

Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h
Tzvi Gershon ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

Mishna

One who is suspected of ignoring the *Shemittah* (Sabbatical) year is not suspected of ignoring also the *ma’asros* (tithes). One who is suspected of ignoring *ma’asros* is not suspected of ignoring also the *Shemittah* year. One who is suspected of ignoring both is suspected of ignoring the rules of *taharos* (this is referring to the code of *chaverus* – although one is allowed to eat *chullin* produce in a state of *tumah*, they were stringent and ate it in a state of *taharah*). One who is suspected of ignoring the rules of *taharos* is not suspected of ignoring the two laws (of *Shemittah* and *ma’asros*). [This is because he is only suspected regarding the Rabbinical code of *chaverus*; that does not cause him to be suspected regarding the Biblical laws of *Shemittah* and *ma’asros*.] This is the general rule: one who is suspected of ignoring a religious law must not give judgment on it or testify concerning it. (30a)

Suspected for Shemittah or Ma’aser and Taharos

[The *Mishna* had stated: One who is suspected of ignoring the *Shemittah* (Sabbatical) year is not suspected of ignoring also the *ma’asros* (tithes).] The *Gemora* notes that the reason is because *Shemittah* produce are not required to be eaten within the walls (of *Yerushalayim*), whereas *ma’asros* are required to be eaten within the walls, and therefore, the law is more stringent (in *people’s eyes*) with regard to them.

The *Mishna* had stated: One who is suspected of ignoring *ma’asros* [is not suspected of ignoring also the *Shemittah* year.] The *Gemora* notes that the reason is because *ma’asros* can be redeemed, whereas the produce of the *Shemittah* year is forbidden to him and cannot be redeemed; and therefore the rule is more stringent (in *people’s eyes*) in regard to it.

The *Mishna* had stated: One who is suspected of ignoring both [is suspected of ignoring the rules of *taharos*.] The *Gemora* notes that the reason is because if he is suspected of ignoring The strict laws of Biblical prohibitions, how much more so is he suspected of ignoring a Rabbinic decree (like eating *chullin* in a state of *tumah*)?

The *Mishna* had stated: One who is suspected of ignoring the rules of *taharos* [is not suspected of ignoring the two laws (of *Shemittah* and *ma’asros*)]. The *Gemora* notes that the reason is because even though he is suspected of ignoring a Rabbinic decree, he is not suspected of ignoring a Biblical prohibition.

The *Gemora* cites a *braisa* which is in contradiction with this: One who can be trusted in respect of *taharos*, is trusted with respect to the *Shemittah* year and *ma’asros*. It can be inferred from here that one who is suspected of ignoring the rules of *taharos* is suspected of ignoring the laws of *Shemittah* as well!?

Rabbi Ilai answered that our *Mishna* refers to a case where we saw him practice (the laws of *Shemittah* and *ma’asros*) privately at home (and therefore, he is obviously not doing it “for show,” and he can therefore be trusted for them).

Rabbi Yannai the son of Rabbi Yishmael said: The *braisa* refers to a case where he was suspected of ignoring both (*taharos* and the *Shemittah* year), and he came before the Rabbis and accepted upon himself to be regarded as trustworthy for both of them; and subsequently, he was again suspected of ignoring one of them (*taharos*). We then hold that since he is suspected of ignoring this one (*taharos*), he is also suspected of ignoring the other.

Rabbah bar bar Chanah said in the name of Rabbi Yochanan: These (that one who is suspected of ignoring the *Shemittah* year is not suspected of disregarding the law of *ma’asros*) are the words of

Rabbi Akiva, whose authored anonymous rulings; but the Sages say: One who is suspected of ignoring the laws of the *Shemittah* year is suspected of ignoring the laws of *ma'asros*.

The *Gemora* notes that when we say the Sages, we are referring to Rabbi Yehudah, for in the place of Rabbi Yehudah, the *Shemittah* year was seriously observed by the people, for there was a certain person who called his fellow (in a disapproving manner), "Convert, the son of a female convert," and the other retorted, "May I merit Divine reward, as I have not eaten the produce of the *Shemittah* year like you" (*demonstrating that this was regarded as a serious offense*).

There were those who said: Rabbah bar bar Chanah said in the name of Rabbi Yochanan: These (*that one who is suspected of ignoring the Shemittah year is not suspected of disregarding the law of ma'asros*) are the words of Rabbi Akiva, whose authored anonymous rulings; but the Sages say: One who is suspected of ignoring the laws of *ma'asros* is suspected of ignoring the laws of the *Shemittah* year.

The *Gemora* notes that when we say the Sages, we are referring to Rabbi Meir, who said: One who is suspected of ignoring one Biblical law is suspected of disregarding the entire Torah.

Rabbi Yonah and Rabbi Yirmiyah, the disciples of Rabbi Ze'ira, or according to others, Rabbi Yonah and Rabbi Ze'ira, the disciples of Rabbi Yochanan argued as follows: One said: One who is suspected of ignoring the laws of the *Shemittah* year is suspected of ignoring the laws of *ma'asros*, and when they said the Sages, they are referring to Rabbi Yehudah. And the other said: One who is suspected of ignoring the laws of *ma'asros* is suspected of ignoring the laws of the *Shemittah* year, and when they said the Sages, they are referring to Rabbi Meir, as it has been taught in a *braisa*: An *am ha'aretz* (*one who is unlearned, and is not regarded as trustworthy with respect of taharos*), who accepted the obligations of *chaverus* (*that he will not give terumah or ma'aser to an am ha'aretz, he will not work together with an am ha'aretz with tahor produce, he will eat chullin produce in a state of taharah, he will separate ma'aser from that which he eats, sells or buys*), and who is suspected of ignoring one Biblical law is suspected of disregarding the entire Torah; these are the words of Rabbi Meir. But the Sages say: He is only suspected of ignoring that particular law. And a convert, who accepted the *mitzvos* of the Torah, though he is suspected of

ignoring only one Biblical law, is suspected of disregarding the entire Torah, and he is regarded as an apostate Jew. The difference (*that he is regarded as an apostate Jew*) would be that if he betroths a woman, (*even after his reverting to his old lifestyle*), his betrothal is valid. (30a – 30b)

Chaverus

The *Gemora* cites a *braisa*: If one is prepared to accept the obligation of *chaverus* except for one Biblical law, we do not accept him. If an idolater is prepared to accept the Torah except for one law, we must not accept him. Rabbi Yosi the son of Rabbi Yehudah says: Even if the exception is only one stringency of the Rabbis. And similarly if a *Levi* was prepared to accept the duties of the *Levi'im* (*to sing, serve and to open and close the Temple's gates*) except one law, we must not accept him (*and consequently, he does not receive the gifts belonging to the Levi*). If a *Kohen* was prepared to accept the duties of the *Kehunah* except for one law, we must not accept him (*as a Kohen*), as it is written: *He that offers the blood of the shelamim*; implying the services that are transmitted to the sons of Aaron, and that any *Kohen* who does not acknowledge this, has no share in the priestly portion.

The *Gemora* cites a *braisa*: If one is prepared to accept the obligation of *chaverus*, if we saw him practicing these privately at his house, we accept him and subsequently teach him (*the laws of tumah and taharah*), but if not, we first teach him and then accept him. But Rabbi Shimon ben Yochai says: In both cases, we accept him and he learns incidentally as he goes on.

The *Gemora* cites a *braisa*: We accept him as a *chaver* for "wings" (*washing his hands before eating chullin bread and before touching food of terumah*), and afterwards, we accept him for *taharos*. If he said that he is only accepting the "wings" portion, we accept him as a *chaver* for that. If, however, he accepted to observe the rules of *taharos*, but he did not accept for "wings," then his acceptance – even for *taharos*, is not effective.

The *Gemora* cites a *braisa*: How long is the period of practicing before we accept him as a *chaver*? Beis Shammai say: As regards to the *taharah* of his liquids (*whose tumah is of a light character, being that it is only Rabbinic*), the period is thirty days, but as regards to the *taharah* of his garments, the period is twelve months. Beis Hillel say: Both in the one case as well as in the other, the period is twelve months.

The *Gemora* asks: If so, then you have here a ruling where Beis Shammai is more lenient and Beis Hillel is the stricter (*and in Ediyos, only six such examples are cited*)?

The *Gemora* emends the *braisa* to read as follows: Beis Hillel say: Both in the one case as well as in the other, the period is thirty days.

[*Mnemonic: A chaver, Scholar, Techeiles, Customs, Reversed, Tax collector, Himself*] The *Gemora* cites a *braisa*: One who desires to accept the obligations of a *chaver* is required to do so in the presence of three *chaverim*, whereas his sons and the members of his family are not required to accept these obligations in the presence of three *chaverim*. But Rabbi Shimon ben Gamliel says: His sons and the members of his family are also required to accept these obligations in the presence of three *chaverim*, because the case of a *chaver* who accepts these obligations is not similar at all with the case of the son of a *chaver* who accepts them. [*The father, a chaver, will feel more obligated and will be more readily trusted, as he publicly accepted in the presence of three chaverim the obligations involved, whereas the son of a chaver only sees his father practice these laws.*]

The *Gemora* cites a *braisa*: One who desires to accept the obligations of a *chaver* is required to do so in the presence of three *chaverim*, and even a Torah scholar is required to accept the obligations in the presence of three *chaverim*. An elder, a sitting member of the *Sanhedrin*, is not required to accept these obligations in the presence of three *chaverim*, for he has already accepted them from the time when he took his place on the *Sanhedrin*. Abba Shaul Says: Even a Torah scholar is not required to accept the obligations of a *chaver* in the presence of three *chaverim*. And not only this, but even others may accept the obligations of a *chaver* in his presence.

Rabbi Yochanan said: In the days of the son of Rabbi Chanina ben Antignos was this teaching taught. For Rabbi Yehudah and Rabbi Yosi were in doubt concerning a matter of *taharos*. They sent a pair of scholars to the son of Rabbi Chanina ben Antignos. They went and asked him to inquire into the matter. They found him carrying food prepared in a state of *taharah*. He seated some of his own disciples (*who were chaverim*) with them (*to 'guard' his taharos*) while he stood up to look in to the question. They came and informed Rabbi Yehudah and Rabbi Yosi (*of his conduct towards*

them – that they weren't trusted) Rabbi Yehudah (*in anger*) said to them: His father embarrassed Torah scholars (*although this really wasn't true*) and he also demeans them. Rabbi Yosi replied to him: Let the dignity of the elder lie undisturbed in its place, but from the day that the Temple was destroyed, the *Kohanim* accepted a higher standard by not entrusting matters of *taharah* to just anybody (*unless they were accepted as chaverim*).

The *Gemora* cites a *braisa*: If a *chaver* dies, his wife and the members of the family retain their status (*as chaverim*) until there is reason to suspect them. And similarly, a courtyard in which *techeiles* was sold retains its status until it is disqualified.

The *Gemora* cites a *braisa*: The wife of an *am ha'aretz* who married a *chaver*, and likewise, a daughter of an *am ha'aretz* who was married to a *chaver*, and similarly, the slave of an *am ha'aretz* who was sold to a *chaver* — all of these must first accept the obligations of a *chaver*. But the wife of a *chaver* who married an *am ha'aretz*, and likewise, the daughter of a *chaver* who was married to an *am ha'aretz*, and similarly, the slave of a *chaver* who was sold to an *am ha'aretz*, need not first accept the obligations of a *chaver*. Rabbi Meir said: Even they must accept upon themselves the obligations of a *chaver*.

Rabbi Shimon ben Elozar said in the name of Rabbi Meir: It happened with a certain woman who was married to a *chaver* that she fastened the straps of the *tefillin* on his hand, and when afterwards married to an *am ha'aretz*, she knotted the custom receipts on his hand. [*We see therefore that even a wife originally of a chaver can alter her habits in a changed environment and adopt the unscrupulous behaviors of her second husband.*] (30b)

DAILY MASHAL

Chaver!

Once HaGaon Rav Yitzchak Zeev of Brisk zt"l discussed the *kashrus* of some food that originated from the home of a G-d-fearing person. One of those present wondered, "After all, there is a *chazakah* (assumption) that a *chaver* makes sure that nothing untoward comes from him?" Rav Yitzchak Zeev replied, "How do you know that that person accepted on himself all the criteria of being a *chaver* in all details as explained in our *sugya*? It's not so simple to be called a *chaver*."