

מסכת גיטין • דף י"ז ע"ב

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THE SUGYA

In this daf, we continue our deep dive into the sugya of why the Chachamim instituted that a get must have a date. The Gemara explores the classic machlokes between Rabbi Yochanan and Reish Lakish, analyzing how each Amora understands the opinion of Rabbi Shimon, who permits a get that was signed the day after it was written. We look closely at when a woman's rights to the produce of her property (usufruct) actually revert back to her—whether it is from the time of writing, signing, or the actual giving of the get.

We then move into a series of practical, yeshivish kashas raised by Abaye to Rav Yosef regarding the boundaries of this Rabbinic enactment. Abaye challenges the very purpose of the ordinance by questioning what the Sages accomplished if a get without a date is still valid b'di'avad (after the fact), and he probes various scenarios, such as a husband cutting the date out of the get, or writing a vague date that only mentions the year or the Sabbatical cycle.

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

ANSWER

זנות לא שכיחא.

The Gemara answers: **Adultery is not common**, and the Sages did not enact a decree to prevent an uncommon occurrence.

QUESTION

ורבי יוחנן, מאי טעמא לא אמר כריש לקיש?

The Gemara asks: **And Rabbi Yochanan, what is the reason** that he **did not say** the reason like **Reish Lakish**, that the date is written to prevent the husband from selling the wife's produce?

ANSWER

קסבר: יש לבצע פירות עד שעת נתינה.

The Gemara answers: **He holds** that **the husband has** the rights to the **produce until the time of giving** the get. Therefore, the date on the get does not help her recover any produce sold before that time anyway.

QUESTION

בשלמא לריש לקיש, משום הכי קא מכשיר רבי שמעון.

The Gemara asks: **Granted according to Reish Lakish**, who says the date is for the produce, **because of this Rabbi Shimon declares** a post-dated get **valid**, since he holds the husband loses rights to the produce from the time of writing.

QUESTION

אלא לרבי יוחנן, מאי טעמא דרבי שמעון – דמכשיר?

But according to Rabbi Yochanan, who says the date is to prevent him from shielding her from adultery, what is the reason of Rabbi Shimon that he declares it valid? We should still worry that he will shield her!

ANSWER

אמר לך רבי יוחנן: אליבא דרבי שמעון לא קאמינא, כי קאמינא אליבא דרבנן.

The Gemara answers: Rabbi Yochanan could say to you: According to Rabbi Shimon I am not speaking, for Rabbi Shimon is indeed not concerned about shielding; when I am speaking, it is according to the Rabbis.

QUESTION

בשלמא לרבי יוחנן, היינו דאיבא בין רבי שמעון לרבנן;

The Gemara asks: Granted according to Rabbi Yochanan, this is the difference that there is between Rabbi Shimon and the Rabbis, namely, whether we concern ourselves with shielding.

QUESTION

א לא לריש לקיש, מאי איבא בין רבי שמעון לרבנן?

But according to Reish Lakish, what is the difference between Rabbi Shimon and the Rabbis?

ANSWER

פירי דמשעת כתיבה ועד שעת חתימה איבא ביניהו.

The Gemara answers: The produce from the time of writing until the time of signing is the difference between them. Rabbi Shimon holds she gets the produce from the time of writing, while the Rabbis hold only from the time of signing.

OBJECTION

והא איבא שמעינן להו!

The Gemara objects: But did we not hear them say the opposite of this?

PROOF

דאיתמר: מאימתי מוציאין לפירות? רבי יוחנן אמר: משעת כתיבה, וריש לקיש אמר: משעת כתיבה!
נתינה!

As it was stated in a dispute: From when do we extract the value of produce from the husband? Rabbi Yochanan said: From the time of writing, and Reish Lakish said: From the time of giving!

RESOLUTION

איפוך.

The Gemara answers: Reverse the opinions in that dispute, so that Rabbi Yochanan holds from the time of giving, and Reish Lakish holds from the time of writing.

QUESTION

אמר ליה אבאי לרב יוסף: שלשה גיטין פסולים, ואם ניסת – הולד כשר;

Abaye said to Rav Yosef: We learned in a Mishnah: Three bills of divorce are invalid, but if she married based on them, the offspring is kosher.

QUESTION

מה הועילו חכמים בתקנתו?

One of them is a get without a date. If so, **what did the Sages accomplish in their enactment** requiring a date, if the divorce is still valid after the fact?

ANSWER

אָהָנוּ דְּלִכְתּוּחֵיהָ לֹא תִנָּשֵׂא.

He answered: **It is effective that** ab initio she may not marry with it.

QUESTION

גִּזְיִיהָ לְזִמָּן דִּידֶיהָ, וַיַּחֲבִיחַ נִיחָלָהּ, מֵאִי?

Abaye asked: If **he cut off its date and gave it to her**, **what** is the law? May she marry with it ab initio?

ANSWER

אָמַר לִיהָ: לְרֵמַאי לֹא תִיִּשְׁיֵנוּ.

He said to him: We do not concern ourselves with a deceiver, and the Sages did not make their decree for such unusual cases.

QUESTION

כָּתוּב בּוֹ שָׁבוּעַ, שָׁנָה, חֹדֶשׁ, שָׁבָת, מֵאִי?

Abaye asked: If there was **written in it** only the Sabbatical cycle, year, month, or week of the month, **what** is the law?

ANSWER

אָמַר לִיהָ: כָּשֶׁר.

He said to him: It is valid even ab initio.

QUESTION

וּמָה הוּעִילוּ חֲכָמִים בְּתִקְנָתוֹ?

Abaye asked: **And what did the Sages accomplish in their enactment** with such a vague date?

ANSWER

אָהָנוּ לְשָׁבוּעַ דְּקַמִּיָּה וּלְשָׁבוּעַ דְּבִתְרִיָּה.

He answered: **It is effective for the Sabbatical cycle** before it and the Sabbatical cycle after it.

EXPLANATION

דָּאִי לֹא תִימָא הָכִי, יוֹמָא גּוֹפִיָּה – מִי יָדְעִינוּ אִי מַצְפָּרָא אִי מִפְּנֵיָא!?

For if you do not say so, on the day itself, do we know if it was written in the morning or in the evening?

EXPLANATION

אָלָא לְיוֹמָא דְּקַמִּיָּה וּלְיוֹמָא דְּבִתְרִיָּה; הָכָא נָמִי, אָהָנִי לְשָׁבוּעַ דְּקַמִּיָּה וּלְשָׁבוּעַ דְּבִתְרִיָּה.

Rather, the date is effective **for the day before it and the day after it**; here too, it is effective for the Sabbatical cycle **before it and the Sabbatical cycle after it**.

QUESTION

אמר ליה רבינא לרבא: כתביה

Ravina said to Rava: If he wrote it...

SUMMARY

The Gemara resolves the apparent contradiction in the positions of Rabbi Yochanan and Reish Lakish regarding when the husband loses his rights to his wife's produce, establishing that Reish Lakish holds this occurs at the time of writing, while Rabbi Yochanan holds it is only at the time of giving. Following this, Rav Yosef clarifies to Abaye that the Rabbinic requirement for a date is enforced by forbidding the woman from marrying l'chatchilah (in the first instance) with an undated get. Furthermore, Rav Yosef rules that we do not enact extra decrees for a deceiver who cuts out the date, and that a get with a vague date (such as just the year or month) is valid l'chatchilah because it still provides a basic level of protection for the periods before and after that timeframe.

למעשה WHAT TO TAKE HOME

The Gemara discusses the Sages' ordinance requiring a date on a get, and Abaye asks what was accomplished by this rule if the divorce is still valid after the fact. The Gemara answers that the ordinance is effective because she may not marry ab initio. We see here the immense power of a rabbinic fence. Even when something works on a technical, biblical level, the Sages put boundaries in place to protect the integrity of Jewish life and prevent future mishaps.

In our own lives, we often look for loopholes or rely on the fact that something is technically permissible after the fact. We might tell ourselves, "If I do this, it's not a direct transgression," or "After the fact, it will be fine." But our Sages teach us that a life of yiras Shamayim cannot be built on "after the fact" leniencies. True avodah requires us to respect the boundaries, the fences, and the structures that keep our homes and our souls safe from spiritual harm.

When we build fences in our own lives—such as setting fixed times for learning that we do not compromise on, or making personal boundaries around speech and technology—we are practicing this same wisdom. We do not wait for a crisis to happen; we create the structure beforehand to ensure we stay on the right path.

Today, identify one personal boundary or "fence" you have set for yourself—whether in your learning schedule, your speech, or your daily tefillah—and strengthen it by keeping it strictly ab initio, rather than relying on a last-minute compromise.