



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Gittin Daf Chuf Vuv

#### MISHNA

- One who writes the tofes of a get (without being instructed by a husband to do so) must leave the name of the man, of the woman, and the date, blank.
- One who writes a loan document (a form to be ready for use) must leave blank the name of the creditor, of the debtor, the amount of the money, and the date.
- One who writes documents of sale must leave blank the name of the buyer, the name of the seller, the amount of money, the place of the field, and the date.
- All the above was instituted as a "takanah" (to be explained in the Gemara). **R' Yehuda** says all the above are passul even if the blanks are left open as stated. **R' Elazar** says they are all valid except for the case of the get, because the pasuk says "v'kasav lah", which teaches that it must be written lishma.

#### GEMARA

- **R' Yehuda in the name of Shmuel** said, when writing the get he must also leave blank the place for the statement of "harei aht muteres l'chol adam", and the Mishna holds this way because it is following **R' Elazar**, who says eidei mesira are essential and the actual get must be written lishma.
  - Although **Shmuel** already said that two earlier Mishnayos reflect the opinion of **R' Elazar**, it was necessary for him to say so in all three places. The first Mishna says "one may not write a get on something attached to the ground" and then said "if one did....". In order to answer the seeming contradiction he had to say the Mishna follows **R' Elazar**. However, when the later Mishna says "the validity of a get is dependent on its signatures" we would think that clearly follows **R' Meir**, so he must tell us that that Mishna also follows **R' Elazar**. And, if he would just tell us in those two cases, we would say that (the anonymous part of) our Mishna surely doesn't follow **R' Elazar**, because he is specifically named later in the Mishna. Therefore, he tells us that our Mishna is the view of **R' Elazar** as well.

#### MIPNEI HATAKANAH

- **Q:** What takanah was accomplished? **A:** **R' Yonason** said, it was a takanah for the sofrim to allow them to write a tofes of a get before being asked to do so. The Mishna follows **R' Elazar** and therefore even the tofes should not be pre-written. As a takanah, the **Rabanan** allowed the tofes to be pre-written. **R' Yehuda** in the Mishna says we cannot allow the tofes to be pre-written as a gezeira that it may lead to the toref being pre-written, and we can't pre-write other documents as a gezeirah that it may lead to a get being pre-written as well. **R' Elazar** is not goizer other documents, but he is goizer that the tofes can't be written to prevent the toref from being pre-written.

#### SHENE'EMAR V'KASAV LAH

- **Q:** The word "lah" is referring to the toref, so how could **R' Elazar** use that as a reason that the tofes can't be pre-written? **A:** He means to say, since there is a lishma requirement on the toref, we are goizer that even the tofes may not be pre-written.
- **Q:** The beginning of the Mishna (which we said is **R' Elazar**) contradicts what **R' Elazar** says at the end!? **A:** There are two Tanna'im who argue as to what **R' Elazar** said.

- **R' Shabsai in the name of Chizkiya** said that the takanah referred to in the Mishna was to prevent fights from taking place, and the Mishna follows **R' Meir**, who says that the signing witnesses are essential. Therefore, in truth even the toref may be pre-written. However, if a woman hears a sofer writing a get for her and her husband she will think that the husband instructed him to do so, and this will lead to fights. Therefore, the **Rabanan** said that the toref may not be pre-written.
- **R' Chisda in the name of Avimi** said that the takanah referred to is to prevent agunos. Some say this can be explained by having the Mishna follow **R' Meir** and others say it can be explained by having the Mishna follow **R' Elazar**. If the Mishna follows **R' Meir**, in truth the toref may also be pre-written. However, the **Rabanan** were concerned that if a get is ready and available, a husband will be much quicker to divorce her wife and leave her single (which is what is meant by the Gemara when it says "agunah" in this situation). Therefore, they were goizer that the toref may not be pre-written. If the Mishna follows **R' Elazar**, in truth even the tofes may not be pre-written. However, the **Rabanan** were goizer and allowed it to be pre-written so that if a husband must leave quickly to overseas he will find a get that is almost ready to go, because if he will not find one, he will end up leaving without giving her a get and she will be left as a true agunah.

#### UMIKOM HAZMAN

- **Q:** The Mishna seems to clearly say that the date may not be pre-written on a get, without making a distinction whether the get was from an eirusin or from a nissuin. Now, if the get is from the nissuin, the date could not be pre-written whether you hold the reason for the date is so that he cannot save his wife from death in a case where she was mezaneh or if it is to give a date that he no longer has rights to the melug property. However, if the divorce is from an eirusin, although the first reason for the date exists, the second reason does not exist, because a husband does not have rights to the melug property until after the nissuin!? **A: R' Amram** said, he heard from **Ulla** (and later understood from a Braisa) that a get for an eirusin can't be pre-written, because we are concerned that the husband will move forward to nissuin and then immediately divorce her with the pre-dated get. If she has a child from that one time of being together with him, the pre-dated will cause the appearance that the child was conceived out of wedlock, when in fact she was married at the time. To prevent this from happening, we require that the get be filled in at the time of execution.
- In the name of **Rav** it was said that the halacha follows **R' Elazar** (that the tofes of all documents may be pre-written, but not the tofes of a get). **Rav** even praised **R' Elazar** for his view.
  - **Q:** We find that **Rava** says that even other documents may not be pre-written, because doing so appears to be creating a false document!? **A:** We find that **R' Nachman** disagrees with **Rava**, and therefore we do not need to follow **Rava**.