



## Including all Names

The *Mishnah* (4:2) lists a number of *takanot* instituted by *Rabban Gamliel*, “*mipnei tikun olam*”. One of these is that initially, if the husband and wife went by different names, they would only write the name that was used at the location where the *get* was written, even if was to be delivered in another location where they are known by different names. *Rabban Gamliel* instituted that when a *get* is written all the names that the husband and wife go by are written in the *get*. We shall try to understand this *Mishnah*.

The *Bartenura* explains that if the names that were used in the place of writing were included, there is a concern that people will not recognise these names in the place the wife received the *get*. If she then remarries, it may appear to others that she never received a *get* and people will consider the children from the second marriage as *mamzerim*. Therefore, the *get* is not valid unless both names are included. The *Bartenura* however adds that if he goes by two names in one of the locations, while ideally both should be included, if one of them is, the *get* would still be valid.

The *Pnei Yehoshua* stresses that the *Mishnah* implies that this requirement is a *takana*. Yet we learn in the eight *perek* that if a name is changed it invalidates the *get*. The *Tosfot* explain there that it is referring to a case where the husband and/or wife are referred to by different names in the place of writing and the place where the *get* is delivered. Note that there is a debate between *R' Meir* and the *Chachamim*. *R' Meir* maintains that any case where one differs from the format the *Chachamim* instituted in writing a *get*, the *get* is invalid. The *Gemara* explains that, even though the *Chachamim* disagree with *R' Meir*, they agree in this case that the *get* is invalid. That implies that there is something fundamentally wrong with the *get* and not just due to *tikkun olam*.

The *Pnei Yehoshua* first thought that there is a difference between the two cases. The case there is where the name used at the destination was included in the *get* at the place where the *get* was written. Since those names are not used there, it is considered as if the wrong names were used. Our *Mishnah* is where the names familiar to the *sofer* and *eidim* were used. Consequently, the only concern is that it will cause problem as the destination down the track – *tikkun olam*.

According to this understanding, the more critical names are those used at the location where the *get* is written. Nevertheless, the *Pnei Yehoshua* notes that the *Tosfeta* explains that when including both names, the name used at the place the *get* is received is written first, followed by the other names. He explains that this does not present a problem. Both names are being included. However, since the *takana* was out of concern that those at the place where the *get* is delivered recognised the names, it is important that it is included first.

The *Pnei Yehoshua* however admits that no one raises this distinction. Instead, he explains that the *takana* of *Rabban Gamliel* is not to be considered equivalent to a change in text of the *get* instituted by the *Chachamim*. If it were, it would indeed be part of the debate between the *Chachamim* and *R' Meir*, and the *Chachamim* would maintain that failure to abide to the *takana* would not invalidate the *get*. The issue here however is one of “*laaz*”; that people will not recognise the names and treat the future children as *maazerim*. Since the issue of *laaz* is so severe, the *Chachamim* treated the *takana* strictly, such that if all the names were not written in the *get* then it would be equivalent to the incorrect names being entered.

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**Revision Questions**

גיטין ג' ד' – ד' ט'

- What are the three cases presented in which we are concerned that the husband has died and who presented these cases? (ג' ד')
- If a messenger bringing a *get* within Israel falls ill, can he hand the *get* on to another *shaliach*? (ה' ג')
- Regarding the previous case, what happens if the *shaliach* was bringing a *get* from outside Israel? (ו' ג')
- If someone loans money to a *kohen* on the condition that he may separate *trumah* for him and then sells it to another *kohen* and then the *kohen* travels overseas, can he continue to fulfill this condition? (ז' ג')
- What is the law if the *kohen* dies prior to the person separating *trumah*? (ח' ג')
- If someone set aside fruit in case later he wished to use them as *trumah* for other produce, then later discover that they were lost, for what period of time prior to discovering this must he assume they were lost? (ט' ח')
- According to *R' Yehuda* if someone tries a similar scheme with wine, how often and when must he check the quality of the wine? (י' ח')
- If a husband sent a *get* with a *shaliach*, until when can he cancel the *get* and what is required to cancel it? (יא' ד')
- Regarding the previous question, in the past how was a *get* cancelled and why was it changed? (יב' ד')
- What else changed in the laws of *gittin* for this reason and who instituted the change? (יג' ד')
- How does an *almanah* collect her *ketubah* from *yetomim*? (יד' ג')
- Who instituted the *pruzbel*? (טו' ג')
- Explain the debate regarding a servant who was captured and redeemed, whether he is automatically no longer a servant? (טז' ד')
- How do we deal with a person who is a “half-servant, half-free”? (יז' ה')
- What is the law regarding one who sells his servant to a *goi*? To which other purchaser does this law apply? (יח' ג')
- Which two things are one not allowed to overpay for, *mipnei tikkun olam*? (יט' ד')
- List three of the opinions regarding whether one can remarry his ex-wife, if she was divorced because of a *neder*. (כ' ד')
- For what other reason for divorce is there a debate whether the couple can remarry? (כא' ח')
- In what case do when not redeem a Jewish servant of a *goi*? (כב' ט')

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23 June י"ז סיון	24 June י"ח סיון	25 June י"ט סיון	26 June כ' סיון	27 June כ"א סיון	28 June כ"ב סיון	29 June כ"ג סיון
Gittin 5:1-2	Gittin 5:3-4	Gittin 5:5-6	Gittin 5:7-8	Gittin 5:9-6:1	Gittin 6:2-3	Gittin 6:4-5

