

מסכת גיטין · דף כ"ו ע"ב

Elucidated Talmud · Statement and Proof · Navy & Gold Edition

THE SUGYA

In this daf, we continue our deep dive into the halachos of writing a get, focusing on the Rabbinic ordinances that govern how a scribe may prepare a bill of divorce. The Gemara first addresses an apparent contradiction in the positions of Rabbi Elazar regarding whether a scribe may write the standard formula (the tofes) of a get in advance. We learn how different Tannaim understand Rabbi Elazar's view, and we explore the underlying reasons for these enactments, whether they were established to prevent domestic discord or to protect agunos (deserted wives) who need a get written quickly before a husband travels overseas.

We then move into a beautiful discussion regarding the requirement to write the date on a get. The Gemara analyzes why a date is necessary, contrasting a get given after marriage with one given after betrothal (eirusin). This leads us to examine the classic reasons for dating a get—such as protecting the woman's property rights or preventing cover-ups in cases of adultery—and introduces a fascinating ruling from Ulla regarding a get written for a betrothed woman that is intended for use only after marriage.

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

QUESTION

קשיא דרבי אלעזר אדרבי אלעזר!

The Gemara asks: This is **difficult**, as there is a contradiction from the statement of **Rabbi Elazar** in the first clause of our Mishnah **against** the statement of **Rabbi Elazar** in the latter clause!

ANSWER

תרי תנאי ואליבא דרבי אלעזר.

The Gemara answers: It is a dispute between **two Tannaim** as to what is the ruling **according to Rabbi Elazar**.

STATEMENT

רבי שבתאי אמר חזקיה: משום קטטה;

Rabbi Shabbetai said that **Chizkiyah** said: The ordinance allowing the scribe to write the blank forms in advance was instituted **because of quarrel**;

EXPLANATION

ורבי מאיר היא, דאמר: עדי חתימה פרתה,

and this is in accordance with the view of **Rabbi Meir, who said: The signing witnesses effect** the divorce, and there is no requirement that the writing of the get be done specifically for her sake,

EXPLANATION

ובדין הוא דאפילו תורף נמי לכתוב;

and by right it is that even the essential part of the get also the scribe should write in advance;

EXPLANATION

וזמנין דשמעה ליה לסופר דקא כתיב, וסברה איהו קאמר ליה, והוה לה קטטה בהדיה.

but sometimes a wife might hear the scribe who is writing her name in a get, and she will think that he, her husband, told him to write it, and she will have a quarrel with him. Therefore, the Sages decreed that the essential part may not be written in advance.

STATEMENT

רב חסדא אמר אבימי: משום תקנת עגונות;

Rav Chisda said that Avimi said: The ordinance was because of the enactment for deserted wives;

STATEMENT

אמרי לה רבי מאיר, ואמרי לה רבי אלעזר.

some say it is according to Rabbi Meir, and some say it is according to Rabbi Elazar.

EXPLANATION

אמרי לה רבי מאיר – דאמר: עדי חתימה כרתי, ובדין הוא דאפילו תורף נמי לכתוב;

Some say it is according to Rabbi Meir – who said: The signing witnesses effect the divorce, and by right it is that even the essential part also the scribe should write in advance;

EXPLANATION

וזמנין דהוה ליה קטטה בהדיה, ורתח עלה וזריק ליה ניהלה, ומעגן ומותיב לה.

but sometimes he might have a quarrel with her, and he will become angry with her and throw it to her immediately, and thus leave her deserted and divorced in haste, whereas if he had to wait for a scribe to write it, he would calm down. Therefore, the Sages forbade preparing the essential part in advance.

EXPLANATION

אמרי לה רבי אלעזר – דאמר: עדי מסירה כרתי, ובדין הוא דאפילו טופס נמי לא לכתוב;

And some say it is according to Rabbi Elazar – who said: The delivery witnesses effect the divorce, and by right it is that even the blank form also the scribe should not write in advance, as a decree lest he write the essential part;

EXPLANATION

וזמנין דבעי למיזל למדינת הים ולא אשכח ספרא, ושביק לה ואזיל, ומעגן ומותיב לה.

but sometimes a husband needs to go to a country overseas and he cannot find a scribe to write a get quickly, and he will leave her and go, and thus leave her deserted. Therefore, the Sages permitted writing the blank forms in advance so that a get could be prepared quickly.

STATEMENT

ומקום הזמן: קפסיק ותני: לא שנא מן הנישואין, ולא שנא מן האירוסין.

The Mishnah teaches that the scribe must leave **and the place of the date** blank. The Gemara notes: The Tanna **categorically teaches** this; it makes **no difference** if the divorce is **from marriage**, and it makes **no difference** if it is **from betrothal**.

EXPLANATION

בְּשִׁלְמָא מִן הַנִּישׁוּאִין; בֵּין לְמֵאן דְּאָמַר מְשׁוּם בֵּת אַחוּתוֹ – אֵיכָא, בֵּין לְמֵאן דְּאָמַר מְשׁוּם פִּירִי – אֵיכָא;

Granted, in a divorce **from marriage**, whether according to the one who said the date is written **because of** the concern of one who marries **his sister's daughter**, there is a reason, and whether according to the one who said it is **because of the produce**, there is a reason;

QUESTION

אָלָא מִן הָאִירוּסִין; בְּשִׁלְמָא לְמֵאן דְּאָמַר מְשׁוּם בֵּת אַחוּתוֹ – אֵיכָא, אָלָא לְמֵאן דְּאָמַר מְשׁוּם פִּירִי, אַרוּסָה מִי אֵית לָהּ פִּירִי?!

but in a divorce **from betrothal**; granted according to the one who said it is because of his sister's daughter, there is a reason, **but according to the one who said** it is because of the produce, does a betrothed woman have produce that the husband has a right to, that we should need a date to protect her rights?!

STATEMENT

אָמַר רַב עֲמֵרָם: הָא מִיִּלְתָּא שְׁמַעִית מִינֵיהּ דְּעוּלָא דְּאָמַר מְשׁוּם תְּקַנְתָּ וְלָד, וְלָא יִדְעָנָא מַאי נִיהוּ.

Rav Amram said: This matter I heard from Ulla, who said that the date is written because of the benefit of the child, and I did not know what it is.

PROOF

כִּיּוֹן דְּשְׁמַעִיתָהּ לְהָא דְּתַנָּיָא: הָאֻמְרָ: "כְּתִיבוּ גֵט לְאַרוּסָתִי, לְכַשְׁאַכְנִסְנָהּ אֶגְרָשְׁנָה", אִינוּ גֵט.

Once I heard this which is taught in a Braisa: One who says, "Write a get for my betrothed, so that when I marry her I will divorce her with it," it is not a valid get.

EXPLANATION

וְאָמַר עוּלָא: מָה טַעַם? גְּזִירָה שְׁמָא יֹאמְרוּ: גִּיטָה קוּדִם לְבָנָהּ.

And Ulla said: What is the reason? It is a Rabbinic decree lest people say: Her get preceded her son, meaning she was already divorced when she conceived her child, which would make the child a manzer.

EXPLANATION

הָכָא נָמִי – גְּזִירָה שְׁמָא יֹאמְרוּ: גִּיטָה קוּדִם לְבָנָהּ.

Here too, in the case of a betrothed woman, we require a date as a **decree lest they say**: Her get preceded her son, if he should marry her and she becomes pregnant before he divorces her.

RULING

אָמַר רַבִּי זִירָא, אָמַר רַבִּי אַבָּא בְּרַי שִׁילָא, אָמַר רַב הַמְנוּנָא סָבָא, אָמַר רַב אֲדָא בְּרַ אֲהֵבָה, אָמַר רַב: הִלְכָה כְּרַבִּי אֶלְעָזָר.

Rabbi Zeira said that Rabbi Abba bar Sheila said that Rav Hamnuna Sava said that Rav Adda bar Ahava said that Rav said: The halacha is in accordance with Rabbi Elazar that a get written on a blank form prepared in advance is invalid.

STATEMENT

קרי רב עליה דרבא אֶלְעָזָר: טוֹבִינָא דְחַכְמִי.

Rav proclaimed about Rabbi Elazar: He is the most praised of the Sages, since the halacha is like him.

QUESTION

וְאִפִּילוּ בְּשֵׂאֵר שְׁטָרוֹת נִמְי?!

The Gemara asks: **And is it even in other documents also** that Rabbi Elazar rules that they are invalid if written on pre-prepared forms?!

OBJECTION

וְהָאֵמַר רַב פַּפִּי מְשַׁמִּיָּה דְרַבָּא: הָאִי אֲשֶׁרְתָּא דְדִינִי, דְּמִיכְתָּבָה מְקָמִי דְּלִיטְסָהּ דִּי סָהָדִי אַחֲתִימַת
דְּיָיְהוּ – פְּסוּלָּהּ; אֲלָמָּא מִיחֲזִי כְּשִׁיקְרָא, הֵכָּא נָמִי מִיחֲזִי כְּשִׁיקְרָא!

But did not Rav Pappi say in the name of Rava: This authorization of judges, which was written before the witnesses testified on their signatures, is invalid; because it looks like a lie, here too in other documents it looks like a lie if written in advance!

RESOLUTION

וְלִיתָהּ, מְדַרְבֵּי נַחֲמָן – דְּאָמַר רַב נַחֲמָן, אֲמַר הִיא רַבִּי מֵאִיר: אִפִּילוּ מְצָאוּ בְּאַשְׁפָּה, חֲתָמוּ וְנִתְּנוּ לָהּ –
כְּשֵׁר.

The Gemara answers: **And** this objection is not so, from that of Rav Nachman – as Rav Nachman said: Rabbi Meir used to say: **Even if he found** a blank form of a get in a dunghill, and he signed it and gave it to her, it is kosher.

EXPLANATION

וְאִפִּילוּ רַבָּנָן לֹא פְּלִיגִי עָלֶיהָ דְרַבִּי מֵאִיר אֲלָא בְּגִיטֵי נָשִׁים, דְּבָעִינָן כְּתִיבָה לְשִׁמָּה, אֲבָל בְּשֵׂאֵר
שְׁטָרוֹת – לֹא.

And even the Rabbis do not disagree with Rabbi Meir except regarding bills of divorce for women, where we require writing for her sake, but regarding other documents, they do not disagree, and pre-prepared forms are valid.

PROOF

דְּאָמַר רַבִּי אֲסִי, אָמַר רַבִּי יוֹחָנָן: שְׁטֵר שְׁלוּהּ בּוֹ וּפְרָעוּ – אֵינּוּ חוֹזֵר וְלוֹהָ בּוֹ, שְׁכֶכֶר נִמְחַל שְׁעֲבוּדוֹ.

As Rabbi Assi said that Rabbi Yochanan said: A document with which one borrowed and repaid it, he cannot go back and borrow with it again, because its lien has already been forgiven.

INFERENCE

טַעְמָא דְּנִמְחַל שְׁעֲבוּדוֹ, אֲבָל מְשׁוּם שִׁיקְרָא – לֹא חִיָּשְׁינָן.

The Gemara infers: **The reason** it is invalid is because its lien has been forgiven, but because of a lie of it being written beforehand, **we do not worry**.

SUMMARY

The Gemara resolves the contradiction in Rabbi Elazar's view by explaining that two Tannaim disagree on his opinion. It then presents two main approaches to the Rabbinic ordinance allowing the tofes to be written in advance: Rabbi Shabbetai in the name of Hizkiyya explains it according to Rabbi Meir as a measure to prevent marital quarrels, while Rav Hisda in the name of Avimi suggests it was enacted to prevent women from becoming agunos. Finally, the Gemara discusses the absolute requirement to include a date in a get, explaining how this applies to both married and betrothed women, and begins analyzing Ulla's teaching regarding a husband who prepares a get for his betrothed to be used after their marriage.

למעשה WHAT TO TAKE HOME

In our sugya, the Gemara explores the deep wisdom behind the Sages' rules for writing a get. Rav Hisda explains that according to Rabbi Meir, a scribe cannot write the essential part of a divorce document in advance because of a profound psychological insight: if a husband has a pre-written get sitting in his drawer, a sudden, heated argument could lead him to rashly throw it to his wife in a moment of anger, destroying their home forever. By forcing him to wait, find a scribe, and have the document written from scratch, the Sages built a mandatory cooling-off period into the law, giving him the time he needs to calm down and reconsider.

This is a powerful lesson in how we must manage our own moments of anger and impulse. The Torah teaches us that human emotions can flare up like a sudden fire. If the tools of destruction are too close at hand, whether it is a harsh word, an angry email, or a rash decision, we are likely to use them in the heat of the moment and cause irreversible damage. True wisdom lies in creating space between our emotional triggers and our actions, building a buffer zone that allows our yiras Shamayim and intellect to regain control.

When you feel anger rising today, do not react immediately. Create a deliberate delay, wait a few hours, sleep on it, or step out of the room, to give your mind the time it needs to calm down and choose peace over destruction.