

מסכת גיטין · דף כ"ז ע"ב

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THE SUGYA

In this daf, we are zocheh to delve deeper into the sugya of returning a lost get to a woman when the husband admits he wrote it. The Gemara continues to reconcile our Mishnah, which forbids returning a lost get after a delay, with other sources that seem to permit it. We will learn the yesodos of Rabbi Zeira, who distinguishes between places where caravans are frequently found and where they are not, and we will see how the Gemara compares his approach with Rabba's shitta.

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

QUESTION

בזמן שהפעל מודה מיהת – יחזיר לאשה, ואפילו לזמן מרובה!

The Gemara objects: But **when the husband admits** that he wrote the get, **at any rate, he should return it to the woman, and this implies even after a long time** has passed! Why then does our Mishnah rule that if it was not found immediately, it may not be returned?

ANSWER

ומשני: כאן במקום שהשירות מצויות, כאן במקום שאין השירות מצויות.

And Rabbi Zeira answers: **Here**, in our Mishnah which forbids returning it, we are dealing **with a place where caravans are frequently found**, so we must worry that another caravan traveler lost it; whereas **there**, in the Baraisa which permits returning it, we are dealing **with a place where caravans are not frequently found**.

STATEMENT

איכא דאמרי והוא שהוחזקו הוא דלא ליהדר, וחינו דרבה;

There are those who say that Rabbi Zeira meant: **And this is specifically when it was established** that there are two people with the same name in town, **it is** in such a case **that he should not return it, and this is** identical to the view of Rabba.

STATEMENT

איכא דאמרי אף על גב דלא הוחזקו לא ליהדר, ופליגא דרבה.

And there are those who say that Rabbi Zeira meant: **Even though they were not established** to have the same name, in a place of caravans **he should not return it, and** thus Rabbi Zeira **disagrees with** the view of Rabba.

QUESTION

בשלמא דרבה לא אמר פרבי זירא, מתניתין אלימא ליה לאקשויי;

The Gemara asks: **Granted** that **Rabba did not say** a resolution like **Rabbi Zeira**, because **the Mishnah** in Bava Metzia **was stronger to him to ask** a contradiction from, as a Mishnah is more authoritative than a Baraisa;

QUESTION

אָלֵא רַבִּי זֵירָא, מַאי טַעְמָא לֹא אָמַר כְּרַבָּה?

but Rabbi Zeira, what is the reason he did not say a resolution like Rabba by raising the contradiction from the Mishnah in Bava Metzia?

ANSWER

אָמַר לָהּ, מִי קִתְּנִי: אִם אָמַר "תְּנוּ" – נוֹתְנִין, וְאִפִּילוּ לְזֶמֶן מְרֻבָּה?

The Gemara answers: Rabbi Zeira could say to you: Does that Mishnah teach: If he said "Give it," we give it, and even after a long time?

ANSWER

דְּלָמָא אִם אָמַר "תְּנוּ" נוֹתְנִין כְּדִקְיָמָא לֶן – לֹא לִתְרֵי.

Perhaps the Mishnah means: If he said "Give it," we give it, but only as we established elsewhere—namely, when it was found immediately, but not after a long time.

RESOLUTION

רַבִּי יִרְמְיָה אָמַר, כְּגוֹן דְּקִאָּמְרִי עֵדִים: מַעוֹלָם לֹא חֲתֻמָּנוּ אֶלָּא עַל גִּט אֶחָד שֶׁל יוֹסֵף בֶּן שִׁמְעוֹן.

Rabbi Yirmeyah said another resolution: The cases where we return the get are, for example, where the witnesses say: We never signed any get except for one get of Yosef ben Shimon, so there is no concern of another get.

QUESTION

אִי הָכִי, מַאי לְמִימְרָא?

The Gemara asks: If so, what is the need to say this? It is obvious that we return it!

ANSWER

מַהוּ דְּתִימָא לִיחוּשׁ דְּלָמָא אִיתְרַמִּי שְׂמָא כְּשָׂמָא וְעֵדִים כְּעֵדִים קָא מַשְׁמַע לֶן.

The Gemara answers: Lest you say we should worry that perhaps it happened that another husband and wife had the same names, and other witnesses with the same names as these witnesses signed it, therefore it teaches us that we do not worry about such a rare coincidence.

RESOLUTION

רַב אֲשִׁי אָמַר, כְּגוֹן דְּקִאָּמַר: נִקְבַּיִשׁ בּוֹ בְּצַד אוֹת פְּלוֹנִית, דְּהִנּוּה לִיה סִימָן מוֹבָהָק.

Rav Ashi said another resolution: It is, for example, where the claimant says: There is a hole in it next to such-and-such a letter, which is a clear distinguishing mark.

EXPLANATION

וְדוּקָא בְּצַד אוֹת פְּלוֹנִית, דְּהִנּוּה לִיה סִימָן מוֹבָהָק, אֲבָל: נִקְבַּיִשׁ בְּעֵלְמָא, לֹא;

And this is specifically if he says the hole is next to such-and-such a letter, which is a clear distinguishing mark; but if he gives a mere hole as a sign, we do not return it,

EXPLANATION

מִסְפָּקָא לִיה סִימָנִין אִי דְאוֹרְיָתָא אִי דְרַבָּנָן.

because Rav Ashi is **in doubt** regarding ordinary **distinguishing marks**, **whether** returning lost items based on them is **by Torah law or by Rabbinic law**, and we cannot release a married woman based on a Rabbinic law.

STATEMENT

רַבָּה בַּר בַּר חַנָּה אֵירָכַס לִיהָ גִּיטָא בֵּי מְדֻרְשָׁא, אָמַר: אִי סִימָנָא – אֵית לִי בְּגִייהָ, אִי טְבִיעוֹת – עֵינָא אֵית לִי בְּגִייהָ.

The Gemara relates: **Rabba bar bar Chana lost a get in the Beis Medrash. He said** to the finders: **If you require a distinguishing mark, I have one for it; if you require visual recognition, I have visual recognition for it.**

STATEMENT

אֶהְדְּרוּהָ נִיחָ לִיהָ.

They returned it to him.

STATEMENT

אָמַר: לֹא יָדַעְנָא אִי מְשׁוּם סִימָנָא אֶהְדְּרוּהָ – וְקִסְבְּרִי סִימָנִים דְּאוֹרֵייתָא, אִי מְשׁוּם טְבִיעוֹת עֵינָא – וְדוֹקָא צוּרְפָא מְדֻרְבָּנִי, אֲכַל אֵינֶשׁ בְּעָלְמָא לָא.

He said afterward: **I do not know if they returned it because of the distinguishing mark, and thus they hold that returning items by distinguishing marks is by Torah law; or if they returned it because of visual recognition, and that is specifically for a Torah scholar whom we trust, but an ordinary person would not be trusted with visual recognition.**

מִשְׁנָה MISHNAH

MISHNAH

וְאִם לֹא – פָּסוּל:

We learned in the Mishnah: **And if not**—if it was not found immediately—it is **invalid**.

גְּמָרָא GEMARA

BRAISA

תַּנּוּ רַבָּנֵי: אֵיזְהוּ שְׁלֹא לֹא לְתַר?

The Rabbis taught in a Baraisa: **What is considered not immediately?**

BRAISA

רַבִּי נָתַן אוֹמַר: שְׁשָׁההּ כְּדִי שְׂתַעְבֹּר שְׂיִירָא וְתִשָּׁרָה.

Rabbi Natan says: **That it delayed long enough for a caravan to pass by and encamp.**

BRAISA

רַבִּי שְׁמַעוֹן בֶּן אֶלְעָזָר אוֹמַר: כְּדִי שְׂיָהָא אָדָם עוֹמֵד וְרוֹאֶה שְׁלֹא עָבַר שָׁם אָדָם.

Rabbi Shimon ben Elazar says: It is considered immediate as long as a person is standing and seeing that no other person passed there.

BRAISA

וַיֵּשׁ אֲמָרִים: שֶׁלֹּא שָׁהָה אָדָם שָׁם.

And some say that he said: As long as no person stopped there.

BRAISA

רַבִּי אֲמַר: כְּדֵי לְכַתּוּב אֶת הַגֵּט.

Rabbi Yehuda HaNasi says: Not immediately means a delay long enough to write the get.

BRAISA

רַבִּי יִצְחָק אֲמַר: כְּדֵי לְקֵרוֹתוֹ.

Rabbi Yitzchak says: A delay long enough to read it.

BRAISA

אַחֲרִים אֲמָרִים: כְּדֵי לְכֹתְבוֹ וְלִקְרוֹתוֹ.

Others say: A delay long enough to write it and to read it.

STATEMENT

וְאַפִּילוּ שָׁהָה, וַיֵּשׁ בּוֹ סִמְנֵי־ן – מְעִידִים עָלָיו;

And even if it delayed, and there are distinguishing marks on it, we may testify on it and return it;

EXPLANATION

דְּאָמְרִי: נֶקֶב יֵשׁ בּוֹ בְּצַד אוֹת פְּלוֹנִית.

such as when they say: There is a hole in it next to such-and-such a letter.

STATEMENT

וְאִין מְעִידִין עַל סִמְנֵי הַגּוֹף;

But we do not testify based on physical descriptions of the body of the document,

EXPLANATION

דְּאָמְרִי: אֲרוּךְ וְגוֹץ.

such as when they say: It is long or short.

STATEMENT

מִצָּאוּ קָשׁוּר בְּכִיס, בְּאַרְנָקִי וּבִטְבַּעַת,

If one found it tied in a pouch, in a purse, or with a ring,

SUMMARY

The Gemara explores several ways to resolve the apparent contradictions regarding returning a lost get. Rabbi Yirmeya suggests that we may return the get if the witnesses testify that they never signed another get for a couple with these exact names, while Rav Ashi establishes that we return it based on a clear-cut distinguishing mark (siman muvhak), such as a hole next to a specific letter. This leads into a discussion of whether returning lost items based on simanim is mid'Oraisa or mid'Rabbanan, highlighted by a beautiful ma'aseh where Rabba bar bar Chana lost a get in the beis medrash and had it returned to him. Finally, the Gemara begins defining the precise shiur of what is considered finding a get "immediately" versus after a delay, bringing the tannaitic opinions of Rabbi Natan, Rabbi Shimon ben Elazar, and Rabbi Yehuda HaNasi.

למעשה WHAT TO TAKE HOME

The Gemara on Daf 27b discusses how we return a lost get based on a "siman muvhak", a highly specific, unmistakable mark, or through "tevi'as eina," the deep, intuitive visual recognition of a talmid chacham. When Rabba bar bar Chana lost his document in the Beis Medrash, he knew it so intimately that he could recognize its very essence, beyond just a list of external signs.

This teaches us a profound lesson about our relationship with our own spiritual lives. Sometimes we try to connect to Hashem or our learning through external checklists and general signs. But the real goal of our avodah is to develop "tevi'as eina", an intimate, unmistakable recognition of the truth. When you learn Torah and perform mitzvos with deep focus and heart, they become so familiar to your neshama that you recognize them instantly as your own, even when you feel lost in the confusion of the world.

Today, when you do a mitzvah or sit down to learn, don't just go through the motions. Look at it deeply, connect to it with your heart, and make it so uniquely yours that your neshama will recognize its light instantly.