

מסכת גיטין • דף כ"ו ע"א

Elucidated Talmud • Statement and Proof • Navy & Gold Edition

THE SUGYA

We begin this segment of our learning by wrapping up the deep sugya of bereichah (retroactive clarification). Rava and Rav Mesharshiyya discuss whether Rabbi Yehuda and Rabbi Shimon accept this principle, clarifying that it applies whether a person makes a condition dependent on their own decision or on the decision of others. We then transition into a beautiful new Mishna that deals with the halachos of writing shetaros (documents) and gittin.

The Mishna teaches us about a scribe who wants to prepare the standard formulas (tofes) of documents in advance to save time. We learn what specific details must be left blank—such as names, dates, and monetary amounts—in gittin, loan documents, and deeds of sale. This leads into a fundamental machlokes between the Sages, Rabbi Yehuda, and Rabbi Elazar regarding whether we can write these standard parts in advance, and how the requirement of writing a get "lishmah" (for her sake) affects this halacha.

All introductions, summaries, and contextual notes are the editor's commentary and are not part of the original text.

PROOF

לא רצה האב – אינה מקודשת.

And if **the father does not desire** it, **she is not betrothed**. This proves that Rabbi Shimon holds there is retroactive clarification.

STATEMENT

אמר ליה: בין לרבי יהודה בין לרבי שמעון; לא שנא תולה בדעת עצמו ולא שנא תולה בדעת אחרים – אית להו ברירה;

Rava said to him, to Rav Mesharshiyya: **Whether according to Rabbi Yehuda or whether according to Rabbi Shimon; it is no different** if one **makes** the outcome **dependent on his own decision**, and it is **no different** if one **makes** it **dependent on the decision of others**; they **both accept** the principle of **retroactive clarification**.

EXPLANATION

והתם – בדקתני טעמא, אמרו לו לרבי מאיר: אי אתה מודה שפא יפקע הנוד, ונמצא זה שותה טבלים למפרע? אמר להם: לכשיפקע.

And **there**, in the Mishnah of the Samaritan wine, the reason they prohibit it is not because they reject retroactive clarification, but rather **as the reason is taught** in the Tosefta: The Sages said to Rabbi Meir: **Do you not agree that perhaps the wineskin will burst** before he can separate the tithes, **and this person will have been found retroactively to be drinking untithed produce? He said to them: When it bursts**, we will worry; until then we do not. Thus, they actually accept retroactive clarification.

MISHNAH

מתני' הכותב טופסי גיטין, צריך שיניח מקום האיש, ומקום האשה, ומקום הזמן.

MISHNAH: One who writes the standard parts of bills of divorce in advance must leave empty the place of the man's name, and the place of the woman's name, and the place of the date.

MISHNAH

שטרי מלוה – צריך שיניח מקום המלוה, מקום הלוה, מקום המעות, מקום הזמן.

If he writes the standard parts of loan documents, he must leave empty the place of the lender, the place of the borrower, the place of the money being loaned, and the place of the date.

MISHNAH

שטרי מקח – צריך שיניח מקום הלוקח, ומקום המוכר, מקום המעות, מקום השדה, ומקום הזמן; מפני התקנה.

If he writes the standard parts of documents of sale, he must leave empty the place of the purchaser, and the place of the seller, the place of the money, the place of the field, and the place of the date; due to the ordinance.

MISHNAH

רבי יהודה פוסל בכולן.

Rabbi Yehuda invalidates all of them if their standard parts were written in advance.

MISHNAH

רבי אלעזר מכשיר בכולן חוץ מגיטי נשים, שנאמר "וכתב לה" – לשמה.

Rabbi Elazar deems all of them valid except for bills of divorce of women, as it is stated: "And he shall write for her", which implies that the writing must be done for her sake.

גמרא GEMARA

STATEMENT

גמ' אמר רב יהודה אמר שמואל: צריך שיניח אף מקום "הרי את מותרת לכל אדם";

GEMARA: Rav Yehuda says that Shmuel says: One must also leave empty the place of the essential formula: "Behold, you are permitted to any man".

EXPLANATION

ורבי אלעזר היא, דאמר: עדי מסירה כרתי, וכעין כתיבה לשמה.

And this unattributed ruling of the Mishnah is according to Rabbi Elazar, who says: The witnesses of transmission effect the divorce, and we require the writing of the essential part of the bill of divorce to be done for her sake.

EXPLANATION

וְצָרִיכָא; דְּאִי אֲשַׁמְעִינוּ הֵךְ קִמְיִיתָא, בְּהֵיא הוּא דְּאִיכָא לְאוּקְמָה כְּרַבִּי אֶלְעָזָר, דְּקִתְנִי "אֵין כּוֹתְבִין" וְקִתְנִי "כֹּתְבוּ";

And it is necessary for Shmuel to state this in all three places; for if he had taught us only regarding that first Mishnah about writing on something attached to the ground, we would say it is only in that Mishnah that we can establish it as Rabbi Elazar, because it teaches "We do not write" and then teaches "Write", which implies a distinction that fits Rabbi Elazar.

EXPLANATION

אָבֵל סִיפָא, דְּקִתְנִי "שְׂאִין קִיּוּם הִגֵּט אֶלָּא בְּחוֹתְמֵיו", אֵימָא רַבִּי מֵאִיר הִיא, דְּאָמַר: עֲדֵי חֲתִימָה כְּרִתִּי.

But in the latter clause of the next Mishnah, which teaches "for the validation of the bill of divorce is only through its signatories," I would say it is according to Rabbi Meir, who says: The signing witnesses effect the divorce, and the writing itself does not need to be for her sake.

EXPLANATION

וְאִי אֲשַׁמְעִינוּ בְּהֵיא, הֵהִיא נָמִי אִיכָא לְאוּקְמָה כְּרַבִּי אֶלְעָזָר;

And if he had taught us only regarding that second Mishnah, we would say that one also can be established as Rabbi Elazar by explaining that it refers to writing the standard part.

EXPLANATION

אָבֵל הָא, אֵימָא מְדַסִּיפָא רַבִּי אֶלְעָזָר הוּי – רִישָׁא לְאוּ רַבִּי אֶלְעָזָר; צָרִיכָא.

But as for this Mishnah here, I would say: Since the latter clause is explicitly attributed to Rabbi Elazar, the first clause is not according to Rabbi Elazar. Therefore, it is necessary to state that all three are according to Rabbi Elazar.

QUESTION

מִפְנֵי הַתְּקִנָּה: מַאי תְּקִנָּה?

The Mishnah states that the scribe may write the standard parts in advance "due to the ordinance." The Gemara asks: What is this ordinance?

ANSWER

אָמַר רַבִּי יוֹנָתָן: מִפְנֵי תְּקִנַּת סוֹפֵר;

Rabbi Yonatan said: Due to the ordinance for the benefit of the scribe, so that he will have documents ready and not have to write in a hurry.

EXPLANATION

וְרַבִּי אֶלְעָזָר הִיא, דְּאָמַר: עֲדֵי מְסִירָה כְּרִתִּי; וּבְדִין הוּא דְּאֶפִּילוּ טוֹפֵס נָמִי לָא לְכָתוּב, וּמְשׁוּם תְּקִנַּת סוֹפְרִים שָׂרוּ רַבְּנָן.

And it is according to Rabbi Elazar, who says: The witnesses of transmission effect the divorce; and by right, even the standard part also should not be written in advance, but because of the ordinance for the benefit of scribes, the Rabbis permitted it.

EXPLANATION

רַבִּי יְהוּדָה פּוֹסֵל בְּכּוֹלָן – גִּזֵּר טוֹפָס אֶטו תּוֹרָה, גִּזֵּר שְׁטָרוֹת אֶטו גִּיטִין.

The Mishnah teaches: **Rabbi Yehuda invalidates all of them**. The Gemara explains: He **decreed** against writing the **standard part due to** the concern that one might write the **essential part** in advance, and he **decreed** against writing other financial **documents due to** the concern of writing **bills of divorce**.

EXPLANATION

רַבִּי אֱלֶעָזָר מְכַשֵּׁיר בְּכּוֹלָן חוּץ מִגִּיטֵי נָשִׁים – טוֹפָס אֶטו תּוֹרָה גִּזֵּר, שְׁטָרוֹת אֶטו גִּיטִין לֹא גִזֵּר.

And Rabbi Elazar deems all of them valid except for bills of divorce of women. The Gemara explains: He **decreed** against writing the **standard part** of a bill of divorce **due to** the **essential part**, but he **did not decree** against writing other financial **documents due to bills of divorce**.

OBJECTION

שְׁנַיִמָּר "וְכָתַב לָהּ": וְהָא כִּי כָתִיב "לָהּ" – אֶתְוֹרָה הוּא דְכָתִיב!

The Mishnah states: **As it is stated: "And he shall write for her."** The Gemara objects: **But when "for her" is written, it is written concerning the essential part**, not the standard part!

RESOLUTION

אֵלָּא אִימָא: מְשׁוּם שְׁנַיִמָּר "וְכָתַב לָהּ" – לְשִׁמָּה.

Rather, say that Rabbi Elazar's reasoning is: **Because it is stated: "And he shall write for her"**, which means the essential part must be written **for her sake**, and we decree against writing the standard part of a bill of divorce lest one write the essential part as well.

SUMMARY

The Gemara first clarifies that according to Rava, both Rabbi Yehuda and Rabbi Shimon accept the principle of bereichah, and explains how the Sages' objection to Rabbi Meir in the case of purchasing wine from Samaritans relates to this concept. Moving into the Mishna, we learn that a scribe must leave the essential details blank when preparing the standard text of documents in advance. While Rabbi Yehuda invalidates all such pre-written documents and Rabbi Elazar validates all except gittin, Shmuel explains that our Mishna follows Rabbi Elazar's view that the witnesses to the delivery of the get are the ones who effect the divorce. Because of this, the writing of the get—including the essential phrase of divorce—must be done specifically lishmah, for the sake of the woman.

Our Gemara teaches us a profound lesson about the power of intention. When a scribe writes a get, he cannot simply use a pre-written, generic template. The Torah says, "And he writes for her", it must be written "lishmah," specifically for this husband and this wife. Even the most standard, technical parts of the document (the tofes) cannot be written in advance without their specific names in mind, because a holy bond cannot be dissolved through a generic, assembly-line process.

How often do we live our lives on "autopilot," using pre-written templates for our daily avodah? We go through the motions of davening, putting on tefillin, or giving tzedakah, but our minds are elsewhere. We are merely filling in the blanks of a routine we established years ago. The Torah is teaching us that holiness requires "lishmah", it demands that we bring our personal, conscious intention into the present moment.

If a physical document of divorce requires such specific, tailored intent to be valid, how much more so do our daily connections with the Aibershter and with our families require our full presence. We cannot build a true connection with Hashem or with our loved ones using generic, pre-packaged efforts.

Today, choose one mitzvah or one tefillah, even a short brachah before eating, and pause for three seconds before you begin. Consciously think, "I am doing this right now, specifically to connect with Hashem," transforming a routine action into a customized act of holy intention.