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Gittin Daf 29

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Mishnah

If someone (*a messenger*) brings a *get* within Eretz Yisroel (*where he is not required to declare that it was written and signed in his presence*) and he became sick, he can send it with someone else¹. However, if the husband told the messenger (*when giving him the get*), “Take from her a certain object for me,” he cannot send the *get* with another messenger, as he does not want his deposit (*the object*) to be with someone else (*other than the messenger*). (29a1 – 29a2)

Appointing Another Agent

Rav Kahana says: The *Mishnah* says that he fell sick. [We may infer from here that otherwise, he may not appoint another agent.]

The *Gemora* asks: This is obvious, as the *Mishnah* explicitly states that he became sick!

The *Gemora* answers: You might have said that this (*appointing another messenger*) can even be done if the messenger does not fall sick, and (it is possible that) the *Mishnah* said the case where he became sick, for that is a normal case (where another messenger would be appointed). Rav Kahana taught us otherwise (that this is permitted only if he became sick).

The *Gemora* asks: What is the case? If it is that he told him “Take the *get* (to my wife),” then even if he didn’t become sick, he should be able to transfer the *get* to another messenger (*as will be proven from a Baraisa below*)!? If he told him, “You take it,” even if he becomes sick, he should not be able to appoint another messenger!? And if this is the opinion of Rabban Shimon ben Gamliel, even if he did become sick, he should not be able to appoint another messenger (*even if he merely said, “Take the get to my wife”*)! For it was taught in a *Baraisa*: If someone says, “Take this *get* to my wife,” he can appoint another messenger. If he says, “You take this *get* to my wife,” he may not send it with someone else. Rabban Shimon ben Gamliel says: Either way, the messenger may not make another messenger.

The *Gemora* answers: If you want, you can say that the *Mishnah* is referring to a case where he said, “Take this *get* to my wife,” (*and only in the case when he became ill, he may appoint another messenger*), and the case of the *Baraisa* (*which permits him to appoint another*) is referring only to a case where the messenger fell ill.

Alternatively, you can say that the *Mishnah* is referring to a case where he said, “You take this *get* to my wife,” and the case of “becoming sick” is different (that he may appoint another messenger). (*Both the Mishnah and the Baraisa agree that in that case, he may appoint another.*)

¹ And he does not need to appoint him in Beis Din.



Alternatively, you can say that the Mishnah is following the opinion of Rabban Shimon ben Gamliel, and the case of “becoming sick” is different (that he may appoint another messenger). (29a2 – 29a3)

Difference between Giving the get and Writing it

The *Mishnah* had stated: If someone (*a messenger*) brings a *get* within Eretz Yisroel and he became sick, he can send it with someone else.

The *Gemora* notes a contradiction with the following *Mishnah*: If someone says to two people, “Give a *get* to my wife,” or he says to three people, “Write a *get* and give it to my wife,” they should write it and give it.

This implies that only they should write it, but not their messenger!? [*Rashi explains that the latter case implies that if he would have merely said to three people that they should “give” not “write” a get, they could have appointed a messenger. This is because it is like he made them into a Beis Din that has the right to appoint a messenger. However, this implies that a regular messenger cannot appoint another messenger!*]

Abaye answers: There, what is the reason (that they must write the *get* themselves)? It is because of the embarrassment to the husband (that he himself does not know how to write a *get*, and therefore he is particular about these agents). However, here (in our *Mishnah*, where he is merely asking an agent to deliver the *get*), the husband is not particular.

Rava answers: That *Mishnah* is referring to words (*that were said by the husband, i.e. instructions to write the get*), and words cannot be passed on to another messenger (*for words are too insignificant to be transferred*). [However, something tangible (*like a get*) can be passed on to another messenger, and that is why

our *Mishnah* rules that the *get* can be given over to another agent.]

The *Gemora* asks: What is the halachic difference between the two answers?

The *Gemora* answers: A difference would be regarding a case where a person tells an agent to write a gift document. [*Rava would maintain that he cannot appoint someone else to write it, for words are non-transferable. Abaye would hold that he may appoint another, for there is no embarrassment factor here, for the responsibility to write the document rests on the recipient, not the giver.*]

The *Gemora* notes: We find the same argument between Rav and Shmuel. Rav says that a gift is not like a *get*, whereas Shmuel says that a gift is like a *get*. (29a3 – 29a4)

Following Instructions

The *Mishnah* had stated: If the husband told the messenger (*when giving him the get*), “Take from her a certain object for me” [he cannot send the *get* with another messenger, as he does not want his deposit (*the object*) to be with someone else (*other than the messenger*)].

Rish Lakish said: Regarding our *Mishnah*, Rebbe (*the Mishnah*) taught that a borrower is not permitted to lend the object to another, and a renter is not permitted to rent the object to another. [The *Mishnah* is not teaching us that the agency is nullified if the agent sends the *get* with another, for in fact, the agency would nevertheless be valid, for the husband wishes that the *get* should take effect even if the agent violates his instructions and sends it with another.]

Rabbi Yochanan said to him: This is even known to schoolchildren!? [Rebbe must be teaching us something more novel than that!] Rather, the *Mishnah* is teaching us

that there are times when the *get* will not even be valid (*due to this*). This is because it is like a condition (*made by the husband with the messenger*), “Do not divorce her anywhere besides in the first floor of the house,” and he does so in an upper floor. Similarly, (it is like a condition where he said) “Give her the *get* only with your right hand,” and he gives it with the left hand. [Just as the *get* would be invalid in these cases, there are times that the *get*, in the Mishnah’s case, would be invalid as well.]

The *Gemora* explains: Everyone agrees that if the woman goes out to greet the (second) messenger and gives him the object (*that the man said should be taken from her*) and then she receives the *get* from him, everyone agrees that the *get* is valid. [Although the second messenger received it, the *get* is valid, for the husband’s requirement was only that the object should be received before the delivery of the *get*). The argument is in a case where he said to the (first) messenger, “Take the object from her,” and he then told him, “Give the *get* to her,” and he went and gave her the *get* and then he took the object from her. Rabbi Yochanan invalidates the *get* in the case involving him (the original messenger), and certainly if he appointed another messenger (*and he reversed the order*). Rish Lakish validates the *get* even in the case of a second messenger (where he reversed the order), and certainly if the original messenger did so. [Rish Lakish maintains that the husband was not being particular about the order; he said it in that way only as a manner of speech.] (29a4 – 29b1)

Mishnah

If someone brings a *get* from overseas and becomes ill, he appoints another messenger in *Beis Din* and he sends him. He (the original messenger) should declare before *Beis Din*, “The *get* was written in my presence and it was signed in my presence.” The last messenger is not required to say, “The *get* was written in my presence and

it was signed in my presence,” but rather, he says, “I am a messenger of *Beis Din*.” (29b1)

A Third Messenger

The Rabbis said the following to Rabbi Avimi the son of Rabbi Avahu. They inquired of Rabbi Avahu: Can a messenger of another messenger make a third messenger?

Rabbi Avahu replied: You should not ask this. Being that the *Mishnah* said that “the last messenger (*only has to say etc.*),” it is clear (*by the fact that the Mishnah said “last,” and not the second*) that he can appoint another messenger. Rather, you should ask if the second messenger has to appoint the third messenger in *Beis Din* or not?

They replied to him: We have no need to ask this, as the *Mishnah* says that he only says that he is a messenger of *Beis Din* (*implying that he had to have been made a messenger by a Beis Din*).

Rav Nachman bar Yitzchak understood that they had the following conversation: They inquired of Rabbi Avahu: Does the second messenger have to appoint the third messenger in *Beis Din* or not?

Rabbi Avahu replied: Why don’t you first ask if a messenger of another messenger may appoint a third messenger?

They replied to him: We have no need to ask this, as the *Mishnah* said that “the last messenger (*only has to say etc.*),” so it is clear that he can appoint another messenger. We are only unsure whether the third messenger must be appointed in *Beis Din*.

Rabbi Avahu replied: You should have no need to ask this either, as the *Mishnah* says that he only says that he is a

messenger of *Beis Din* (implying that he had to have been made a messenger by a *Beis Din*). (29b1 – 29b2)

Messenger to Divorce

Rabbah says: A messenger within Eretz Yisroel can make many messengers (*without requiring a Beis Din*).

Rav Ashi says: If the first one dies, they are all nullified (*all the messengers obtain authority to deliver the get from the initial messenger; if he dies, they all have no more authority*).

Mar bar Rav Ashi said: This statement that my father made was when he was very young. If even the husband himself died, do any of these people have validity? Where is the strength of all these messengers coming from? The husband! If the husband is around (*i.e. alive*), everyone (*all the messengers*) has validity; if he is not, they do not.

There was a man who sent a *get* to his wife. The messenger said, "I don't know who she is." The husband said, "Go give it to Abba bar Manyumi, who knows who she is, and let him go and give it to her." The messenger went, but did not find Abba bar Manyumi. He found Rabbi Avahu, Rabbi Chanina bar Pappa and Rabbi Yitzchak Nafcha, and Rav Safra was sitting next to them. They told him: "Give your words over to us, and when Abba bar Manyumi arrives, we will give it to him and he will give it to the woman."

Rav Safra asked them: He is not a messenger to divorce!? [*He was just appointed to give it to the person who would divorce her, and therefore he should not be able to give over the get to anyone!?*] They (*the three scholars*) were embarrassed.

Rava said: Rav Safra trumped three Rabbis.

Rav Ashi said: How did he trump them? Did the husband say that only Abba bar Manyumi should give the *get* and nobody else? [*As a matter of fact, he initially told him to give the get himself!*]

Some say that this last exchange transpired in the following manner. Rava said: Rav Safra trumped three Rabbis on a mistaken premise.

Rav Ashi explained his mistake: The husband said that only Abba bar Manyumi should give the *get* and nobody else! [*The husband was retracting from his initial instructions.*]

A person sent a *get* to his wife. He said to the messenger: "Don't give it to her until thirty days (*have passed*)."
The messenger fell sick within thirty days (*and realized that he would not be able to give it to her after thirty days*). He went before Rava. Rava said: The case of making another messenger due to illness is not just because of illness, but rather due to any forced circumstance. This is also a forced circumstance! Give us the *get*, so that after thirty days we (*Beis Din*) will appoint a messenger to give the *get*.

The Rabbis said to Rava: He is not a messenger to divorce!?! [*Currently, he is not a messenger for divorce and therefore cannot give over the get!?!*]

Rava said to them: Being that he is a messenger who has the power to divorce after thirty days; it is considered as if he is a messenger for divorce.

The *Gemora* asks: Why don't we suspect that they (*the couple*) made up during this time? [*This causes the get to be invalid, as it is called "an old get."*] Doesn't the *Mishnah* say: If someone says, "This *get* is valid starting now, if I do not come back within twelve months," and he dies during this time, the *get* is valid? It was asked: Why don't we suspect that they made up? Rabbah bar Rav



Huna answered in the name of Rav Mari in the name of Rav: The case is where the husband told *Beis Din* when he gave the *get* that his wife should be believed to say that they did not *get* back together. Rava was embarrassed.

At the end, it was revealed that she was only an *arusah*. Rava said: The concern that they were secluded together is only by a *nesuah*; not by an *arusah* (and therefore, his ruling was indeed correct).

Rava said: We should inquire about the following: When the *Beis Din* appoints a new messenger, must it be done in front of the previous one or not?

They resolved that it could even be done without the previous messenger being present.

They sent a message from there [i.e., from Eretz Yisroel to Bavel]: Whether in the presence (of the previous agent) or in his absence [the court may appoint another agent]. (29b2 – 30a1)

DAILY MASHAL

Moshe's Instructions

It is written [Shmos 7:1]: Hashem said to Moshe, "See! I have made you a lord over Pharaoh, and Aaron, your brother, will be your speaker." What is the connection between the two parts of the verse?

Reb Shlomo Kluger explains the verse based upon our *Gemora*. Rava had said that our *Mishnah* was referring to words (that were said by the husband, i.e. instructions to write the *get*), and those cannot be passed on to another messenger (for words are too insignificant to be transferred). However, something tangible (like a *get*) can be passed on to another messenger.

This principal, he explains, is that mere words cannot be transferable to a second agent. However, the first agent can be appointed for mere words.

Moshe's mission was one of words. Hashem commanded him to go to Pharaoh and speak to him. Accordingly, one can ask: How did Moshe have the authority to transfer this to Aaron? Mere words are non-transferable to another agent!?

This is the explanation for the introductory verse. Hashem made Moshe into a lord over Pharaoh. Moshe, therefore, was not merely an agent; he was the principal himself. He, therefore, had the authority to appoint Aaron to be his agent to talk to Pharaoh.

QUESTIONS AND ANSWERS FROM YESTERDAY'S DAF to refresh your memory

Q: Regarding which three *halachos* does the *Mishnah* rule that we assume a man is still alive?

A: *get*; *terumah* and a *korban chatas*.

Q: At what age does a person lose the *chazakah* of staying alive, and at what age does the *chazakah* return?

A: 80/100.

Q: By which three cases do we apply the stringencies which apply to the living and the stringencies which apply to the dead?

A: A city that has been conquered by besiegers, a ship that has been lost at sea, and one who is going out to be executed (either only by a Jewish court, or only by an idolatrous court).