

One who sends a גט – גט חוששין – השולח גט לאשתו כולי ולגט ישן אין חוששין – גט to his wife, etc. and we are not concerned for an 'old' גט

OVERVIEW

The ברייתא states if one sent a גט to his wife and it took the שליח three months to deliver it to her, she is (nonetheless) required to wait an additional three months to remarry, and (continues the ברייתא) we are not concerned for a גט ישן.¹ Our תוספות clarifies why the ברייתא adds חוששין, which seems out of context.

פירוש² אף על פי שצריכה להמתין שלשה חדשים –

The explanation of this ברייתא is that even though she is required to wait three months before she may remarry, however the reason for this waiting -

לאו משום דחיישין שמא בתוך כך יבא³ עליה דהא לגט ישן אין חוששין⁴ –

Is not because we are concerned that perhaps in the duration, the husband had relations with her, because we are not concerned for a גט ישן -

אלא כדאמרינן לעיל שמא יאמרו שתי נשים בחצר כולי:⁵

But rather the reason she is required to wait the three months, is as the גמרא stated previously that we are concerned that perhaps people will say, 'two women in one courtyard', etc.

SUMMARY

The reason she waits three months is not because of גט ישן, but rather because people might wonder that שתי נשים בחצר כו'.

THINKING IT OVER

Why would we think that she has to wait three months because of גט ישן?⁶

¹ See רש"י ד"ה גט that a גט ישן (which is פסול לכתחילה for גירושין) is where the husband sequestered himself with his wife after the גט was written, but before it was delivered to her.

² The term פירוש is oftentimes used, when there is a difficulty in the פשט. See 'Overview'.

³ In the תורה it reads ובא עליה חזר, שמא חזר ובא עליה, which is more readily understood.

⁴ We are not חושש for a גט ישן; a גט ישן is פסול לכתחילה only if he was certainly עמה מתייחד but there is no פסול לכתחילה if it is merely a חשש of גט ישן. See following המשליש (footnote # 6).

⁵ Here too, people will say two woman both received the גט on the same day and one of them (the woman who received her גט three months after it was written) will be able to marry immediately while the other who received it on the same day (and it was written then as well) will be required to wait three months! It will seem like an anomaly.

⁶ See נח"מ.