

Daf Notes

Insights into the Daily Daf

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Daily Daf

His Word Against Witnesses

The *Mishna* cited the dispute between the Sages and Rabbi Meir about one who witnesses said ate forbidden fats. Rabbi Meir said that he is obligated in a sacrifice, while the Sages said that he is not.

The *Gemora* asks what the reasoning for the Sages position is:

1. One is inherently believed about himself more than any external parties.
2. If he would have admitted eating the fats, but said it was intentional, we would not make him offer a sacrifice. Since he could have successfully made this claim, as it doesn't contradict what they saw, we believe him when he denies the witnesses' claim.

The *Gemora* explains that if witnesses claim that he became impure yesterday, and today entered the Beis Hamikdash while still impure, we still believe him, according to both possible reasons, since he could have claimed that he immersed in the *mikvah* yesterday. The case that would depend on which reasoning is used is where the witnesses claim that he became impure today and then entered the Beis Hamikdash. If we inherently believe him more than the witnesses, we will still believe him when he contradicts their claim. However, if it is only due to his having another acceptable claim compatible with what they saw, there is no such claim in this case, since his immersing in the *mikvah* today would still not allow him to enter the Beis Hamikdash.

The *Gemora* attempts to prove the first reasoning from a *braisa* which records the dispute of Rabbi Meir and the Sages in the case of witnesses who claim that a person became impure.

Rabbi Ami deflects this by saying that the *braisa* is a case where they claimed that he became impure yesterday.

The *Gemora* challenges this, as this would be equivalent to the case of the fats taught in the *Mishna*, making the *braisa* redundant.

The *Gemora* answers that we may have thought that we only believe him in the case of the fats, where he can claim that his statement that "I did not eat" meant "I did not eat unintentionally, but I did eat intentionally." However, in the case of impurity, where he claimed, "I didn't become impure," we may have said that since he cannot directly reinterpret his words, he isn't believed. The *braisa* therefore teaches that even in this case, he can claim that he meant "I didn't *stay* impure, but rather immersed."

The *Gemora* attempts to prove the first reasoning from a *braisa*, in which Rabbi Meir states that two witnesses can obligate someone in a sacrifice, while Rabbi Yehudah says that a person is believed about himself over the witnesses. The *braisa* says that the Sages agree with Rabbi Yehudah in the cases of eating prohibited fats and entering the Beis Hamikdash while impure. The *braisa* implies that the Sages do not agree with him in the case where the witnesses only claimed that he was impure, but not that he transgressed

anything necessitating a sacrifice. The *Gemora* assumes this, as anything else would be equivalent to the prohibited fats. Since the Sages only disagree in this case of impurity, this indicates that they believe the person in any case of a sacrifice, following the first reasoning.

Ravina deflects this, saying that the Sages disagree in a case of a sacrifice, but only where the witnesses claimed that he ate a sacrifice while impure, and he responded that he wasn't impure. Since he independently stated that he wasn't impure, instead of directly contradicting the witnesses statement that he ate, he can't reinterpret his words to mean that he immersed, because then he would be admitting that he was impure.

Rav Nachman rules like Rabbi Yehudah. Rav Yosef limits this to situations that affect only the person himself, and only in private, but for all other purposes he must be considered impure.

The *Gemora* lists a number of limitations to Rabbi Meir's position:

1. Rish Lakish says that Rabbi Meir agrees that if witnesses claim that he had relations with a partially freed female slave and he denies it that we believe him, because he can claim that he did not finish his relations with her, which is still compatible with what they saw.
2. Rav Sheishes says that Rabbi Meir agrees in the case of witnesses who testify that a nazir became impure, and he denies this, as he could have claimed that he annulled his acceptance of *nezirus* by telling a court he regretted accepting it.
3. Abaye says that Rabbi Meir agrees in the case of witnesses who testify that someone knew testimony about someone but didn't testify, and he denies this. He could have claimed that he saw the event, but didn't consider himself a witness who would testify in court, which would make him exempt from a sacrifice, but still be compatible with what they saw. (12a – 12b)

Eating Multiple Times

The *Mishna* said that if one ate two *k'zayis* – olive size pieces of prohibited fats during one period of error, he is only liable for one sacrifice.

Rabbi Zeira asks why he need not offer two sacrifices, as he ate two units of the fats, and Abaye answers that the element that creates a separate obligation is the error.

Some learn that Rabbi Zeira's question was on the implication of the *Mishna* that if he ate the two *zayis* units in two separate errors, he is obligated in two sacrifices. Rabbi Zeira asks why this is so, since he only violated one prohibition, and Abaye answered that each error obligates its own sacrifice.

The *Mishna* said that if one ate two half *zayis* pieces of one prohibition in one period of error, he is obligated in one sacrifice.

The *Gemora* asks why the *Mishna* had to teach this, as it is obvious, since he ate one full *zayis* of the prohibition.

Rish Lakish answers in the name of Bar Tutini that the *Mishna* is a case where the two half *zayis*'s were in different dishes. The *Mishna* follows Rabbi Yehoshua, who says that each dish is considered a separate unit which can obligate one in a sacrifice. The *Mishna* is teaching that Rabbi Yehoshua only says this as a stringency, obligating one in multiple sacrifices for multiple *zayis*'s eaten in different dishes, but not as a leniency, to prevent two half *zayis*'s from combining.

Another version is that the *Gemora*'s question was that the later statement of the *Mishna*, that one who ate two half *zayis* pieces of different types of prohibitions is not obligated in a sacrifice, is obvious.

Rish Lakish answered that the *Mishna* means two half *zayis*'s of the *same* prohibition, but in different dishes, and it is following Rabbi Yehoshua. The *Mishna* is teaching that Rabbi Yehoshua considers each dish a separate unit, even as a leniency, preventing the two halves from combining. The *Gemora* says that if the *Mishna*'s case of two types of prohibitions is one prohibition in two dishes, then the case of one prohibition is two half *zayis*'s in the same dish. The *Mishna*'s statement that one is obligated in that case would be obvious. Ravina answers that the case is when he realized the prohibition in between the two halves, and the *Mishna* is following Rabban Gamliel, who says that a realization of half a unit is not considered a realization, making both halves part of the same error. (12b)

How Long can Eating be?

The *Mishna* discusses how much time a person may spend eating a unit of a food in order for it to be considered one act. Rabbi Meir says we estimate how much time it would have taken him to eat kernels of grain comprising the unit, while the Sages say that he must eat the full unit within the time it would take him to eat half a loaf of bread. If one ate impure food, drank impure liquids, or drank a *revi'is* – fourth of a *log* of wine, and then entered the Beis Hamikdash and stayed there for the time it would take to eat half a loaf, he is liable. Rabbi Eliezer says that if he drank wine, he is only liable if he drank an undiluted *revi'is* with no interruption.

The *Gemora* asks if Rabbi Meir's position is a leniency or stringency on the Sages' position. Is Rabbi Meir more stringent, saying that as long as he was continually eating, like one who eats kernels, he is liable, even if it took the whole day to finish? Or is he being more lenient, saying that even if his eating only took the time to eat half a loaf, he is only obligated if he continually ate through that time, like one who eats kernels, but not if he took any one long break?

The *Gemora* proves that he is being more stringent, since in response to him the Sages say "[he is not obligated] until he ate it in the time-span of eating half a loaf," implying that they are limiting his obligation to only this case. Since they are limiting the obligation, Rabbi Meir must be more stringent. (12b – 13a)

2:4), drinking forbidden drinks (*Ma'achalos Asuros* 14:9), and drinking *terumah* (*Terumos* 10:3).

The Ra'avad in *Hilchos Terumah* challenges the Rambam from the *Mishna* in *Kerisos*, which uses the same timeframe for eating and drinking. Although he concedes that the Rambam is following a *Tosefta* in *Yoma*, he should have ruled like the *Mishna* in *Kerisos*.

The *Magid Mishneh* in *Shevisas Asor* and *Ma'achalos Asuros* notes that the Rambam also rules like the *Mishna* in *Avos Hatumah*. He therefore answers that the Rambam understood that the true timeframe is the time it takes to drink a *revi'is*, but as a special stringency by impurity, the Sages made someone impure even if he took the longer time of half a loaf to drink the whole amount.

See *Mishnah Berurah* (210:1) for a discussion of the ramifications of this issue on the *brachah achronah* on drinks, especially hot tea and coffee.

Rabbi Ovadia Yosef (*Chazon Ovadia Responsa Pesach* 12) discusses the timeframe necessary for the four cups of the *seder*, and concludes that one who has a hard time drinking wine quickly has room to be lenient and drink each cup within the time of eating half a loaf.

INSIGHTS TO THE DAF

Drinking in Time

The *Mishna* (12b) states that if one ate impure food or drank impure liquids within the time of eating half a loaf of bread, he is impure and may not enter the Beis Hamikdash.

The Rambam (*Avos Hatuma* 8:11) rules like this *Mishna*, and uses the same timeframe for eating and drinking. However, the Rambam rules elsewhere that the timeframe for drinking is the time it takes one to drink a *revi'is*. He uses this timeframe regarding drinking on Yom Kippur (*Shevisas Asor*