



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Gittin Daf Chuf

- **R' Chisda** said, if a get was written not lishma, and the sofer then retraced all the letters with ink, this time having in mind to make it lishma, this validity of this get would be subject to the machlokes between **R' Yehuda and the Rabanan** in a Braisa. The Braisa says, if one needed to write Hashem's Name in a Torah, but had in mind to write the word Yehuda instead, but in actuality write the Name of Hashem, **R' Yehuda** says he should retrace the letters with the intent to make it kodesh, and it is valid. The **Chachomim** say it is not valid. Presumably this machlokes would hold true for a get as well.
  - **R' Acha bar Yaakov** said, it may be that the **Rabanan** hold that way regarding a Sefer Torah since doing so would not be the best way to write Hashem's Name and the pasuk of "zeh Keili v'anveihu" teaches that a Sefer Torah should be written in the very best way. However, regarding get where there is no such requirement, it may that the **Rabanan** would agree to this method of making the get lishma after the fact.
- **R' Chisda** said, I can make all the gittin in the world passul, because of how the process is performed. **Rava** asked him, if you are saying this because the pasuk says "v'kasav", which suggests that the get must be owned by the man when it is written, and the **Rabanan** have come along and placed the financial burden for the writing of the get on the woman (to try and incentivize the husband not to hold back writing a get and thereby leaving his wife as an agunah), that is not problematic, because the **Rabanan** take the money used to pay for the get and give ownership of it to the husband, alleviating your concern! Maybe your statement is based on the fact that the pasuk says "v'nassan", and since the paper of the get is not worth a perutah it does not qualify as something "given" to the woman? That is also not a legitimate concern, because the word "v'nassan" refers to the get and means that it must be given over, irrespective of value! I can prove this because we have been taught that if a get is written on something which is assur to benefit from, it is still a valid get.
  - **R' Ashi** said, we have also learned this halacha, because our Mishna says that a get written on the leaf of an olive tree is valid. This leaf is clearly not worth a peruta and yet it is valid.
    - The Gemara says this is no proof. It may be that an olive tree leaf has some value, because it can be combined with other leaves to use as a mattress or for animal feed. However, things that are assur to benefit from provide no benefit at all, and therefore may be treated differently.
  - A Braisa says that **Rebbi** says, a get written on something assur to benefit from is valid. We find that **Levi** paskened like **Rebbi**, and the Gemara paskens this way as well.
- A Braisa says, the pasuk says "v'kasav", which teaches that a get must be written, and not engraved into a piece of wood or the like.
  - **Q:** Another Braisa says that a get shichrur that is engraved into a board is valid!? **A: Ulla in the name of R' Elazar** said, the first Braisa is talking about etching out the area around the letters, leaving the form of letter still raised. This is not called "writing". The second Braisa is discussing where the letters themselves were etched, and that is considered to be a writing.
    - **Q:** A Braisa says that the letters on the "tzitz" were raised like the letters on a coin, and yet the Torah refers to the letters on the tzitz as being "written"!? **A:** The letters were similar, but not exactly like a coin. The letters on a coin are create by pushing down the surrounding areas, leaving the form of the letters remaining high. That is not a "writing". The letters of the tzitz were directly

formed by pushing out the letters from the back of the tzitz, and therefore did have the status of “writing”.

- **Q: Ravina** asked **R' Ashi**, when a coin is formed, are the areas surrounding the letter pushed down and the letters are simply left standing, or is it that the metal is also forced into the form of the letters (in which case this would be a “creation of letters” and not simply a pushing down of the surrounding areas, and if this method was used to form a get it would be a valid form of “writing”)?  
**A: R' Ashi** said, it simply pushes the surrounding areas down and is therefore not a valid form of “writing”.
- **Q: Ravina** asked, the Braisa says that the tzitz was made like the letters protruding on a coin, and we know the tzitz was considered to be “written”!? **A:** The letters were similar, but not exactly like a coin. The letters on a coin are created by pushing down the surrounding areas, leaving the form of the letters remaining high. That is not a “writing”. The letters of the tzitz were directly formed by pushing out the letters from the back of the tzitz, and therefore did have the status of “writing”.
- **Q: Rava** asked **R' Nachman**, if a man writes a get on a plate of gold and tells his wife “here is your get and your kesubah”, what is the halacha? **A: R' Nachman** said, by taking it, she has gotten her get and her kesubah.
  - **Q:** A Braisa says, if a man writes a get on a gold plate and tells his wife “here is your get and the gold around the area of the writing should be your kesubah”, it is valid get and she has taken her kesubah. This seems to teach that it is only because he is designating the extra gold for her kesubah that this works. If there is no extra it would seem not to work!? **A:** In truth such a get can serve as her kesubah even if there is no extra margin. The Braisa is teaching that even when there is an extra margin, only if the husband says this get should serve as her kesubah will it be her kesubah. If he does not say so, it serves only as a get.
- A Braisa says, if a husband gives a get to his wife and says “here is your get, but the paper belongs to me”, it is not a valid get. If he says “here is your get on the condition that you return the paper to me”, it is a valid get.
  - **Q: R' Pappa** asked, what if the husband gave her the get, but said that he retains ownership over the paper besides for the paper on which each letter is written? **A: TEIKU.**
    - **Q:** Why doesn't he say that this would be passul because the get would then be in many pieces, and the Torah says it must be a “sefer krisus” – which means it must be one piece, and not 2 or 3 pieces!? **A:** His question referred to a case where they left everything partially attached. Therefore, it is still considered to be a “sefer”.
- **Q: Rami bar Chama** asked, if a slave was known to belong to a man, and the man wrote a get on the slave's hand, and the wife now comes to Beis Din with the slave, do we say that the husband gave the slave to her (and she is therefore divorced) or do we say that the slave went to her on his own will, and not on the husband's instruction?
  - **Q: Rava** asked, that get should anyway be passul, because it is a writing that can be forged!? Although the Mishna says such a get is valid, it may be that the Mishna is discussing where there were eidei mesira. However, **Rami bar Chama** is discussing where there are no eidei mesira, and therefore **Rava** is asking that the get should be passul. **A: Rami bar Chama** is talking about where the get was tattooed into the arm of the slave, so it is not something that can be forged. Based on this we can say that our Mishna is also discussing where there are no eidei mesira, and the case is where the get is tattooed into the slave's arm.
  - **A:** With regard to **Rami bar Chama's** question, we find that **Reish Lakish** says that animals, which move around, are not subject to the laws of chazaka (just because someone has it does not mean that it is his). The same would be true regarding a slave,

and therefore there is no reason to think that the husband gave her the slave merely based on the fact that the slave is now in her possession.

- **Q: Rami bar Chama** asked, if there was a tablet known to belong to a woman, and it is now in the possession of her husband and a get is written on it, do we say that she gave it to him with a kinyan and is therefore his and can be used for a get, or do we say she doesn't understand that it must belong to him to be used for a get and she therefore didn't give it to him with a kinyan?  
**A: Abaye** said, a Mishna brings a case where a lender would write loan documents and give them to the borrowers to sign and return to him and the **Rabanan** said this was a valid document. Now, in that case too, the document should be owned by the borrower. It must be that we say that the lender gave it to the borrowers with a kinyan. We should say the same here regarding the woman.
  - **Q: Rava** asked, the cases are not comparable!? It may be that the lender in that case was knowledgeable whereas a woman is not!? **A:** Rather, **Rava** said, we can answer the question from a Mishna that says, if a guarantor signed after the document was already executed, the creditor may collect from the guarantor's unencumbered properties. From the fact that the guarantee is effective, we can see that the lender knew he must give the document to the guarantor with a kinyan. The same can be said in the case with the woman and the get.
    - **Q: R' Ashi** asked, the cases are not comparable!? It may be that the lender in that case was knowledgeable whereas a woman is not!? **A:** Rather, **R' Ashi** said we can answer the question from another Mishna. The Mishna says that a woman may write her own get as long as it is owned by the husband when it is signed. We see from here that the Mishna feels a woman understands that she must give ownership of the get to her husband in order for it to be effective.