

May I Say That I Read and Agree to the Terms of a Document If I Didn't Actually Read the Whole Thing?

Rabbi Shmuel Honigwachs

Question: If someone sends me a 25-page halachic *shtar* in an email and instructs me to read and confirm it, do I actually have to read it? Can I just trust the *Dayan* who wrote the *shtar* and say that I confirm it without actually reading it?

Answer: I would not recommend that. One should try to read the entire *shtar*. But I believe that the real intention of the document is that one should agree to be bound by the *shtar*. One is not obligated to read it in its entirety; therefore, I don't believe one would transgress the prohibition of "*midvar sheker tirschak*" to say it is confirmed without having read it. The *Shulchan Aruch* (*Choshen Mishpat* 45:3) says that one is bound by a *shtar* he signs on, even if he doesn't know exactly what is written in it. Accordingly, if one party would later come to *bais din* and claim he didn't know what was included in the *shtar* he signed, he still would be bound to adhere to the *shtar*.

There are other opinions that seem to contradict this view. Rav Shlomo Miller related that one of the reasons Rav Elyashiv was opposed to prenuptial agreements was because he was concerned that the parties would not really understand what they would be signing up for and, therefore, may not be 100% bound to the agreement. This seems to not be in line with the *Shulchan Aruch's* ruling that one is bound by anything he signs regardless, so one should keep in mind that some Poskim may not always rule like this view of the *Shulchan Aruch*.