

מסכת גיטין · דף כ"ד ע"א

Elucidated Talmud · Statement and Proof · Navy & Gold Edition

THE SUGYA

In this daf, we continue our deep dive into the sugya of a woman who brings her own get. The Gemara brings a beautiful proof for Abaye's shitta from a baraita, showing that when a wife brings her get from chutz la'Aretz, she must declare " בפני נכתב ובפני נחתם" (it was written in my presence and signed in my presence). Rav Ashi further bolsters Abaye's view by showing how the very lashon of our Mishnah is precisely formulated to support this. We also explore Rav Yosef's counter-argument and how he structures the different clauses of the Mishnah between chutz la'Aretz and Eretz Yisrael.

We then move into a fascinating discussion on the mechanics of kinyan and agency. The Gemara asks a powerful kasha: once the get reaches the wife's hand, she should be divorced immediately! Why does she need to act as an agent to bring it? The Gemara works through several yesodoshdik answers, analyzing cases where the husband sets conditions, such as requiring her to place the get on the ground, or appointing her as an agent for delivery who then appoints an agent for receipt.

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

EXPLANATION

וממקום שבאת.

And from the very place that you came to challenge Abaye, i.e., from that inference itself, the opposite is proven:

EXPLANATION

מה להלן צריכות שיאמרו: "בפנינו נכתב ובפנינו נחתם",

just as there, in the case of other agents, they must say: "It was written in our presence and it was signed in our presence,"

EXPLANATION

אף היא צריכה שתאמר: "בפני נכתב ובפני נחתם".

so too, she herself must say: "It was written in my presence and it was signed in my presence." This proves that the case must be one of bringing a get from outside Eretz Yisrael, supporting Abaye.

STATEMENT

אמר רב אשי: מתניתין נמי דיקא, דקתני:

Rav Ashi said: Our Mishnah is also precisely formulated in a way that supports Abaye, as it teaches:

STATEMENT

האשה עצמה מביאה גיטה, ובלבד שתהא צריכה לומר כו';

"The woman herself may bring her own bill of divorce, provided that she is required to say: It was written in my presence and it was signed in my presence";

INFERENCE

שְׁמַע מִינָּהּ.

learn from it that the Mishnah is referring specifically to a case outside Eretz Yisrael, where such a declaration is required.

QUESTION

וְרַב יוֹסֵף, רִישָׁא וְסִיפָא בְּחוּצָה לְאֶרֶץ, מְצִיעֵתָא בְּאֶרֶץ!?

The Gemara asks: **And** according to **Rav Yosef**, who holds that the Mishnah is in Eretz Yisrael, is it possible that **the first clause and the last clause** of the Mishnah discuss a case **in חוצה לארץ**, while **the middle clause** discusses a case **in Eretz Yisrael**?!

ANSWER

אֵין; רִישָׁא וְסִיפָא בְּחוּצָה לְאֶרֶץ, מְצִיעֵתָא בְּאֶרֶץ.

The Gemara answers: **Yes**; **the first clause and the last clause** discuss a case **in חוצה לארץ**, while **the middle clause** discusses a case **in Eretz Yisrael**.

QUESTION

מִמָּאִי?

The Gemara asks: **From where** does Rav Yosef infer this?

ANSWER

מִדִּקְתָּנִי: מָה בֵּין גֹּט לְמִיתָה – שֶׁהַכֶּתֶב מוֹכִיחַ;

From that which is taught in the middle clause: **What is the difference** between a bill of divorce and death? That the **writing** of the get **proves** the divorce;

ANSWER

וְלֹא קָתָנִי: שֶׁהַכֶּתֶב וּפֶה מוֹכִיחַ.

and it does not teach: "that the **writing and the mouth** (the verbal declaration) **prove**" it. This indicates that the middle clause is in Eretz Yisrael, where no declaration is needed.

מִשְׁנָה MISHNAH

MISHNAH

הָאִשָּׁה עֲצָמָה מְבִיאָה וְכוּ':

We learned in the Mishnah: **The woman herself may bring** her own bill of divorce, and she must say: It was written in my presence and it was signed in my presence.

גְּמָרָא GEMARA

QUESTION

אָשָׁה, מִכִּי מָטִי גִיטָה לְיָדָהּ אֵיגְרָשָׁה לָּהּ!

The Gemara asks: With regard to this woman, from the moment her bill of divorce reaches her hand, she is divorced! Why does she need to bring it and testify?

ANSWER

אָמַר רַב הוּנָא: בְּאוֹמֵר "לֹא תִתְגַּרְשִׁי בּוֹ אֶלָּא בְּפָנֵי בֵּית דִּין פְּלוֹנִי".

Rav Huna said: This is a case where he says to her: "You will not be divorced with it except in the presence of such-and-such a court." Thus, she is not divorced immediately upon receiving it.

OBJECTION

סוּף סוּף, כִּי מָטִיָּא הֵתָם – אֵיגְרָשָׁה!

The Gemara objects: Ultimately, when she arrives there, at that court, she is divorced immediately! Why must she make the declaration?

ANSWER

אֶלָּא אָמַר רַב הוּנָא בְּרַ מְנוּחַ מִשְׁמִיָּה דְּרַב אַחָא בְּרִיה דְּרַב אִיקָא:

Rather, Rav Huna bar Manoach said in the name of Rav Acha the son of Rav Ika:

ANSWER

דָּאָמַר לָּהּ: כִּי מָטִית הֵתָם, אֲתַנְחִיָּה אֶרְעָא וְשִׁקְלִיָּהּ.

It is a case where he said to her: "When you arrive there, place it on the ground and take it."

OBJECTION

אִי הָכִי, הִנּוּחַ לִיָּהּ: "טָלִי גִיטִיָּה מֵעַל גַּבִּי קֶרְקַע",

The Gemara challenges: If so, it is a case of: "Take your bill of divorce from off the ground,"

OBJECTION

וְאָמַר רַבָּא: "טָלִי גִיטִיָּה מֵעַל גַּבִּי קֶרְקַע" – לֹא אָמַר כָּלוּם!

and Rava said: If a husband says, "Take your bill of divorce from off the ground," he has said nothing and she is not divorced, because the Torah requires "and he shall give it into her hand."

ANSWER

אֶלָּא דָּאָמַר לָּהּ: הִנּוּי שְׁלִיחַ לְהוֹלִכָהּ עַד דְּמָטִית הֵתָם, וְכִי מָטִית הֵתָם הִנּוּי שְׁלִיחַ לְקַבְּלָהּ, וְקַבְּלִי אֶת גִּיטִיָּהּ.

Rather, it is a case where he said to her: "Be an agent for delivery until you arrive there, and when you arrive there, be an agent for receipt, and receive your bill of divorce yourself."

OBJECTION

וְהָא לֹא חֲזָרָה שְׁלִיחוֹת אֶצְל הַבַּעַל!

The Gemara challenges: **But the agency has not returned to the husband!** An agent for delivery must be able to return to the sender and report that the mission was completed, which is impossible here.

ANSWER

דָּאָמַר לָהּ: הָיִי שְׁלִיחַ לְהוֹלִכָהּ עַד דְּמְטִינָתָהּ, וְכִי מְטִינָתָהּ שׁוֹי שְׁלִיחַ לְקַבְּלָהּ.

Rather, it is a case where he said to her: "Be an agent for delivery until you arrive there, and when you arrive there, appoint an agent for receipt on your behalf to receive it from you."

QUESTION

הֲנִיחָא לְמֵאן דָּאָמַר: אִשָּׁה עוֹשֶׂה שְׁלִיחַ לְקַבֵּל גִּיטָה מִיַּד שְׁלִיחַ בַּעֲלָהּ.

The Gemara asks: This works out well according to the one who says: A woman can appoint an agent to receive her bill of divorce from the hand of her husband's agent.

QUESTION

אֵלָא לְמֵאן דָּאָמַר: אִין הָאִשָּׁה עוֹשֶׂה שְׁלִיחַ לְקַבֵּל גִּיטָה מִיַּד שְׁלִיחַ בַּעֲלָהּ, מַאי אֵיכָא לְמִימַר?

But according to the one who says: A woman cannot appoint an agent to receive her bill of divorce from the hand of her husband's agent, what can be said?

ANSWER

טַעְמָא מַאי – מְשׁוּם דְּאֵיכָא בְּזִיוֹן דְּבַעַל, וְהָכָא בַּעַל לֹא קָפִיד.

The Gemara answers: What is the reason for that opinion? Because there is degradation to the husband when she appoints an agent to take it from his agent, but here, the husband is not particular since he himself instructed her to do so.

QUESTION

הֲנִיחָא לְמֵאן דָּאָמַר: מְשׁוּם בְּזִיוֹן דְּבַעַל;

The Gemara asks: This works out well according to the one who says the reason is due to the degradation of the husband;

QUESTION

אֵלָא לְמֵאן דָּאָמַר: מְשׁוּם חֲצָרָה הַבָּאָה לְאַחַר מִיכּוֹן, מַאי אֵיכָא לְמִימַר?

but according to the one who says it is a Rabbinic decree due to the case of her courtyard that comes afterward, what can be said?

ANSWER

דָּאָמַר לָהּ: הָיִי שְׁלִיחַ לְהוֹלִכָהּ עַד דְּמְטִינָתָהּ, וְכִי מְטִינָתָהּ שׁוֹי שְׁלִיחַ לְהוֹלִכָהּ, וְקַבְּלִי אֶת גִּיטָתָךְ מִיָּדָּהּ.

The Gemara answers: It is a case where he said to her: "Be an agent for delivery until you arrive there, and when you arrive there, appoint another agent for delivery, and receive your bill of divorce from him."

ANSWER

ואיפצית אימא, דאמר לה: הוי שליח להולכה עד דמטית התם, וכי מטית התם אימר קמי בי דינא
”בפני נכתב ובפני נחתם”, ומשוי בי דינא שליח, וליתבוה ניהליה.

And if you wish, say instead that he said to her: "Be an agent for delivery until you arrive there, and when you arrive there, say before the court: 'It was written in my presence and it was signed in my presence,' and the court will appoint an agent to deliver it, and they will give it to you."

STATEMENT

הדרו עליה המביא גט

May we return to you, "He who brings a bill of divorce" (the first perek of Gittin).

מִשְׁנָה MISHNAH

MISHNAH

כל גט שנכתב שלא לשום אשה, פסול.

Any bill of divorce that was written not for the sake of the specific woman being divorced is invalid.

MISHNAH

כיצד, היה עובר בשוק ושמע קול סופרים מקריין: "איש פלוני מגרש את פלונית ממקום פלוני",

How so? If one was passing in the marketplace and heard the voice of scribes reciting: "A certain man divorces a certain woman from a certain place,"

MISHNAH

ואמר: זה שמי וזה שם אשתי; פסול לגרש בו.

and he said: "This is my name and this is my wife's name," and he took that document, it is invalid to divorce her with it because it was not written for her sake.

MISHNAH

יתר מיכן – כתב לגרש את אשתו ונמלה,

More than that: If he wrote a get to divorce his wife and changed his mind,

MISHNAH

מצאו בן עירו ואמר לו: שמי כשמה ושם אשתי כשם אשתה; פסול לגרש בו.

and a resident of his city found him and said to him: "My name is like your name and my wife's name is like your wife's name," and the first husband gave it to him, it is invalid to divorce with it.

SUMMARY

The Gemara concludes the debate between Abaye and Rav Yosef regarding whether a woman bringing her own get must make the declaration of "בפני נכתב ובפני נחתם", establishing that this requirement applies specifically in chutz la'Aretz. The Gemara then analyzes how a woman can act as a delivery agent for her own get without becoming divorced immediately upon receiving it. After rejecting explanations involving conditions of location or placing the get on the ground, the Gemara

establishes that the husband appointed her as a delivery agent with instructions to appoint a receiving agent upon her arrival, resolving this based on the principles of agency and the husband's consent.

למעשה WHAT TO TAKE HOME

In the closing of Maseches HaMevia Get, the Gemara wrestles with a fascinating scenario: a husband appoints his wife to be the very messenger who delivers her own get. To make this work halachically, she must navigate a delicate transition of roles, shifting from being his agent of delivery to becoming the recipient of her own freedom. The Sages analyze every step of this process to ensure that the agency is perfectly defined, showing us how much care must be taken when one person holds multiple, seemingly conflicting responsibilities.

This teaches us a profound lesson in our own avodah. In our daily lives, we are constantly asked to wear different hats. At one moment, you are a parent or a teacher, representing authority and guidance; the next moment, you must be a humble learner, ready to receive. Sometimes you are the giver, and sometimes you must learn how to be the receiver. The yetzer hara loves to blur these lines, causing us to bring the ego of a 'giver' into a situation where we actually need to listen and receive, or to act with the passivity of a 'receiver' when Hashem is calling on us to step up and lead.

Like the woman in our Gemara, we must have the self-awareness to know exactly which role we are playing at any given moment. When you enter a room, ask yourself: 'What does the Aibershter need from me right now? Am I here to deliver a message of strength to someone else, or am I here to open my heart and receive a lesson?' Keeping these roles clear in our minds prevents confusion and ensures our actions are done with absolute truth and purity.

Today, before you enter a difficult conversation or transition from your work to your home, take ten seconds to pause and ask yourself: 'Which role am I playing right now, and how can I fulfill it purely for the sake of Heaven?'