

מסכת גיטין • דף ל"ג ע"ב

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THE SUGYA

In this daf, we are continuing our deep dive into the sugya of nullifying a get (bittul haget) and the machlokes between Rabbi Yehuda HaNasi and Rabban Shimon ben Gamliel. We are looking at a case where a husband appoints a group of ten people to write and deliver a get to his wife, and then wants to nullify the agency. The Gemara explores whether nullifying the agency of some of these agents affects the rest of the group, and what the underlying reasoning is for Rabban Shimon ben Gamliel's strict view.

We will also learn about a fascinating question raised by the Sages regarding a husband who tells a group, "All of you write the get." The Gemara brings a baraita to try to resolve whether Rabban Shimon ben Gamliel's reasoning is based on the concern that some agents won't know about the nullification, or if it is a fundamental rule that a matter established in front of ten people requires ten people to revoke it. We will see how Rav Ashi and other Amoraim analyze these cases to bring us to a clear halachic understanding.

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

EXPLANATION

לא בטלה כולה;

the agency is **not invalidated** in its entirety by the nullification of some of the agents;

EXPLANATION

ואי אזלי הנה כתבי ויהבי – ליכתבו וליתבו;

and if those other agents whose agency was not nullified go, write, and give the get, let them write and give it, and we do not worry about it.

EXPLANATION

רבן שמעון בן גמליאל סבר: עדות שבטלה מקצתה בטלה כולה;

But Rabban Shimon ben Gamliel holds that testimony that was invalidated in part of it is invalidated in its entirety, and the same applies to agency;

EXPLANATION

והנה לא ידעי, ואזלי וכתבי ויהבי;

and those other agents do not know that the husband nullified the agency of their peers, and they might go and write and give the get,

EXPLANATION

ושרו אשת איש לעלמא.

and thereby mistakenly permit a married woman to the world.

EXPLANATION

ואיבעצית אימא: דכולי עלמא עדות שפבטלה מקצתה לא בטלה כולה;

And if you wish, say instead that everyone agrees that testimony that was invalidated in part of it is not invalidated in its entirety;

EXPLANATION

והכא, היינו טעמא דרבן שמעון בן גמליאל – קסבר: מלתא דמתעבדא באפי עשרה – צריכא בי עשרה למישלפה.

and here, this is the reason of Rabban Shimon ben Gamliel: he holds that a matter that is performed in the presence of ten people requires a forum of ten people to revoke it.

QUESTION

איבעיא להו: "כולכם", מהו?

A dilemma was raised before them: If the husband said to ten people, "All of you" write and give a get, what is the halakha according to Rabban Shimon ben Gamliel if he nullified it before only some of them?

QUESTION

טעמא דרבן שמעון בן גמליאל משום דקסבר: עדות שפבטלה מקצתה בטלה כולה – והני, כיון דאמר להו "כולכם", לא מצו כתבי ויהבי;

Is the reason of Rabban Shimon ben Gamliel because he holds that testimony that was invalidated in part of it is invalidated in its entirety, and we worry the others will act in ignorance? And as for these remaining agents, since he said to them "All of you," they cannot write and give it without the others anyway, so there is no concern of a mishap, and he can nullify it before only some of them;

QUESTION

או דלמא, טעמא דרבן שמעון בן גמליאל, משום דקסבר: כל מלתא דמתעבדא באפי בי עשרה, צריכא בי עשרה למישלפה – והילכך, אפילו "כולכם" נמי?

Or perhaps the reason of Rabban Shimon ben Gamliel is because he holds that any matter that is performed in the presence of ten people requires ten people to revoke it, and therefore, even if he said "All of you," he must also nullify it in the presence of all ten?

PROOF

תא שמע, אמר לשנים: "תנו גט לאשתי", יכול לבטל זה שלא בפני זה, דברי רבי.

Come and hear a resolution from a baraita: If one said to two people, "Give a get to my wife," he is able to nullify the agency before this one not in the presence of that one; these are the words of Rabbi.

PROOF

רבן שמעון בן גמליאל אומר: אינו יכול לבטל אלא זה בפני זה.

Rabban Shimon ben Gamliel says: He is not able to nullify it except before this one in the presence of that one.

PROOF

וְהָא שְׁנַיִם, דְּכִי "כּוֹלְכֶם" דָּמוּ, וּפְלִיגִי!

And yet a case of **two** agents is like a case of "**All of you**," because a get cannot be written and signed by fewer than two, and yet **they disagree**! This proves Rabban Shimon ben Gamliel's reason is that a matter requires the same forum to revoke it.

ANSWER

אָמַר רַב אֲשִׁי: אִי בְּעֵדֵי כְּתִיבָה – הֵכִי נָמִי;

Rav Ashi said: If the baraita was speaking of **witnesses of the writing** and signing, **indeed** so, it would be a proof;

ANSWER

הָכָא בְּמֵאֵי עֲסָקִינוּ, בְּעֵדֵי הוֹלָכָה.

but **here we are dealing with witnesses of delivery**, where one agent is sufficient to deliver it, so there is still a concern that the other will deliver it in ignorance.

PROOF

הֵכִי נָמִי מִיִּסְתַּבְּרָא, דְּקִתְּנִי סִיפָא:

This too stands to reason, as the latter clause teaches:

PROOF

אָמַר לָזֶה בְּפָנָי עֲצָמוּ וְלָזֶה בְּפָנָי עֲצָמוּ – יָכוֹל לְבַטֵּל זֶה שְׁלֹא בְּפָנָי זֶה.

If he said to this one on his own and to that one on his own, he is able to nullify the agency of **this one** not in the presence of that one.

PROOF

אִי אָמַרְתָּ בְּשִׁלְמָא בְּעֵדֵי הוֹלָכָה – שְׁפִיר;

Granted, if you say it is speaking of **witnesses of delivery**, it is well, as they can be appointed separately;

PROOF

אָלָא אִי אָמַרְתָּ בְּעֵדֵי כְּתִיבָה, מִי מַצְטַרְפִּי?!

but if you say it is speaking of **witnesses of writing**, can they combine to sign the get if they were appointed separately?

PROOF

הָא אָמַר מָר: אֵין עֲדוּתָן מַצְטַרְפֶּת, עַד שְׂרְאוּ שְׁנֵיהֶם בְּאַחַד!

But didn't the Master say: Their testimony does not combine until both of them see the event as **one**, together?

REFUTATION

דְּלָמָא כְּרַבִּי יְהוֹשֻׁעַ בֶּן קֶרְחָה סְבִירָא לֵיהּ.

The Gemara rejects this: Perhaps he holds in accordance with Rabbi Yehoshua ben Korcha, who says that witnesses do not need to see the event together to combine.

STATEMENT

אמר רב שמואל בר יהודה: שמעית מיניה דרבא אבא תרתי – חדא כרבא, וחדא כרבא שמעון בן גמליאל;

Rav Shmuel bar Yehuda said: I heard from Rabbi Abba two rulings regarding these disputes—one in accordance with Rabbi, and one in accordance with Rabban Shimon ben Gamliel;

STATEMENT

ולא ידענא הי כרבא והי כרבא שמעון בן גמליאל.

and I do not know which is in accordance with Rabbi and which is in accordance with Rabban Shimon ben Gamliel.

INFERENCE

אמר רב יוסה: ניחזי אנן – דכי אתא רב דימי, אמר: מעשה ועשה רבי כדברי חכמים.

Rav Yosef said: Let us analyze it ourselves, for when Rav Dimi came from Eretz Yisrael, he said: There was an incident and Rabbi acted in accordance with the words of the Sages that a husband can nullify a get in court not in the agent's presence.

INFERENCE

אמר לפני רבי פרטא בנו של רבי אלעזר בן פרטא בן בנו של רבי פרטא הגדול: אם כן, מה כח בית דין יפה?

Rabbi Perata, the son of Rabbi Elazar ben Perata, the grandson of Rabbi Perata the Great, said before him: If so, what advantage does the court have if the husband can simply bypass their ordinance?

INFERENCE

וחזר רבי ועשה כרבא שמעון בן גמליאל.

And Rabbi retracted and acted in accordance with Rabban Shimon ben Gamliel, ruling that the nullification is invalid.

INFERENCE

ומדקא כרבא שמעון בן גמליאל, הך כרבא.

And since this ruling is decided in accordance with Rabban Shimon ben Gamliel, that other ruling regarding the ten agents must be in accordance with Rabbi.

STATEMENT

ואף רבי יאשיה דמן אושא סבר, חדא כרבא וחדא כרבא שמעון בן גמליאל.

And even Rabbi Yoshiya of Usha holds that one ruling is in accordance with Rabbi and one is in accordance with Rabban Shimon ben Gamliel.

PROOF

דאמר רבה בר בר חנה: חמשה סבי הוינן קמיה דרבא יאשיה דמן אושא, אתא הווא גברא קמיה, ואשקליה גיטא על כורחיה.

As Rabbah bar bar Hanah said: We were five elders before Rabbi Yoshiya of Usha, when a certain man came before him, and he forced him to give a get against his will.

PROOF

אמר לן: זילו אטמורו וכתבו לה.

He said to us: Go, hide yourselves, and write the get for her, so the husband cannot find you to nullify it.

PROOF

ואי סלקא דעתך כרב, כי מיטמרי מאי הוי?

And if it enters your mind that he holds in accordance with Rabbi that a husband can nullify a get even not in the agent's presence, when they hide, what of it? He could still nullify it in court!

PROOF

אלא שמע מינה כרבן שמעון בן גמליאל סבירא ליה;

Rather, learn from this that he holds in accordance with Rabban Shimon ben Gamliel that post facto, nullification not in the agent's presence is invalid;

PROOF

ואי סלקא דעתך אידך נמי כרבן שמעון בן גמליאל, למה להו אטמורי? ליפדו איפדורי!

and if it enters your mind that the other ruling regarding ten agents is also in accordance with Rabban Shimon ben Gamliel, why did they need to hide? Let them scatter, and then he could never nullify it before all of them!

PROOF

אלא שמע מינה – חדא כרב, וחדא כרבן שמעון בן גמליאל.

Rather, learn from this that one ruling is in accordance with Rabbi, and one is in accordance with Rabban Shimon ben Gamliel.

RULING

ורבא אמר רב נחמן: הלכה כרבי בשתייהו.

And Rava said that Rav Nachman said: The halakha is in accordance with Rabbi in both of them.

QUESTION

ולית ליה לרב נחמן "מה כח בית דין יפה"!?!

The Gemara asks: And does Rav Nachman not hold of the principle "what advantage does the court have"?

QUESTION

והאמר רב נחמן, אמר שמואל:

But didn't Rav Nachman say that Shmuel said:

SUMMARY

The Gemara analyzes the machlokes between Rabbi Yehuda HaNasi and Rabban Shimon ben Gamliel regarding a husband who nullifies a get in front of only some of his appointed agents. We explore two possible reasons for Rabban Shimon ben Gamliel's view: either he holds that testimony partially invalidated is entirely invalidated (nimtza echad mehen karov o pasul), or he holds that a matter established in the presence of ten requires ten to revoke it. A dilemma is raised regarding a case where the husband said "all of you write," which is analyzed through a baraita discussing two agents. Rav Ashi distinguishes between witnesses of writing and witnesses of delivery, and the Gemara concludes with Rav Yosef bringing a report from Rav Dimi about a practical ruling of Rabbi Yehuda HaNasi and the response of Rabbi Perata regarding the standing and strength of the Beis Din.

למעשה WHAT TO TAKE HOME

In our sugya, we encounter a powerful principle of Rabban Shimon ben Gamliel: "A matter that is performed in the presence of ten people requires the presence of ten people to revoke it." When a husband appoints a group to write a get, he cannot simply whisper a cancellation to one or two of them on the side. The undoing of an act must match the weight, the respect, and the forum of the act itself.

How often do we make a beautiful, public commitment to our family, our community, or to Hashem, only to let it quietly slip away in private? We make a kabbalah (resolution) in a moment of inspiration, surrounded by others, but when the excitement fades, we cancel it in the dark corners of our mind where nobody is looking.

True yiras Shamayim and integrity mean that we treat our commitments with the same gravity when we step away from them as we did when we took them on. If you made a promise or started a good practice with strength and presence, do not let it dissolve through neglect or quiet compromise. Respect your own holy moments.

Today, pick one commitment or resolution you made in a moment of inspiration that has started to slip away. Recommit to it with the same energy and focus you had when you first took it upon yourself.