



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

Gittin Daf Chuf Aleph

- **Rava** said, if a man writes a get for his wife and gives it to his slave and then gives the slave to the wife as a gift, she acquires the slave and is then divorced.
 - **Q:** A slave is a “mobile chatzer”, through which an owner cannot make a kinyan, and therefore she should not be divorced by the get being in the slave’s hand!? **A:** The slave was stationary, and therefore not “mobile”.
 - **Q: Rava** has said that if something *can* move then it can’t be koneh as a chatzer even if it is not moving at the time!? **A:** The case is that the slave is tied up. In that case he cannot move and therefore can be koneh as a chatzer.
- **Rava** said, if a man writes a get for his wife and puts it in his chatzer, and he then gifted the chatzer to his wife, she is koneh the chatzer and becomes divorced.
 - This ruling and the last are both needed. If we would just say the case of the slave we would say it only works in that case, but in the case of the chatzer she will not be divorced as a gezeirah for a case where the husband put the get into someone else’s field which was then bought by or gifted to the wife. In that case she is clearly not divorced, because the husband has not given the get to her (he does not even put it into her property, since at the time he put it there she did not own the property). If we would only say the case of chatzer we would think that in the case with the slave she is not koneh the get even though he is tied up, as a gezeira for a case when the slave is not tied up. This is why we need both cases.
 - **Q: Abaye** asked, we learn that a chatzer is koneh from the halacha that her hand is konah. Based on that, the chatzer must be like her hand, in the sense that just as a get can be placed into her hand with her will or against her will, so too a chatzer will only be konah if it can be done with her will or against her will. Now, in **Rava’s** cases (which deal with gifts) the gifts can only take place with her consent. If so, this case of chatzer is not like her hand and therefore she should not get divorced with this method of giving her the get!? **A: R’ Simi bar Ashi** said, we find the concept of the woman appointing a shaliach to accept the get. Now, such a shaliach can only be appointed with the consent of the woman (not against her will) and still she is konah the get in this way. We see that using a method that cannot be done against her will does not make it that she cannot be konah.
 - **Abaye** said, this is not a good answer, because shelichus is not learned from “her hand” and is therefore not subject to the limits of it having to be possible against her will as well.
 - We can also say, that shelichus to accept a get actually can be done against the will of the wife in a case where her father accepts the get for his minor daughter. Since it can be done against her will, that is why it can work.

AHL HE’ALEH SHEL ZAYIS...

- **Q:** We can understand why, if the get is written on the hand of a slave, the husband must give the entire slave to her, because we have no right to cut his hand off. However, when it is written on the horn of a cow, why does he have to give her the cow? Why can’t he just cut off the horn and give the horn to her? **A:** The pasuk says “v’kasav” next to the word “v’nassan” to teach that there can be no action needed between the writing and the giving. This excludes a case where something was written, would then have to be cut off, and could first then be given.

R’ YOSE HAGLILI OMER...

- **Q:** Why does **R’ Yose Haglili** hold that a get can’t be written on a living creature or on food? **A:** It is based on a Braisa that says, the pasuk says the get should be a “sefer”, which means it should

be written on parchment. The pasuk also says “v’kasav lah”, which comes to teach that it can be written on any substance. If so, what does the word “sefer” come to teach? That just like parchment is not alive and is not food, so too a get may only be written on items that are not alive and are not food.

- The **Rabanan** say, if the pasuk would say “b’sofer” (“in a sefer”), then it would teach as you suggest. However, since the pasuk says “sefer”, it teaches that the words of the get must follow the basic formula that is taught.
- **Q:** What do the **Rabanan** learn from the words “v’kasav”? **A:** They use it to teach that a written get is the only thing that can be used to effectuate a divorce, and money can’t be used to effectuate a divorce. We would think that the hekesh from kiddushin to gittin teaches that money can be used for gittin as well. The pasuk therefore teaches that it may not be used.
 - **R’ Yose Haglili** learns this from the words “sefer krisus” – only a sefer can make the divorce, nothing else.
 - **The Rabanan** use this to teach that the divorce must create a full severance between them. If a condition is put into the get which makes her conduct herself in a certain manner forever because of the first husband, it would not be a get.
 - **R’ Yose Haglili** learns this from the fact that the pasuk could have said “kares” and instead says “krisus”. The **Rabanan** don’t make a drasha based on this.

MISHNA

- A get may not be written on something attached to the ground. If a get is written on something attached to the ground, and he then detached it, signed it, and gave it to her, it is valid. **R’ Yehuda** says the get is passul until it is written and signed while detached from the ground.
- **R’ Yehuda ben Beseira** says, a get may not be written on paper that was already erased or on “diftera” (on which we could not tell if something was erased), because a get written on these things can be forged. The **Chachomim** say it is valid.

GEMARA

- **Q:** How could the Mishna first say that a get may not be written while attached, and then say that if it is written while attached but signed when detached it is valid!? **A: R’ Yehuda in the name of Shmuel** said, the second part of the Mishna is discussing where the “toref” of the get (the essential part that includes the names, the date and the place) was left blank and then filled in when detached. This answer was also given by **R’ Elazar in the name of R’ Oshaya** and by **Rabbah bar bar Chana in the name of R’ Yochanan**.
 - Based on this answer, the Mishna is following **R’ Elazar**, who says that eidei mesirah are essential. The Mishna should be understood as saying, even the “tofes” of the get (the non-essential parts) should not be written when attached to the ground, as a gezeira that one may come to write the toref when attached as well. However, if the tofes was written when attached to the ground, and it was then detached, and the toref was written, and he then gave it to her, the get is valid.
 - **Reish Lakish** says the second part of the Mishna is referring to where the entire writing was done when attached, but it was signed after being detached. According to this, the Mishna would be following the view of **R’ Meir**, who says the witnesses signed on the get are the essential witnesses. The Mishna should be understood as saying, we may not write the toref of the get while attached to the ground as a gezeira so that we not come to sign the get while attached to the ground. However, if it was written when attached, and was then detached, signed, and given to her, it is valid.
- If a get was written on the earthenware of a flower pot with a hole in it (things planted in such a pot are considered to be attached to the ground) the get is valid, because he can simply take the pot and give it to her. If he writes a get on the leaf of the plant in such a pot, **Abaye** says it is valid, because he can simply take the entire pot and give it to her, and **Rava** says it is passul as a gezeira so that he not rip off the leaf and give it to her.