

מסכת גיטין • דף כ"ב ע"ב

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THE SUGYA

In this daf, we delve deeper into the shitta of Rabbi Elazar, who holds that the witnesses of transmission (edei mesirah) are the ones who actually effect the divorce. We will explore the halachic ramifications of this view when a get is written on erasable paper, analyzing whether we are concerned about forgery or forgotten stipulations over time, and whether this leniency extends to other financial documents like deeds of purchase.

We then move into a new Mishnah that teaches us who is kosher to write a get. The Mishnah introduces a fascinating rule: anyone is qualified to write it, even a deaf-mute, an imbecile, or a minor, as well as the woman herself. The Gemara immediately steps in to question how those who lack halachic competence can write a get, which requires specific intent (lishmah).

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

EXPLANATION

רבי אלעזר היא, דאמר: עדי מסירה פרתה.

The Mishnah is according to the view of **Rabbi Elazar, who says: The witnesses of transmission** of the get **effect the divorce severance**. Since the witnesses must read the get before it is handed over, there is no concern of forgery even on erasable paper.

STATEMENT

ואמר רבי אלעזר: לא הכשיר רבי אלעזר אלא לאתרי, אבל מפאן עד עשרה ימים – לא;

And Rabbi Elazar the Amora says: Rabbi Elazar the Tanna deemed such a get **valid only** if it was brought to court **immediately** after delivery, **but** if it was brought **from now until ten days** later, he did **not** deem it valid.

EXPLANATION

חזישינן דילמא הוה ביה תנאה וזייפתיה.

This is because **we are concerned** that **perhaps there was a condition in it and she forged it** by erasing the condition, and after ten days the witnesses might not remember the details.

STATEMENT

ורבי יוחנן אמר: אפילו מפאן עד עשרה ימים; דאם איתא דהוה ביה תנאי – מידכר דכירי.

And Rabbi Yochanan says: Even if she brings it **from now until ten days** later it is valid; **for if it is so that there was a condition in it**, the witnesses **would surely remember** it and would not validate the get if she had erased it.

STATEMENT

ואמר רבי אלעזר: לא הכשיר רבי אלעזר אלא בגיטין, אבל בשאר שטרות – לא, דכתיב: "ונתתם בכלי חרש למען יעמדו ימים רבים".

And Rabbi Elazar the Amora also says: Rabbi Elazar the Tanna deemed erasable writing valid only for bills of divorce, but for other documents he did not deem it valid, as it is written regarding a deed of purchase: "And put them in an earthen vessel, so that they may remain many days." This indicates that other documents must be written on durable material.

STATEMENT

ורבי יוחנן אמר: אפילו בשטרות.

And Rabbi Yochanan says: Rabbi Elazar deemed it valid even for other documents.

QUESTION

והכתיב: "למען יעמדו ימים רבים"!

The Gemara asks: But isn't it written: "so that they may remain many days"?

ANSWER

התם עצה טובה קא משמע לן.

The Gemara answers: **There**, the verse comes to teach us good advice on how to preserve documents, but it is not a halachic requirement.

משנה MISHNAH

MISHNAH

מתני' הכל כשרין לכתוב את הגט, אפילו חרש, שוטה וקטן.

MISHNAH: All are fit to write a bill of divorce, even a deaf-mute, an imbecile, or a minor.

MISHNAH

האשה פותבת את גיטה, והאיש פותב את שוכרו.

A woman may write her own bill of divorce to be given to her husband so he can present it to her, and a man may write his own receipt for the payment of her kesubah, to be given to him by the woman.

MISHNAH

שאיין קיום הגט אלא בחותמיו.

This is because the validation of the bill of divorce is only through its signatories, and the identity of the scribe is irrelevant.

גמרא GEMARA

QUESTION

GEMARA: The Gemara asks: **But are these** individuals—the deaf-mute, imbecile, and minor—**not lacking halachic competence?** How can they write a get, which requires the specific intent of lishmah?

ANSWER

אמר רב הונא:

To resolve this, **Rav Huna said:**

SUMMARY

The Gemara begins by analyzing Rabbi Elazar's view that edei mesirah effect the divorce, explaining that because they read the get before transmission, we do not fear forgery even on erasable paper. Rabbi Elazar the amora and Rabbi Yochanan argue over whether this validity is limited to immediate court confirmation or if we trust the witnesses to remember any stipulations even after ten days, and whether this applies to financial deeds which the Navi Jeremiah suggests must last "many days." The Gemara then transitions to the Mishnah, which permits anyone—including a deaf-mute, an imbecile, a minor, or the wife herself—to write the get, since the true ratification depends entirely on the signatories. Finally, the Gemara raises a difficulty from Rav Huna regarding how those lacking halachic competence can write a get with the necessary lishmah.

למעשה WHAT TO TAKE HOME

In our daf, we learn about the power of the witnesses who watch the transmission of the get. Rabbi Elazar teaches that even if the document is written on a surface where the writing can easily be erased or altered, the get is still kosher because the witnesses read it right before it is given. They know exactly what it says. But Rabbi Elazar adds a crucial warning: this only works if they testify immediately, because if time passes, we are afraid they might forget the details. Rabbi Yochanan disagrees, arguing that if there was a major condition in the document, the witnesses would surely remember it.

Look at the deep yesod of human nature that Chazal are discussing here. We like to think our minds are like steel traps, that we will always remember the commitments we made, the inspirations we felt, or the resolutions we took upon ourselves. But the reality of our daily avodah is that time erodes memory. The daily grind, the yetzer hara, and the sheer passage of even a few days can make the clearest spiritual moments fade into a blur. If we do not act on our good intentions immediately, we risk losing them entirely.

We also see this in the discussion about writing documents on lasting materials, where the Navi advises us to put deeds in earthen vessels "so that they will remain many days." Rabbi Yochanan explains that this is "eitzah tovah"—good advice for life. When you have something precious, you don't leave it to chance or rely on temporary, easily erased feelings. You secure it. You make a vessel for it so it can endure the tests of time.

Today, when you have a moment of inspiration, a warm feeling of closeness to the Aibershter, or a resolve to improve in a certain mitzvah or middah, do not leave it on an "erased surface" to be forgotten tomorrow. Write down your resolution on a piece of paper, tell a friend, or make a concrete, physical change in your schedule immediately to lock that inspiration in place so it remains for many days to come.

