

מסכת גיטין · דף כ"א ע"ב

Elucidated Talmud · Statement and Proof · Navy & Gold Edition

THE SUGYA

In this daf, we continue our sweet and deep learning of the halachos of writing a get. The Gemara first clarifies why a get written on a cow's horn requires the husband to give her the entire cow, explaining that the Torah requires a document that is ready to be given immediately after writing, without needing a major act of cutting first. We then delve into a beautiful machlokes between Rabbi Yosei HaGelili and the Rabbis regarding whether a get can be written on a living creature or on food, analyzing how they darshen the word "sefer" in the pasuk.

We then move on to a new Mishna that teaches us about the status of writing a get on something attached to the ground, such as a leaf or a tree. The Mishna also introduces a machlokes between Rabbi Yehuda ben Beteira and the Rabbis regarding writing a get on materials where the writing could potentially be forged, such as erased paper or unfinished leather.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

QUESTION

לֹא אֶפְשָׁר לְמַקְצִייהּ,

In the case of the slave's hand, **it is not possible to cut it off**, as it is forbidden to mutilate a slave, so he must give her the entire slave. **But** in the case of the קֶרֶן שֶׁל פָּרָה – the **horn of a cow**,

QUESTION

לִיקְצִייהּ וְלִיתִבָּהּ לָהּ!

let him cut it off and give it to her! Why does the Mishnah say he must give her the entire cow?

ANSWER

אָמַר קָרָא: "וְכָתַב" – "וְנָתַן לָהּ",

The Gemara answers: **The verse states: "And he shall write"** and then **"and give it in her hand,"** which teaches that the document must be written on מִי שֶׁאֵינוֹ מְחֻסֵּר אֲלָא כְּתִיבָהּ וְנָתַנָּה – something **which is not lacking** any action **except writing and giving**;

ANSWER

זֶה זֶה – שֶׁמְחֻסֵּר כְּתִיבָהּ, קְצִיצָה וְנָתַנָּה.

this case of the cow's horn **is excluded, which is lacking writing, cutting, and giving**, and therefore the horn alone cannot serve as the get unless he gives her the entire cow.

STATEMENT

רַבִּי יוֹסֵי הַגְּלִילִי אוֹמֵר וְכוּ':

We learned in the Mishnah: **Rabbi Yosei HaGelili says etc.** that a get may not be written on anything living, nor on food.

QUESTION

מאי טעמא דרבי יוסי הגלילי?

The Gemara asks: **What is the reason of Rabbi Yosei HaGelili?**

EXPLANATION

דתנא: "ספר" – אין לי אלא ספר, מניין לרבות כל דבר?

As it is taught in a Braisa: The Torah says "sefer" (scroll). From this I have only a literal scroll; from where do we derive to include all other things as valid writing materials?

EXPLANATION

תלמוד לומר: "וכתב לה" – מפל מקום.

The verse teaches: "And he shall write for her" – implying he may write on any material whatsoever.

EXPLANATION

אם כן, מה תלמוד לומר "ספר"?

If so, what is the meaning when the verse teaches "sefer"?

EXPLANATION

מה ספר – דבר שאין בו רוח חיים, ואינו אוכל; אף כל דבר – שאין בו רוח חיים ואינו אוכל.

Just as a scroll is something that does not have a spirit of life, and is not food; so too, any thing used for a get must be that which does not have a spirit of life and is not food.

OBJECTION

ורבנן – אי כתיב "בספר", כדקאמר; השתא דכתיב "ספר" – לספירת דברים הוא דאמא.

And the Rabbis, how do they respond? They argue: If it were written "b'sefer" (in a scroll), it would be as you said, referring to the material. Now that it is written "sefer", it does not refer to the material, but it comes for the telling of matters, meaning a written account of divorce.

QUESTION

ורבנן, האי "וכתב" מאי עבדי ליה?

The Gemara asks: And the Rabbis, what do they do with this phrase "And he shall write"?

ANSWER

מיבעי להו "בכתיבה מתגרשת, ואינה מתגרשת בכסף" –

They require it to teach: With writing she is divorced, and she is not divorced with money.

ANSWER

סלקא דעתך אמינא, אקיש יציאה להויה: מה הויה בכסף, אף יציאה נמי בכסף; קא משמע לן.

For it might enter your mind to say, let us compare leaving marriage to entering marriage: just as entering marriage (betrothal) can be done with money, so too leaving marriage (divorce) also can be done with money; therefore it teaches us that it must be written.

EXPLANATION

ואידך – נפקא ליה מ"ספר כריתות" – ספר כריתות, ואין דבר אחר כריתות.

And the other Tanna, Rabbi Yosei HaGelili, from where does he derive this? He derives it from "a scroll of severance" – meaning a scroll (a written document) severs her, and nothing else (such as money) severs her.

EXPLANATION

ואידך – מיבעי ליה "דבר הכורת בינו לבינה", כדתנא:

And the other, the Rabbis, what do they do with "severance"? They require it to teach that it must be a matter that completely severs between him and her, as it is taught in a Braisa:

PROOF

"הרי זה גיטיה על מנת שלא תשתי יין"; "על מנת שלא תלכי לבית אביה"; "לעולם" – אין זה כריתות.

If a husband says, "This is your get on condition that you do not drink wine," or "on condition that you do not go to your father's house" and this condition is "forever" – this is not severance, and the get is invalid because she remains permanently bound by his restriction.

PROOF

"עד שלשים יום" – הרי זה כריתות.

But if he says the condition is only "until thirty days," then this is severance, and the get is valid.

EXPLANATION

ואידך – מ"כרת-כריתות".

And the other Tanna, Rabbi Yosei HaGelili, from where does he derive this rule of complete severance? He derives it from the extra letters in the change from "karet" to "keritut."

EXPLANATION

ואידך – "כרת-כריתות" לא דרשי.

And the other, the Rabbis, do not expound the difference between "karet" and "keritut."

מִשְׁנָה MISHNAH

MISHNAH

מתני' אין כותבין במחובר לקרקע.

MISHNAH: One may not write a get on something attached to the ground.

MISHNAH

קָתְבוּ בַּמְחוּבָּר, תִּלְשֵׁוּ וְחִתְמוּ וּנְתַנּוּ לָהּ – כָּשֶׁר.

If he wrote it on something attached, and then detached it, and signed it, and gave it to her – it is valid.

MISHNAH

רַבִּי יְהוּדָה פּוֹסֵל, עַד שֶׁתֵּהָא כְּתִיבָתוֹ וְחִתּוּמָתוֹ בְּתָלוּשׁ.

Rabbi Yehuda deems it invalid, until both its writing and its signing are in a detached state.

MISHNAH

רַבִּי יְהוּדָה בֶּן בֵּתֵירָא אָמַר: אֵין כּוֹתְבִין לֹא עַל הַנִּזְיָר הַמְּחוּק וְלֹא עַל הַדִּיפְתָּרָא, מִפְּנֵי שֶׁהוּא יָכוֹל לְהִזְדִּיף.

Rabbi Yehuda ben Beteira says: One may not write a get neither on erased paper nor on diftera (unfinished leather), because it can be forged.

MISHNAH

וְחֲכָמִים מְכַשְׂרִין.

And the Sages validate a get written on these.

גִּמְרָא GEMARA

QUESTION

גִּמְ' קָתְבוּ עַל הַמְּחוּבָּר?! וְהָאֵמַרְתָּ רִישָׁא "אֵין כּוֹתְבִין"!

GEMARA: The Gemara asks: How can the Mishnah say, if he wrote it on the attached and then detached it, it is valid? But didn't you say in the first clause: "One may not write" on the attached?!

ANSWER

אָמַר רַב יְהוּדָה, אָמַר שְׁמוּאֵל: וְהוּא שְׁשִׁיר מְקוֹם הַתּוֹרָף.

Rav Yehuda said that Shmuel said: And this is valid only where he left over the place of the essential part of the get (the names and date) to be written after detaching it.

ANSWER

וְכֵן אָמַר רַבִּי אֶלְעָזָר, אָמַר רַבִּי אוֹשְׁיָא: וְהוּא שְׁשִׁיר מְקוֹם הַתּוֹרָף.

And so Rabbi Elazar said that Rabbi Oshaya said: And this is where he left over the place of the essential part.

ANSWER

וְכֵן אָמַר רַבָּה בַּר בַּר חֲנָה, אָמַר רַבִּי יוֹחָנָן: וְהוּא שְׁשִׁיר מְקוֹם הַתּוֹרָף –

And so Rabba bar bar Chana said that Rabbi Yochanan said: And this is where he left over the place of the essential part –

EXPLANATION

ורבי אֶלְעָזָר הִיא, דָּאָמַר: עֲדֵי מְסִירָה כָּרְתִי.

and this explanation is in accordance with Rabbi Elazar, who said: The witnesses of delivery effect the divorce, not the signing witnesses.

EXPLANATION

וְהָכִי קָאָמַר: אֵין כּוֹתְבִין טּוֹפָס שְׂמָא יְכַתּוּב תּוֹרָה.

And this is what the Mishnah is saying: One may not write even the standard text (the tofes) on the attached, as a Rabbinic decree lest he write the essential part (the toref) on the attached.

EXPLANATION

כְּתָבוּ לְטוֹפָס וּתְלָשׁוּ, כְּתָבוּ לְתוֹרָה וּנְתָנוּ לָהּ – כָּשֶׁר.

But post facto, if he wrote the standard text on the attached and detached it, and then wrote the essential part on the detached and gave it to her – it is valid.

STATEMENT

וְרִישׁ לְקִישׁ אָמַר: "חֲתָמוּ" שְׁנֵינוּ;

And Reish Lakish said: We learned in the Mishnah that the word "signed" is the key, "and they signed it" is what we learned;

EXPLANATION

ורבי מאיר היא דאָמַר עֲדֵי חֲתִימָה כָּרְתִי.

and this is in accordance with Rabbi Meir, who said: The witnesses of signing effect the divorce.

EXPLANATION

וְהָכִי קָאָמַר: אֵין כּוֹתְבִין תּוֹרָה, גְּזִירָה שְׂמָא יִחְתּוֹם.

And this is what the Mishnah is saying: One may not write the essential part on the attached, as a Rabbinic decree lest he sign it while it is still attached.

EXPLANATION

כְּתָבוּ לְתוֹרָה, תְּלָשׁוּ, חֲתָמוּ וּנְתָנוּ לָהּ – כָּשֶׁר.

But post facto, if he wrote the essential part on the attached, detached it, signed it, and gave it to her – it is valid.

RULING

כְּתָבוּ עַל חֶרֶס שֶׁל עֶצִיץ נָקוּב – כָּשֶׁר, דְּשָׁקִיל לָיָה וַיִּהְיֶה לָיָה נִיחָ לָהּ.

If he wrote it on a shard of a perforated flowerpot – it is valid, because he can take it and give it to her without needing to detach anything from the ground.

QUESTION

עַל עֵלָה שֶׁל עֶצִיץ נָקוּב;

If he wrote it on a leaf of a perforated flowerpot, which is halachically considered attached to the ground:

STATEMENT

Abaye said: It is valid, and Rava said: It is invalid.

EXPLANATION

אַבַּי אָמַר: כָּשֶׁר –

Abaye said it is valid because...

SUMMARY

The Gemara begins by explaining that a get cannot be written on something that requires cutting before it can be given, as the Torah requires the document to be ready for giving immediately after writing. We then explore the source for Rabbi Yosei HaGelili's view that a get cannot be written on living things or food, contrasted with the Rabbis who learn that "sefer" refers to the telling of the story (sefirat devarim) rather than the material itself. The Rabbis use the pesukim to teach that divorce must be done through writing rather than money, and that it must represent a complete severance (keritut) without permanent conditions. Finally, the new Mishna discusses the invalidity of writing a get on something attached to the ground, and the dispute regarding writing on materials susceptible to forgery.

לְמַעֲשֶׂה WHAT TO TAKE HOME

In our sugya, the Rabbis teach us a profound principle about the very nature of a get. The Torah calls it a "sefer keritut", a scroll of severance. The Gemara explains that this means the divorce must be absolute, with no lingering strings attached. If a husband gives a get but places a permanent condition on his wife, such as forbidding her from ever visiting her father's house, the divorce is completely invalid. For a separation to be real, it cannot be partial; it must be a total, clean break.

This contains a deep lesson for our own lives and our avodah. How often do we try to make a "break" from a bad habit, a negative influence, or a middah we know is harming our yiras Shamayim, yet we leave a small condition behind? We tell ourselves we are letting go of the yetzer hara, but we keep one foot in the door, holding onto a tiny piece of the old behavior "just in case."

True growth and teshuvah require "keritut", a complete and honest severance. When we decide to move away from something that distances us from the Aibershter, we must do so without lingering conditions or half-measures. A partial break is not a break at all; it keeps us spiritually bound to the very things we are trying to leave behind.

Today, identify one negative habit or distraction you have been trying to move away from, and make a clean, absolute break from it for just one day, with no lingering conditions or compromises.