

The Famous Chelm *Get* Case

by Philip *Fishl* Kutner

A *get* is a Jewish religious divorce. Like everywhere else sometimes a divorce is needed to satisfy one or both partners in a marriage. It was no different in Chelm. So, tell me, why was the Chelm *Get* Case so famous? After all Jews have been getting *gets* for centuries. There had to be some something special because the landmark decision has been quoted from Israel to Los Angeles, from Stockholm to Cape Town, South Africa and Melbourne, Australia.

First, you should understand how the *get* works and what is a *ketubah*. A *get* is a legal document by which a man can divorce his wife. It is given at a rabbinical court. All that the husband needs to do is throw the *get* at the feet of his wife. She cannot initiate a *get*—yes, only the husband can.

The *ketubah* is the official document of marriage. It is the Jewish religious marriage contract. It is signed by the couple, officiating rabbi and by a witness.

Let us immediately go to the famous case that precipitated the whole matter. It was number *alef, beys, veys* on the court docket, but since the start it has been shortened by the press and TV, and called the *gey veys* case.

The husband was a very wealthy merchant who was away for long stretches of time on business. His vast fortune was accrued from trading in spices from the Orient. Since the distance is great, we can understand why he was away for such long periods at a time.

Being a man of the flesh, he soon desired female companionship. On one trip he stopped in Vienna, and happened to meet a young woman at a *kave hoyz*. She used her feminine guiles and quickly captivated his attention. Upon his return to Chelm he decided to give his wife a *get* and marry this voluptuous damsel of his dreams.

When the matter was brought before the Court of Wise Rabbis of Chelm, it became clear that the wife was not a foolish woman and also was very learned. She was knowledgeable about secular Polish Marriage Law in addition to knowing the many rules of Jewish Marriage Law.

The wife's defense dealt with fulfilling the terms of the *ketubah*. It clearly stated in the *ketubah* that if the husband institutes a *get*, the wife is to receive back ALL things that she brought to the marriage. Without a legal *get* the wife could not enter into a

second marriage and the children would be considered *mamzeyrim*. Of course the *ketubah* stated that the wife would not be entitled to the return of her dowry if she:

- gossiped
- was not tidy
- used foul language
- committed adultery.
- did not go to the mikve.
- did not cook tasty meals.
- did not keep the house clean.
- could not conceive in two years.
- refused to keep a kosher kitchen.
- spoke evil of the husband's family.
- did not wash her husband's clothes.
- dressed improperly (did not wear a *shaytl*).
- did not care for the chickens, ducks and geese.

According to reputable witnesses at the hearing the wife is quoted as saying, "I was a virgin when we were married and I want my virginity back. Since my husband took my virginity, therefore it is his responsibility—he must return it."

Because of the difficulty in the case, and *Der Bay's* desire to help the wife in her hour of need, *Der Bay* is offering a 100-ruble reward in cash in czarist rubles. If you have located the lost item, or have information leading to its discovery and recovery, please immediately contact *Der Bay*. Your name, address, phone number, e-mail address, social security number, place of employment, bank PIN number and your mother's maiden name all will be published in *Der Bay*. You will receive the *koved* in the press that you fully have earned.

To this very day no one has received the reward and the marriage has never been severed because the terms of the *ketubah* could not be met and the *get* has not been sanctioned. The husband is still going on his travels to the Orient, but he never stops in Vienna. It would be too painful for him to be there and not see his *beloved*.

If any legal minds among the readers can assist or if anyone with a metal detector can locate the wife's virginity, everyone would be happy. The wife is not in a position to enter into a desirable new marriage without her virginity and the husband cannot marry his damsel of his dreams. The lovely lady in pining away hoping some day that her wealthy lover will return, marry her and live happily ever after. Thus the husband the wife and the damsel are all sad.