

מסכת גיטין · דף י"ז ע"א

Elucidated Talmud · Statement and Proof · Navy & Gold Edition

THE SUGYA

In this daf, we begin with a poignant look at the bitter realities of galus. The Gemara shares a story of a Persian priest who took away the light from our Sages on their holiday, prompting Rabba to cry out to Hashem to let us live either under His protective shadow or at least under the rule of Rome, which was less oppressive at that time. This leads the Gemara into a deep discussion comparing the harsh decrees of the Romans with the changing conditions under the Persians in Babylonia, reminding us of the constant hashgachah of Hashem over His children in every exile.

We then return to the sugyos of Gittin, analyzing a dispute in our Mishnah regarding the validity of a get when there is a mix of witnesses testifying to its writing and signing. The Gemara delves into Rabbi Yohanan's view on whether the agent himself must produce the get to make it valid, and we see a beautiful shimush chachamim as Rabbi Ami and Rabbi Asi clarify the exact halachic ruling. We also learn a new Mishnah regarding the timing of the writing and signing of a get, and begin exploring the essential Rabbinic reasons for dating a get.

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

STATEMENT

חברא, שקלה לשרגא מקמיהו.

A **Persian priest** came and **took the lamp from before them**, as it was their festival day when they forbade lighting lamps outside their temples.

STATEMENT

אמר: רחמנא! או בטולא, או בטולא דבר עשו.

Rabba **said: Merciful One! Either** let us live **in Your shadow**, or at least **in the shadow of the son of Esav**, meaning the Romans, whose decrees are less oppressive than these.

QUESTION

למימרא דרומאי מעלו מפרסאי?

The Gemara asks: **Is this to say that the Romans are better than the Persians?**

OBJECTION

והתני רבי חייא, מאי דכתיב: "אלהים הבין דרכה והוא ידע את מקומה"?

But didn't Rabbi Chiyya teach a braisa explaining **what is the meaning of that which is written: "G-d understands her way, and He knows her place"**?

PROOF

יודע הקדוש פרוה הוא בישראל שאין יכולין לקבל גזירת רומאים, עמד והגלה אותם לבבל.

This means: **The Holy One, Blessed be He, knows regarding Israel that they cannot endure the decrees of the Romans, so He arose and exiled them to Bavel**, where the Persians rule, because their rule is easier to bear!

RESOLUTION

לֹא קִשְׁיָא; הָא מִקְמֵי דְנִיתוּ חֲפְרֵי לְבָבְלָא, הָא לְבִתְר דְּאִתּוּ חֲפְרֵי לְבָבְלָא.

The Gemara answers: This is **not difficult**; this statement of Rabbi Chiyya was **before the Persian priests came to Bavel**, when the rule was gentle, whereas **this** statement of Rabba was **after the Persian priests came to Bavel** and began their harsh decrees.

מִשְׁנָה MISHNAH

MISHNAH

אֶחָד אוֹמֵר "בְּפָנַי נִכְתָּב" וּשְׁנַיִם אוֹמְרִים "בְּפָנֵינוּ נִחְתָּם" – כָּשֵׁר:

The Gemara returns to the Mishnah: If one says, "In my presence it was written," and two say, "In our presence it was signed," it is valid.

גְּמָרָא GEMARA

STATEMENT

אָמַר רַבִּי אָמִי אָמַר רַבִּי יוֹחָנָן: לֹא שָׁנוּ אֶלָּא שֶׁהָגֵט יוֹצֵא מִתַּחַת יָד עַד כְּתִיבָהּ, דְּנַעֲשׂוּ כְּשָׁנִים עַל זֶה וּכְשָׁנִים עַל זֶה;

Rabbi Ami said that Rabbi Yochanan said: They only taught this where the get is produced from the hand of the witness of the writing, who acts as the agent, for then they become like two witnesses on this writing (the agent and the scribe) and like two on that signing;

STATEMENT

אָבֵל מִתַּחַת יְדֵי עַדֵי חֲתִימָה – פְּסוּל.

but if the get is produced from the hands of the witnesses of the signing, it is invalid, because the single witness to the writing is not the agent and his testimony is not joined.

INFERENCE

אֵלְמָא קִסְבַּר: שְׁנַיִם שֶׁהֵבִיאוּ גֵט מִמְּדִינַת הָיִם, צָרִיכִין שִׁיאָמְרוּ: "בְּפָנֵינוּ נִכְתָּב וּבְפָנֵינוּ נִחְתָּם".

The Gemara notes: Consequently, he holds that two who bring a get from overseas must say, "In our presence it was written and in our presence it was signed."

QUESTION

אָמַר לִיה רַבִּי אָסִי, אֶלָּא מַעֲתָהּ, רִישָׁא דְקִתְנָי: שְׁנַיִם אוֹמְרִים "בְּפָנֵינוּ נִכְתָּב" וְאֶחָד אוֹמֵר "בְּפָנֵי נִחְתָּם" – פְּסוּל, וְרַבִּי יְהוּדָה מְכַשֵּׁיר;

Rabbi Assi said to him: If that is so, how do you explain the first clause which teaches: If two say, "In our presence it was written," and one says, "In my presence it was signed," it is invalid, and Rabbi Yehudah validates it?

QUESTION

ואפילו גט יוצא מתחת ידי שניהם – פסלי רבנן?!

And would you say that even if the get is produced from the hands of both of them, the Rabbis invalidate it?

ANSWER

אמר ליה: אין.

Rabbi Ami said to him: Yes, that is indeed my view.

STATEMENT

זימנין אשכחיה דיתביב וקאמר, דאפילו גט יוצא מתחת ידי עדי חתימה – כשר.

Another time, Rabbi Assi found him sitting and saying that even if the get is produced from the hands of the witnesses of the signing, it is valid.

INFERENCE

אלמא קסבר: שנים שהביאו גט ממדינת הים, אין צריכין שיאמרו: "בפנינו נכתב ובפנינו נחתם".

The Gemara notes: Consequently, he now holds that two who bring a get from overseas do not need to say, "In our presence it was written and in our presence it was signed."

QUESTION

אמר ליה רבי אסי: אלא מעתה, רישא דקתני: שנים אומרים "בפנינו נכתב" ואחד אומר "בפני נחתם" – פסול, ורבי יהודה מכשיר;

Rabbi Assi said to him: If that is so, how do you explain the first clause which teaches: If two say, "In our presence it was written," and one says, "In my presence it was signed," it is invalid, and Rabbi Yehudah validates it?

QUESTION

טעמא דאין הגט יוצא מתחת ידי שניהם, הא גט יוצא מתחת ידי שניהם – מכשרי רבנן?!

Is the reason it is invalid only because the get is not produced from the hands of both of them, but if the get is produced from the hands of both of them, the Rabbis validate it?

ANSWER

אמר ליה: אין.

Rabbi Ami said to him: Yes.

OBJECTION

וקא זמנין לא אמרת לן הכי!

Rabbi Assi said: But another time you did not tell us this! You ruled the opposite!

RESOLUTION

אמר ליה: יתד היא שלא תמוט.

Rabbi Ami said to him: This latter ruling is a peg that will not slip; it is the final, correct ruling, and I retract my previous view.

משנה MISHNAH

MISHNAH

מתני' נכתב ביום ונחתם ביום; בלילה ונחתם בלילה; בלילה ונחתם ביום – כשר.

MISHNAH: If a get was written during the day and signed during the day; or written at night and signed at night; or written at night and signed during the following day, it is valid.

MISHNAH

ביום ונחתם בלילה – פסול; רבי שמעון מכשיר.

But if it was written during the day and signed at night, it is invalid; however, Rabbi Shimon validates it.

MISHNAH

שקיה רבי שמעון אומר: כל הגיטין שנכתבו ביום ונחתמו בלילה – פסולין; חוץ מגיטי נשים.

For Rabbi Shimon used to say: All documents that were written during the day and signed at night are invalid, except for bills of divorce.

גמרא GEMARA

GEMARA

גמ' איתמר: מפני מה תיקנו זמן בגיטין?

GEMARA: It was stated that the Amoraim disputed: For what reason did the Sages institute that a date must be written in bills of divorce?

STATEMENT

רבי יוחנן אמר: משום פת אחותו.

Rabbi Yochanan said: Because of his sister's daughter, whom he might marry and then try to shield from adultery charges by backdating a get.

STATEMENT

ריש לקיש אמר: משום פירות.

Reish Lakish said: Because of the produce, so that the husband does not unlawfully sell the produce of her property after the divorce.

QUESTION

ריש לקיש, מאי טעמא לא אמר כרבי יוחנן?

The Gemara asks: **What is the reason Reish Lakish did not say like Rabbi Yochanan?**

ANSWER

אמר לה:

The Gemara answers: Reish Lakish **could have said to you:**

SUMMARY

The daf transitions from the struggles of galus under the Persians to the intricate halachos of validating a get. We learn that if one witness testifies to the writing and two to the signing, Rabbi Yohanan ultimately rules that the get is valid even if produced by the signatory witnesses, clarifying that two agents bringing a get from overseas do not need to make the full declaration. The Gemara then introduces a new Mishnah ruling that a get written by day and signed that night is invalid because the date is post-dated, though Rabbi Shimon permits this for Gittin since they are not used for collecting property. Finally, the Gemara presents the classic dispute between Rabbi Yohanan and Reish Lakish regarding why the Sages instituted dates on Gittin, debating whether it was to prevent a husband from falsely shielding an unfaithful niece or to protect the rights to the produce of her usufruct property.

למעשה WHAT TO TAKE HOME

In our daf, we see the great Amora Rabbi Ami change his mind on a halachic ruling. When Rabbi Asi points out the contradiction from what he had taught previously, Rabbi Ami does not make excuses or try to force a weak defense. Instead, he openly retracts his earlier position, declaring with beautiful clarity: "It is a spike that will not move; you can rely on this ruling, and I retract my previous statement."

What a powerful lesson in the middah of truth. In our daily lives, we often find ourselves desperately defending a position we took, an opinion we voiced, or a decision we made, simply because we are embarrassed to admit we were wrong. We worry about our honor, how we will look to our family, our business associates, or our friends. But the Torah teaches us that true strength and greatness lie in the ability to say, "I was wrong, and this is the truth."

When we bend the truth to protect our ego, we weaken our own spiritual foundation. But when we bend our ego to accept the truth, we become like that "spike that will not move"—firm, trustworthy, and deeply respected in the eyes of both Hashem and our fellow man.

Today, if you find yourself in a disagreement or realize you made a mistake in a conversation, do not fight to defend your honor. Take a deep breath, let go of the ego, and simply say: "You are right, I made a mistake."