

## OVERVIEW of the Daf

### 1) Uncertain delivery of a גט (cont.)

The Gemara concludes discussing the second incident that relates to an uncertain delivery of a גט.

### 2) Writing a גט for the sake of the woman לשמה

R' Chisda writes that if one traces a גט that was not written לשמה it is subject to a debate between R' Yehudah and Rabanan who disagree about the permissibility of tracing a letter of Hashem's name that was not written with the correct intent.

R' Acha Bar Yaakov rejects this parallel.

Tangentially, R' Chisda asserts that he can disqualify all gittin in the world.

Rava suggests two reasons for R' Chisda's assertion but rejects them both.

### 3) Writing a גט on an object that is prohibited from benefit

In Eretz Yisroel it was ruled that a גט written on an object that is prohibited from benefit is valid.

R' Ashi suggests a proof to this ruling.

This proof is rejected.

Further support for this ruling is cited and the Gemara rules in accordance with this opinion.

### 4) Writing a גט

A Baraisa rules that a גט must be written rather than engraved.

The assumption that engraving is not writing is unsuccessfully challenged.

Tangentially, Ravina and R' Ashi dispute how the die used to stamp a coin works.

### 5) Different gittin cases

Rava asked R' Nachman whether a man who writes a גט on a plate of gold also pays his kesubah obligation with that plate of gold.

R' Nachman answers that it counts towards his kesubah obligation.

This ruling is unsuccessfully challenged.

A Baraisa teaches that if the husband retains ownership of the paper the גט is invalid but if he stipulates that it should be returned the גט is valid.

R' Pappa asks whether the husband can retain the paper

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## Distinctive INSIGHT

### The גט is hers, but the paper remains for the husband

ותיפוק ליה דספר אחד אמר רחמנא ולא שנים ושלשה ספרים

The Baraisa taught that if a man presents a גט to his wife and he states, "Here is your גט, but the paper remains mine," the גט is not valid. The reason this is unacceptable is that the Torah requires that the גט be handed to the wife, and where the man technically keeps the paper, the letters which are being given are floating in air. The Baraisa continues: If he says, "Here is your גט, on the condition that you return the paper to me," the גט is valid. Here, the גט is handed over fully, albeit for a moment, and the woman is divorced.

Rav Pappa asks what the halacha would be where the husband does not retain the entire paper, but says that he is keeping the paper between lines, or between words. Do we say that this is valid, as the paper upon which there is writing is given to the woman, or do we say that his retaining the other pieces results in a shredded piece of paper, and this is a violation of the rule to give a ספר—one document and not several papers. Ran and Ritva explain that although the גט is currently intact, the husband's stipulation will ultimately result in a shredded document, so we see it now as such.

Chasam Sofer (ד"ה ולא) notes that we do not find that a Sefer Torah is considered legally "torn" when it belongs to two people. Furthermore, as Ran points out, the legal viewing of the cutting of the paper as already having been done now seems to be only according to the opinion of Rabbi Shimon, whose opinion is not the halacha. Why, then, does the Gemara consider this גט to be shredded?

Chasam Sofer answers that, indeed, where the husband has announced that he will keep the paper for himself, the writing of a גט is valid. This is the reason why the writing of a jointly-owned Sefer Torah is also valid. The problem regarding גט is specifically the need for the document to be given while it is intact. Here, we are deficient in the "ונתן—he must give it" aspect. The husband's retaining the paper for himself results in the failure of his present-

## REVIEW and Remember

1. Explain the dispute between R' Yehudah and Rabanan about one who wrote Hashem's name without the proper intent.
2. How did Levi secure praise for teaching a halacha?
3. Is a גט valid if the husband asks for the document to be returned?
4. Why is it not possible to make an acquisition of animals that are mobile?

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# HALACHAH Highlight

## Writing on one's skin with permanent ink

בכתובת קעקע

[It refers to where the גט was] tattooed on the slave's skin

The halachic definition of a tattoo is scratching the skin and filling that scratch with a permanent ink<sup>1</sup>. Poskim disagree whether a person who writes on his skin with permanent ink without previously scratching the skin violates a Rabbinic prohibition. Minchas Chinuch<sup>2</sup> cites the opinion of Mishnas Chachamim who writes that since Rambam did not write that one who writes with permanent ink on his skin receives lashes (מכת מרדות) it is an indication that it is not even Rabbinically prohibited. Minchas Chinuch rejects this inference and asserts that Tosafos's<sup>3</sup> comments to our Gemara indicate that writing on one's skin with permanent ink violates a Rabbinic prohibition. He also cites a ruling of Beis Shmuel<sup>4</sup> that indicates that one who writes on his skin violates a Rabbinic prohibition.

Rav Shmuel Halevi Wosner<sup>5</sup>, the Shevet Halevi, expresses astonishment at the position taken by Minchas Chinuch. He writes that if one looks at the comments of Tosafos HaRosh one will see that only scratching one's skin, when it is not filled with ink or filling an existing scratch with ink violates the Rabbinic restriction against tattooing, but merely writing with permanent ink on one's skin does not violate even a Rabbinic prohibition. Additionally, the comment of Beis Shmuel cited by Minchas Chinuch refers to where a person scratched his skin without filling those scratches with ink and was not referring to a case of one who wrote with permanent ink on his skin. Rav Chaim Kanievsky<sup>6</sup> also writes that it seems from the Rishonim that writing with

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between the lines and the question remains unresolved.

Rami bar Chama inquires about the case of a slave with a גט written on his hand and presently is together with his owner's wife. Do we assume the slave was given as her גט or do we assume that he is merely following her?

After unsuccessfully trying to dismiss the question the Gemara answers that possession of the slave is not an indication of ownership.

Rami bar Chama inquires about a tablet that belonged to the wife that has a גט written on it. Do we assume that the wife gave the tablet to her husband before the גט was written and the גט is valid or not?

Abaye attempts to resolve this inquiry but it is rejected by Rava. ■

permanent ink on one's skin is not Rabbinically prohibited but he does mention that Minchas Chinuch as well as other authorities maintain that it is Rabbinically prohibited. He concludes and writes that one who chooses to be lenient with ink that is not permanent has a basis to rely on (יש לו על מי לסמוך). Rav Shlomo Zalman Auerbach<sup>7</sup> also writes that it is permitted even לכתחילה to write on one's skin with a pen if one intends to remove it since it does not leave a permanent mark. ■

1. שו"ע יו"ד סי' קי"פ סעי' א'.
2. מנחת חינוך מצוה רנ"ג אות א' ד"ה והנה.
3. תוס' גיטין כ': ד"ה כתובת קעקע.
4. בית שמואל אה"ע סי' קכ"ד ס"ק ט"ז ועי' בנשמת אברהם דלקמן הע' 8 שכתב דלא מצא לשון זה בב"ש.
5. שו"ת שבט הלוי ח"ג סי' קי"א אות א'.
6. ספר פתשגן הכתב סי' י"ח.
7. מובא דבריו בספר נשמת אברהם ח"ה יו"ד סי' קי"פ עמ' ס"ח. ■

# STORIES Off the Daf

## An Invalid Shortcut

"הא דחק תוכות הא דחק יריכות..."

A certain sofer-in-training learning Yoreh Deah came across a Taz that revolutionized his thinking. His dearest wish was to find a way to manufacture cheap kisvei kodesh. The main reason why they are normally so expensive is because of the many hours it takes the sofer to write them. If there was only a way to mass produce such items they would be much cheaper. To his delight, the Taz extrapolates from Gittin 20 that printing kisvei kodesh is the same as writing them.

The Gemara states that if one engraves

the letters themselves it is considered writing. The Taz cites this and states, "What's the difference if one pushes the implement used to engrave the letters on the paper or the paper on the letters?"<sup>1</sup>

Even the Rama Mipano, zt"l, who argues on the Taz, only prohibits the printing of sifrei Torah, mezuzos, and tefillin—however, printed megillos would be acceptable.<sup>2</sup> But this seemed too good to be true. If there was a real heter here, why doesn't anyone make use of it?

When the trainee sofer asked his mentor about this, he was told that his suspicions were entirely correct and this is definitely prohibited. His safrus rebbi explained, "Even the Taz has many detractors. The Bach, Knesses Hagedolah, and Pri Chadash all rule clearly that even print-

ed megillos are invalid<sup>3</sup> and the Zera Emes bring other sources that concur.<sup>4</sup> Their reasoning is simple: this is not derech kesivah and cannot be compared to someone who engraved letters of a גט with an implement, which is a derech kesivah."

The sofer's Rav concluded, "Either way, the Maharsham writes that even the Taz only permits the old-fashioned type of printing which was accomplished by pressing letters on the paper. Any other type of printing such as mimeographing or photographing and the like is prohibited according to all authorities."<sup>5</sup> ■

1. ט"ז יו"ד סי' רע"א, ס"ק ח'.
2. שו"ת רמ"ע מפאנו סימן צ"ג.
3. א"י"ח סי' תרצ"א.
4. שו"ת זרע אמת, יו"ד סימן קי"ז.
5. שו"ת מהרש"ם, חלק ג', סימן שנייז ■

