

## Let us require two witnesses

## ליבעי תרי -

### OVERVIEW

The גמרא asks; according to רבה who is concerned that the גט was written שלא לשמה, since the בני חו"ל are not בקיין לשמה, we should require that two עדים testify that this גט was written לשמה and only then to permit the woman to get married. However we have already learnt in a previous תוספות<sup>1</sup> that there is no real concern of שלא לשמה, only a concern of לעז, הוצאת לעז, why does the גמרא require two witnesses.

אכתי לא ידע הא דפרישית דלא הוי טעמא אלא משום לעז עד לבסוף:

The גמרא **did not know at this point** (of questioning that we should require two witnesses) **that which I previously<sup>2</sup> explained that the reason** for saying בפ"נ on account of שלא לשמה **is not** that we actually are concerned that the גט was written לשמה, **but rather** we are concerned **only on account of false gossip**; the גמרא did not know this **until the end** of the סוגיא, when the גמרא realizes that there is no real concern of שלא לשמה<sup>3</sup> only of לעז that if the husband will claim that it was not written לשמה people will gossip about this woman and any children she may bear in the future.<sup>4</sup>

### SUMMARY

When the גמרא asks that we should require two עדים, the גמרא thought there is a real חשש of שלא לשמה. Only later was it made clear that there is only a חשש of (ערעור and) הוצאת לעז.

### THINKING IT OVER

It seems obvious (as stated in the previous תוספות referenced here) that only after the גמרא concludes ספרי גמירי הן וסתם ספרי גמירי, do we realize that it is only a חשש of לעז; why does תוספות need to reemphasize it?<sup>5</sup>

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<sup>1</sup> תוספות ד"ה לפי (הב')

<sup>2</sup> תוספות ד"ה לפי (הב')

<sup>3</sup> רוב בקיין וסתם ספרי גמירי.

<sup>4</sup> If the גמרא knew that the only concern is gossip, the גמרא would not ask that we require two witnesses just to dispel rumor and gossip. For this the שליה is sufficient as the גמרא will shortly conclude. At this point the גמרא assumed that there is a real חשש of שלא לשמה, therefore the גמרא demanded that there be two עדים.

<sup>5</sup> See יהושע בגמ' ד"ה ולרבה.