

מסכת גיטין · דף ט"ז ע"ב

Elucidated Talmud · Statement and Proof · Navy & Gold Edition

THE SUGYA

In this shiur, we will be learning the sugya on Daf 16b, where the Gemara continues to delve into the machlokes between the Rabbis and Rabbi Yehuda regarding a get brought from overseas. We will look closely at the different versions of Rabbi Yohanan's opinion regarding whether two agents who bring a get must make the declaration of "it was written in our presence and signed in our presence."

We will also see how the Gemara connects this discussion to the fundamental machlokes between Rabba and Rava regarding the underlying reason for the declaration—whether it is because of a lack of experts in writing a get lishmah, or because of a lack of witnesses to ratify the signatures. The Gemara will analyze whether these Amoraic opinions are actually a dispute among the Tanna'im.

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

STATEMENT

כָּשֵׁר.

it is **valid**.

INFERENCE

אֵלֶּמָּא קָסְבִּיר שְׁנַיִם שֶׁהֵבִיאוּ גֵּט מִמְּדִינַת הָיִם, אֵין צְרִיכִין שִׁיאָמְרוּ: "בְּפָנֵינוּ נִכְתָּב וּבְפָנֵינוּ נִחְתָּם."

Consequently, he holds that two who brought a get from overseas, do not need to say: "In our presence it was written and in our presence it was signed."

OBJECTION

אָמַר לִיה אַבָּי: אֵלֶּא מַעַתָּה, סִיפָא דְקִתְנָה: שְׁנַיִם אוֹמְרִים "בְּפָנֵינוּ נִכְתָּב" וְאַחַד אוֹמֵר "בְּפָנֵי נִחְתָּם" – פָּסוּל, וְרַבִּי יְהוּדָה מְכַשֵּׁיר;

Abaye said to him: If so, consider the latter clause which teaches: Two say "In our presence it was written" and one says "In my presence it was signed" — it is invalid, and Rabbi Yehuda declares it valid;

INFERENCE

טַעְמָא דֵּאִין הָגֵט יוֹצֵא מִתַּחַת יְדֵי שְׁנֵיהֶם, הָא גֵּט יוֹצֵא מִתַּחַת יְדֵי שְׁנֵיהֶם – מְכַשֵּׁרֵי רַבָּנָן?!

is the **reason** that it is invalid only because **the get does not emerge from under the hands of both of them**, but if the get emerges from under the hands of both of them — would the Rabbis declare it valid?

ANSWER

אָמַר לִיה: אֵין.

He said to him: Yes, indeed.

QUESTION

וכי אין גט יוצא מתחת ידי שניהם במאי פליגי?

And when the get does not emerge from under the hands of both of them, in what principle do they argue?

EXPLANATION

מר סבר: גזרינן דלמא אתיא לאיחלוּפי בקיום שטרות דעלמא – בעד אחד; ומר סבר: לא גזרינן.

One Master holds: We decree it invalid lest it come to be confused with the ratification of general documents — with one witness; and one Master holds: We do not decree.

STATEMENT

לישנא אחרינא אמרי לה: אמר רב שמואל בר יהודה, אמר רבי יוחנן: אפילו גט יוצא מתחת ידי שניהם – פסול.

Another version they say of it: Rav Shmuel bar Yehuda said that Rabbi Yochanan said: Even if the get emerges from under the hands of both of them — it is invalid.

INFERENCE

אלמא קסבר שנים שהביאו גט ממדינת הים, צריכין שיאמרו "בפנינו נכתב ובפנינו נחתם".

Consequently, he holds that two who brought a get from overseas, need to say "In our presence it was written and in our presence it was signed."

OBJECTION

אמר ליה אביי: אלא מעתה, סיפא דקתני: שנים אומרים "בפנינו נכתב" ואחד אומר "בפני נחתם" – פסול, ורבי יהודה מכשיר; אפילו גט יוצא מתחת ידי שניהם פסלי רבנן?!

Abaye said to him: If so, consider the latter clause which teaches: Two say "In our presence it was written" and one says "In my presence it was signed" — it is invalid, and Rabbi Yehuda declares it valid; is it true that even when the get emerges from under the hands of both of them, the Rabbis declare it invalid?

ANSWER

אמר ליה: אין.

He said to him: Yes.

QUESTION

במאי קא מיפלגי?

In what principle do they argue?

EXPLANATION

מר סבר: לפי שאין בקיאתן לשמה, ומר סבר: לפי שאין עדים מצויין לקיימו.

One **Master holds**: The reason for the declaration is **because they are not expert in writing it lishmah**; and one **Master holds**: The reason is **because witnesses are not available to ratify it**.

QUESTION

לִימָא דְרַבָּה וְרַבָּא תַנַּאי הִיא?

Shall we say that the dispute of Rabba and Rava is a dispute of Tannaim?

RESOLUTION

לֹא; רַבָּא מְתַרְץ כְּלִישְׁנָא קַמָּא,

No; Rava resolves the difficulty according to the first version,

RESOLUTION

וְרַבָּה אָמַר לָהּ: דְּכוּלִּי עֲלָמָא בְּעִינֵי לְשֻׁמְהָ, וְהֵכָא בְּמַאי עֲסָקִינֵי – לְאַחַר שֶׁלְּמַדּוּ;

and Rabba could say to you: Everyone agrees we require the declaration because of lishmah, and here with what are we dealing? After they learned to write it lishmah;

EXPLANATION

וּבְגִזְיָרָה שְׁמָא יַחְזֹזֵר הַדְּבָר לְקִלְקוּלֹוּ קָמִיפְלָגִי – דְּמָר סָבֵר גְּזָרִינֵי, וּמָר סָבֵר לֹא גְזָרִינֵי.

and regarding a decree lest the matter return to its corrupt state they argue — as one Master holds we decree, and one Master holds we do not decree.

QUESTION

וְלִיפְלוֹג נָמִי רַבִּי יְהוּדָה בְּרִישָׁא!

But let Rabbi Yehuda argue also in the first clause of the Mishnah!

ANSWER

הָא אֲתַמַּר עָלֶיהָ, אָמַר עוּלָא: חָלּוּק הָיָה רַבִּי יְהוּדָה אַף בְּרִישָׁא.

But surely it was stated on this, Ulla said: Rabbi Yehuda was in disagreement even in the first clause.

OBJECTION

מִתִּיב רַב אוֹשְׁעִיָא לְעוּלָא: רַבִּי יְהוּדָה מְכַשִּׁיר בְּזוֹ וְלֹא בְּאַחֶרֶת.

Rav Oshaya challenged Ulla: A Baraisa states, "Rabbi Yehuda declares valid in this case and not in another."

INFERENCE

מַאי, לֹא לְמַעוּטֵי אֶחָד אוֹמֵר "בְּפָנַי נִכְתָּב" וְאֶחָד אוֹמֵר "בְּפָנַי נִחְתָּם"!!

What, is it not to exclude the case where one says "In my presence it was written" and one says "In my presence it was signed"?

ANSWER

לֹא, לְמַעוּטֵי "בְּפָנַי נִחְתָּם" אֲבָל לֹא בְּפָנַי נִכְתָּב –

No, it is to exclude a case where only one witness says "In my presence it was signed but not in my presence was it written" —

EXPLANATION

סָלָקָא דַּעְתָּךְ אַמִּינָא: הוֹאִיל וְלֹא גָזַר רַבִּי יְהוּדָה גְּזִירָה שְׁמָא יַחְזוֹר דְּבָר לְקָלוֹ; דְּלָמָּא אֵתִי
לְאַחֲלוּפֵי בְּקִיּוֹם שְׁטָרוֹת דְּעָלְמָא, בְּעֵד אֶחָד – נָמִי לֹא גָזַר; קָא מְשַׁמַּע לָן.

for it might enter your mind to say: Since Rabbi Yehuda did not decree a decree lest the matter return to its corrupt state, perhaps regarding the concern that it might come to be confused with the ratification of general documents with one witness — he also did not decree; therefore it teaches us that he does decree in that case.

STATEMENT

אַתְמַר נָמִי, אָמַר רַב יְהוּדָה: שְׁנַיִם שֶׁהָבִיאוּ גֵט מִמְּדִינַת הָיִם, בָּאֵנוּ לְמַחְלוּקַת רַבִּי יְהוּדָה וְרַבָּנָן.

It was also stated, Rav Yehuda said: Two who brought a get from overseas, we have arrived at the dispute of Rabbi Yehuda and the Rabbis.

STATEMENT

רַבָּה בַּר בַּר חַנָּה חָלַשׁ, עוֹל לְגַבִּיּה רַב יְהוּדָה וְרַבָּה, לְשִׁוּלֵי פִּיהָ.

Rabba bar bar Chana was weak, so Rav Yehuda and Rabba entered to him, to inquire about him.

QUESTION

בָּעוּ מִיָּנִיָּה: שְׁנַיִם שֶׁהָבִיאוּ גֵט מִמְּדִינַת הָיִם, צָרִיכִין שְׂאִימָרוּ "בְּפָנֵינוּ נִכְתַּב וּבְפָנֵינוּ נִחְתַּם", אוֹ אֵין צָרִיכִין?

They asked of him: Two who brought a get from overseas, do they need to say "In our presence it was written and in our presence it was signed," or do they not need to say it?

ANSWER

אָמַר לָהֶם: אֵין צָרִיכִין – מָה אֵילוּ יֹאמְרוּ "בְּפָנֵינוּ גִּירְשָׁה", מִי לֹא מְהִימָנִי?!

He said to them: They do not need — for what if they were to say "In our presence he divorced her," would they not be believed?!

STATEMENT

אֲדָהֳכִי, אֲתָא הָהוּא

In the meantime, there came a certain

SUMMARY

The Gemara presents two versions of Rabbi Yohanan's ruling on whether two agents bringing a get must make the declaration. In the first version, they do not need to make the declaration, and the machlokes between the Rabbis and Rabbi Yehuda in the latter clause of our Mishnah is based on a rabbinic decree regarding the ratification of documents. In the second version, Rabbi Yohanan holds that even two agents must make the declaration, which aligns with Rabba's view that the decree is due to a lack of expertise in writing a get lishmah. The Gemara explains that according to this second version, the Tanna'im are arguing over whether we decree a get invalid lest the people overseas return to their previous state of

ignorance regarding lishmah. Finally, the Gemara discusses Ulla's view that Rabbi Yehuda actually disagrees with the Rabbis even in the first clause of the Mishnah, and addresses a challenge to this from a baraita.

לְמַעֲשֶׂה WHAT TO TAKE HOME

In our daf, the Gemara discusses the rabbinic decree requiring the declaration "it was written and signed in my presence" even after the Jews overseas had already learned the proper halachos. The Rabbis ruled that the declaration must remain, out of a concern "lest the matter return to its corrupt state"—meaning, if we let down our guard just because things are currently stable, people will eventually forget and slip back into their old, mistaken ways.

This contains a profound lesson for our personal avodah. How often do we make positive changes in our lives, establish a beautiful daily learning seder, or work hard to fix a bad middah, only to let our guard down once we feel secure? We think, "I have this under control now, I don't need those extra boundaries anymore." But the human nature the Torah describes is that without constant, active safeguards, we naturally drift backward. The moment we stop protecting our spiritual achievements is the moment they begin to slip away.

To keep your spiritual growth alive and lasting, you must treat your good habits with the same vigilance you did when you first started. Do not dismantle the boundaries and structures that helped you grow in the first place, even if you feel you have outgrown them.

Identify one spiritual boundary or daily commitment that you have recently started to take lightly, and consciously reinforce it today to ensure your growth remains secure.