

## A woman does not know how to grant

## אשה<sup>1</sup> לא ידעה לאקנויי –

### OVERVIEW

queried what would be the ruling if a woman initially owned a tablet and she was now in possession of it and a גט was written on the tablet; do we assume she granted the tablet to the husband (so that it belonged to him) and he wrote the גט on his tablet, or do we assume that she does not know how to grant and it was never the husband's (so she is not divorced). תוספות clarifies the query.

פירוש<sup>2</sup> בדבר שהוא מחזיר לה ולא גמרה ומיקניא ליה אלא בתורת שאילה משאילתו לו –  
The explanation of the phrase אשה לא ידעה לאקנויי means that she does not grant something which he returns to her, so she did not completely grant him the טבלא (since she knows she is receiving it back), but rather she merely lends it to him as a temporary loan.<sup>3</sup>

anticipates a difficulty תוספות

אף על גב דאמרינן לעיל<sup>4</sup> דדמי כתיבת סופר אקנו ליה רבנן מדידה<sup>5</sup> –  
Even though that רבא previously stated that the רבנן granted the husband her money for the scribe writing the גט, here too let us say that the רבנן granted him the טבלא –

responds that even though the רבנן are מקנה to him the סופר דמי כתיבת סופר תוספות

מכל מקום טבלא דידה לא מקנו ליה<sup>6</sup> –  
Nevertheless the רבנן were not מקנה to him her טבלא.

asks: תוספות

ואם תאמר וכי לא ידע מתניתין [דכותבת]<sup>7</sup> דפשיט מינה בסמוך<sup>8</sup> דהאשה כותבת את גיטה –

<sup>1</sup> In our גמרא text the אשה deletes the word מהרש"ל.

<sup>2</sup> The word פירוש (in תוספות) is oftentimes used to negate the simple meaning. Here too תוספות negates that אשה לא ידע means that a woman does not know how to be מקנה, for this is patently not true.

<sup>3</sup> This causes the גט to be פסול, since he must give her a גט which belongs to him, as the תורה writes ונתן.

<sup>4</sup> כ,א.

<sup>5</sup> The woman pays the fee for the scribe, nevertheless it is considered as if the husband wrote it (וכתב לה), since the חכמים transfer her money to the husband, so it is as if he is paying the scribe who is writing on behalf of the husband.

<sup>6</sup> See מהרש"א that תוספות does not mean necessarily טבלא, but rather it would apply to parchment as well. See תוספות later (footnote # 10). See 'Thinking it over'.

<sup>7</sup> כ,ב.

<sup>8</sup> כ,א.

**And if you will say; and did not רב"ה know the משנה of האשה כותבת, from which shortly resolved the query where it clearly states האשה כותבת את גיטה (the woman may write her גט), provided she grants it to her husband, proving that a woman knows – לאקנויי**

answers: תוספות

**ויש לומר דמצי לדחויי דכותבת על קלף דבעל אלא שנותנת שכר הכתיבה<sup>9</sup> –**

**And one can say; that it is possible to reject this proof, and when the משנה states האשה כותבת את גיטה it means that she writes it on the husband's parchment, but she pays the writing fee -**

**ורב אשי דפשיט מינה משמע ליה דאיירי בקלף<sup>10</sup> שלה:**

**And רב אשי who resolved the query of רב"ה from that משנה it seems to him that the משנה is in a case where it is her parchment. Therefore it proves that אשה ידעה לאקנויי.**

## **SUMMARY**

The רבנן granted the husband the שכר סופר which the woman paid, but they will not grant him her parchment; nevertheless even if the parchment is hers she is divorced because a woman knows to be מקנה the parchment even though she will shortly receive it back.

## **THINKING IT OVER**

states that even though the רבנן were מקנה to him the שכר סופר, but they were not מקנה to him her טבלא (or parchment).<sup>11</sup> What is the difference between שכר סופר (which they are מקנה) and the טבלא (which they were not מקנה)?<sup>12</sup>

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<sup>9</sup> Regarding the שכר כתיבה we already know that the רבנן are מקנה it to him; however our question here is when the טבלא (or the parchment) belongs to the woman and בי"ד is not מקנה that to her husband, whether we say אשה ידעה or not (in a case were the item is eventually returned to her).

<sup>10</sup> See footnote # 6.

<sup>11</sup> See footnote # 6.

<sup>12</sup> See בל"י אות תצב and נח"מ # 166-7, אמ"ה.