

## שלא תחלוק בשליחות - שליחות So as not to differentiate in

### OVERVIEW<sup>1</sup>

The גמרא concluded that even nevertheless בפ"נ is required (according to רבה) because of the דבר לקלוקולו (שמה יחזור דבר לקלוקולו). The exception is by a שליחות דלא שכיחא, such as שנים שהביאו גט, where nothing is required; neither בפ"נ nor קיום. The גמרא attempts to refute this by quoting the משנה of מילתא דלא provided that she say בפ"נ; even though it is a שליחות דלא. To which the גמרא responds that even by a שליחות דלא שכיחא, still require saying בפ"נ, because שליחות תחלוק. The obvious question here is: If שליחות דלא requires saying בפ"נ even by a שליחות דלא שכיחא, how is it that by שנים שהביאו גט nothing is required?! Why do we not say there שליחות תחלוק as well?! תוספות deals with this question.

### פירוש בשליחות דחד דגזרינן חד שלא שכיח אטו חד דשכיח<sup>2</sup> -

The explanation of the phrase שליחות תחלוק is to be understood to be referring to a שליחות of one person, for then we make a decree in the case of one שליח even when it is not שכיח, that he be required to say בפ"נ on account of one שליח where it is שכיח. If we would not require this one שליח to say בפ"נ (even) in a case which is not שכיח (for instance שהביאה גיטה), then it may lead that we may inadvertently not require even by a case that is שכיח, that the שליח say בפ"נ. People may not distinguish between שכיח and שליח.

### אבל בי תרי אטו חד לא גזרינן:

However, we do not make a decree that two should say בפ"נ on account of one. There is no concern that if we exempt two שלוחים from saying בפ"נ that it may lead that we will not require בפ"נ from even one שליח. Everyone will be able to distinguish two שלוחים from one שליח. Therefore it is understood that even though we maintain שליחות תחלוק that all שליחות be required to say בפ"נ; nevertheless this ruling is limited only to single שלוחים, but not if there is more than one שליח. In a case of two שלוחים then בפ"נ is not required.

### SUMMARY

שליחות תחלוק applies to a שליחות of one; not to a שליחות of two.

<sup>1</sup> See previous תוספות ד"ה שלא הא'.

<sup>2</sup> See 'Thinking it over'.

### **THINKING IT OVER**

There is a similar תוספות previously<sup>3</sup> discussing the same idea concerning אינו יכול and יכול. In that תוספות, there was no explanation given why אינו יכול is not included in the תקנה of שליחות בחלוק. It was just a terse statement of fact. Why did תוספות find it necessary here<sup>4</sup> to explain the difference between חד and תרי?

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<sup>3</sup> See the previous תוספות ד"ה שלא תחלוק בשליחות.

<sup>4</sup> See footnote # 2.