

**מי יהיב לה תרקבא דדינרי ולא איפייסא –**

**Did he give her three *Kavin of Dinarin* and she was not appeased**

**OVERVIEW**

The גמרא relates an incident where a man gave a גט to his wife with the stipulation that if I do not appease her within thirty days, the גט should be effective retroactively. He attempted to appease her, but the wife was not appeased. רב יוסף ruled that the גט is valid, since did he offer to give her three קבין of דינרין (a huge sum), therefore he did not appease her.

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תוספות responds to an anticipated difficulty:

אף<sup>1</sup> על גב דלית ליה אין טענת אונס<sup>2</sup> בגיטין והוי גט -

**Even though he does not have תרקבא דדינרי, nevertheless the גט is valid, for there is no אונס claim, regarding a גט.**

תוספות asks:

ואם תאמר וכי יהב לה נמי תרקבא דדינרי אמאי לא הוי גיטא הא לא איפייסא<sup>3</sup> -

**And if you will say; and even if he gave her תרקבי דדינרי, why is it not a valid גט, since she was not appeased?!**

תוספות answers:

ואומר רבינו יצחק דאי לא פייסנא לה משמע אם לא אטרח לפייסה בדבר גדול<sup>4</sup> -

**And the ר"י says that the stipulation, 'if I do not appease her', means, 'if I will not trouble myself to appease her in a substantial way' -**

**ואי יהב לה הרי טרח לפייסה וקיים תנאו אף על פי שלא נתפייסה:**

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<sup>1</sup> רש"י ד"ה מי See

<sup>2</sup> An אונס is an unforeseen situation which cannot be controlled. Presumably had the husband given her תרקבי דינרי she would have been be appeased, however since he did not give it to her this indicates that he did not try hard enough to appease her, therefore it is a גט, even though it is not possible for him to give her תרקבי דדינרי, for that is not an excuse since בגיטין אין אונס בגיטין.

<sup>3</sup> רב יוסף ruled that it is a גט because he did not offer her תרקבי דדינרי, but not because she was not appeased; indicating that if he would have given her תרקבי דדינרי it would not be a גט even if she was not appeased! However since the stipulation was it should be a גט unless I appease you, so since she was not appeased (even with תרקבי דדינרי), the גט should still be valid. In other words why did רב יוסף mention תרקבי דדינרי, he merely should have said it is a גט because she was not appeased!

<sup>4</sup> The ר"י understands the תנאי of פייסנא to mean, 'if I will not do everything in my power (and more) to appease her, it should be a גט', therefore he must expend extraordinary effort to try and appease her; if he did so, then it is irrelevant whether or not she was appeased. We assume that he meant to expend extraordinary effort to appease her, but it is not dependent whether she is appeased or not, for that is something which is not in his hands that she should or should not be appeased, what is in his hands is to make the extra effort to appease her.

**So if he gave her תרקיבי דדינרי, he troubled himself to appease her and he fulfilled his stipulation, even though she was not appeased.**

### **SUMMARY**

אי לא פייסנא means I will try exceedingly hard to appease her, regardless whether she is appeased or not.

### **THINKING IT OVER**

Is the extraordinary effort that is required to fulfill his תנאי of appeasement, depend on the man (that he do something extraordinary for a person in his situation),<sup>5</sup> or on the woman (that he does something extraordinary for a person in her situation)?

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<sup>5</sup> For instance if he is very wealthy and she is very poor (or vice versa), what is not so extraordinary for him may be extraordinary for her.