available.	
<b>Tanna Kamma</b>	Entering	Leaving	Entering	Leaving
	✓ People abroad do not know.	✗ People in Israel know.	✓ Need witnesses.	✗ (✓) The requirement is not explicitly said but is needed.
<b>Chachomim</b>	Entering	Leaving	Entering	Leaving
	✓ People abroad do not know.	✓ We do not want to make a distinction between ingoing and outgoing agents.	✓ Need witnesses.	✓ The <b>Chachomim</b> are explaining the <b>Tanna Kamma</b>

**Implications from the Tanna Kamma in Our Mishna.**

Legend	
✓	Agrees
✗	Disagrees

Statement	Implication	Rabbah	Rava
		People abroad are not familiar with the need for the divorce to be intentional.	Witnesses abroad are not easily available.
An agent who brings a divorce <u>from province to province from abroad</u> must make a proclamation.	An agent who brings a divorce <u>within a province</u> from abroad does not make a proclamation.	✗ Since they are from abroad they <i>should</i> need to make a proclamation	✓ Since they are within the same province witnesses are easy to find so no proclamation is needed
	An agent who brings a divorce from province to province <u>in Israel</u> need not make a proclamation.	✓ Since they are from Israel, they <i>need not</i> make a proclamation	✗ Since they are from different provinces witnesses will be hard to find



**4b) A Challenge to Rabbah from Rabban Shimon Ben Gamliel in Our Mishna.**

Legend	
✓	Agrees
✗	Disagrees

		<b>Rabbah</b>	<b>Rava</b>
		People abroad are not familiar with the need for the divorce to be intentional.	Witnesses abroad are not easily available.
<b>Rabban Shimon Ben Gamliel:</b> An agent who brings a divorce <u>from jurisdiction to jurisdiction</u> must make a proclamation.	<b>An instance of this rule:</b> the city of Assasiyos in Israel was split into two jurisdictions and travel was restricted between the two.	✗ Since they are from Israel, they should not need to make a proclamation	✓ Since witnesses cannot go from one jurisdiction to another, a proclamation is needed

**4b) Differentiating Cases Between Rabbah and Rava. Second Version.**

Legend	
✓	Proclamation required
✗	Proclamation not required

Reason for requiring a proclamation	<b>Rabbah</b>	<b>Rava</b>
Case	People abroad are not familiar with the need for the divorce to be intentional.	Witnesses abroad are not easily available.
1) Two agents bring the divorce from abroad	✓ People from abroad are ignorant of the need to be intentional.	✗ The two agents <i>are</i> the witnesses.
2) From one town to another in the same province abroad	✓ People from abroad are ignorant of the need to be intentional.	✗ The witnesses are near so no need to make the agents proclaim.

**4b) A First Challenge to Rabbah.**

	<b>Rabbah</b>	<b>Rava</b>
	People abroad are not familiar with the need for the divorce to be intentional.	Witnesses abroad are not easily available.
A ruling: A divorce from abroad where the agent is not able to make a proclamation should be confirmed through its signatures.	<p style="text-align: center;">×</p> <b>Rabbah</b> disagrees with this ruling because he requires a proclamation for a divorce brought from abroad.	<p style="text-align: center;">✓</p> <b>Rava</b> agrees with this ruling because we find other witnesses to confirm the signatures.

- **In defense of Rabbah:** The ruling is talking about a time when people abroad knew about the need for a divorce to be intentional.
- **Objection:** If we are talking about a time when people abroad knew about the need for intentionality, then it is irrelevant that the agent cannot make the proclamation. Even if he could make the proclamations, he should not need to make the proclamation.
- **In defense of Rabbah:** The rabbis insisted that people who could make the proclamation should make the proclamation in fear of a time when people abroad forget that divorces need intentionality.
- **Objection:** Then since the proclamation is needed, why does the ruling say that the divorce is still good if the agent who is unable to make the proclamation delivers it?
- **In defense of Rabbah:** The rabbis do, in fact, require the proclamation but since an agent who cannot make the proclamation is an unusual event, the rabbis let the divorce be considered good.
- **Objection:** A woman who brings her own divorce is an unusual event, but the rabbis still make her make a proclamation. Similarly, they should insist that a divorce from an agent incapable of making proclamation should be ineffective.
- **In defense of Rabbah:** Yes, it is unusual for a woman to be her own agent, but in order not to differentiate between different types of agents we insist that she make the proclamation.
- **Objection:** In that case a husband who brings a divorce should also be forced to make such a proclamation. But we know that husbands do not make a proclamations.
- **In defense of Rabbah:** The whole purpose of a proclamation is to protect from a husband who challenges the divorce. If he is bringing the divorce, he will not challenge it.

5a) A Second Challenge to Rabbah.

	<b>Rabbah</b>	<b>Rava</b>
	People abroad are not familiar with the need for the divorce to be intentional.	Witnesses abroad are not easily available.
A ruling: A divorce brought from abroad by two agents does not need a proclamation.	× <b>Rabbah</b> disagrees with this ruling because he requires a proclamation for a divorce brought from abroad.	✓ <b>Rava</b> agrees with this ruling because the two agents are the witnesses.

- **In defense of Rabbah:** The ruling is talking about a time when people abroad knew about the need for a divorce to be intentional.
- **Objection:** If we are talking about a time when people abroad knew about the need for intentionality, then even one witness should not need to make the proclamation.
- **In defense of Rabbah:** The rabbis insisted that people who could make the proclamation should make the proclamation in fear of a time when people abroad forget that divorces need intentionality.
- **Objection:** Then since the proclamation is needed, why does the ruling say that the divorce is still good if two agents do not make the proclamation?
- **In defense of Rabbah:** The rabbis do, in fact, require the proclamation but since two agents bringing a divorce is an unusual event, the rabbis let the divorce be considered good.
- **Objection:** If an unusual event, like two agents bringing in a divorce, does not require a proclamation, then another unusual event, like a woman who brings her own divorce, should also not require a proclamation. However the rabbis do require her to make a proclamation.
- **In defense of Rabbah:** Yes, it is unusual for a woman to be her own agent, but in order not to differentiate between different types of agents we insist that she make the proclamation.
- **Objection:** In that case, in order not to differentiate agents, a husband who brings a divorce should also be forced to make such a proclamation. However, husbands do not make a proclamation.
- **In defense of Rabbah:** The whole purpose of a proclamation is to protect from a husband who challenges the divorce. If he is bringing the divorce, he will not challenge it.

5a) A Third Challenge to Rabbah.

	<b>Rabbah</b>	<b>Rava</b>
	People abroad are not familiar with the need for the divorce to be intentional.	Witnesses abroad are not easily available.
A ruling: A divorce brought from abroad needs only confirmation of signatures and does not a proclamation. We do not want to be strict with her.	<p style="text-align: center;">×</p> <b>Rabbah</b> disagrees with this ruling because he requires a proclamation for a divorce brought from abroad.	<p style="text-align: center;">✓</p> <b>Rava</b> agrees with this ruling because there will be a confirmation of witnesses.

- **In defense of Rabbah:** The ruling is talking about a time when people abroad knew about the need for a divorce to be intentional so no proclamation was needed.
- **Objection:** The rabbis insisted that people should make the proclamation in fear of a time when people abroad forget that divorces need intentionality. So according to Rabbah a proclamation is still needed and yet the ruling does not demand it.
- **In defense of Rabbah:** The reason why the ruling did not require the proclamation was because the woman was already remarried. Since the demand for a proclamation is only for a fear, the rabbis did not make her leave her second husband and accepted the divorce.
- **Objection:** This is a leniency for a woman who is already remarried. This implies that if the woman did not remarry, a proclamation is required and it is a stringency on her.
- **In defense of Rabbah:** When the ruling said it is a leniency for her, it meant for already remarried women. The rabbis only demand a proclamation so that if the first husband challenges the divorce. If the first husband does not challenge the divorce and she is remarried, no proclamation is required.

**5b) Relating the Rabbah and Rava Dispute With Another Dispute**

	<b>Rabbah</b>	<b>Rava</b>
	People abroad are not familiar with the need for the divorce to be intentional.	Witnesses (abroad) are not easily available.
Amoroyim	<b>R' Yehoshua Ben Levi</b>	<b>R' Yochanan</b>

**5b) The Reason For The Dispute About How Many People Need to Hear the Proclamation**

	<b>R' Yochanan</b>	<b>R' Chanina</b>	
	Two	Three	
Reason 1	In order to insure intentionality.	Since witnesses are hard to find, the agent must present it in front of a court of three	Objection: See last chart where it is <b>R' Yochanan</b> who is concerned about finding witnesses. Not intentionality. Also even those who are concerned with intentionality agree that finding witnesses is also a concern. So everyone would say three.
Reason 2	The agent becomes the third judge.	The agent is not permitted to be a judge and hence must find three other judges.	But for such a proclamation an agent can serve as a judge so everyone would say two.
Reason 3	It is known that a woman cannot be a judge but when the agent is not a woman, only two more are needed.	Since a woman might be the agent, one might come to use the woman as the third judge, therefore we require three judges.	

**6a) The Dispute of Whether or Not Babylonia is like Israel**

	<b>Rav</b> Babylonia is Like Israel	<b>Shmuel</b> Babylonia is not like Israel	
Reason 1	No proclamation is needed because Babylonians know that a divorce needs to be intentional.	A proclamation is needed because Babylonians are far away and not available as witnesses.	Objection: <b>Rava's</b> reason is not legitimate because everyone agrees that even people who know about intentionality need to make a proclamation.
Reason 2	No proclamation is needed because there are a lot of students coming and going to confirm the signatures.	A proclamation is needed because students are busy studying and don't know signatures.	

**6a) Rav Chisda on Two Cities in Babylon**

	Ctesiphon → Bei Ardashir Proclamation required	Bei Ardashir → Ctesiphon Proclamation not required	
Reason 1	Ctesiphon people are not learned and do not know that a divorce needs to be intentional	Bei Ardashir people are learned and know that a divorce needs to be intentional	Objection: We all agree that even divorces from places that are learned need to make a proclamation because witnesses are hard to find.
Reason 2	Bei Ardashir people go to the market at Ctesiphon. Bei Ardashirians do not recognize Ctesiphonians signatures.	Bei Ardashir people go to the market at Ctesiphon. Ctesiphonians recognize Bei Ardashirians signatures.	

**6b) R' Evyasar in the name of Rav Chisda on Gets from Babylon to Eretz Yisroel**

	Babylon → Eretz Yisroel  Proclamation not required	
Reason 1	Babylonian people are learned and know that a divorce needs to be intentional	Objection: We all agree that even divorces from places that are learned need to make a proclamation because witnesses are hard to find.
Reason 2	Since many people go between Eretz Yisroel and Babylon it is not hard to confirm signatures if needed.	