Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Bechoros Daf Lamed

MISHNA

- If one is suspect regarding shmitta he does not automatically become suspect regarding maaser. If one is suspect regarding maaser he does not automatically become suspect regarding shmitta. If he is suspect regarding both of these he is considered suspect regarding taharos as well. There is a person who is suspect regarding taharos and not suspect regarding shmitta and maaser.
- The rule is, when one is suspect regarding something he may neither judge that matter nor testify about it.

GEMARA

- One who is suspect regarding shmitta is not suspect regarding maaser, because shmitta can be eaten anywhere whereas maaser must be eaten within the wall of Yerushalayim, therefore people treat it more stringently.

HECHASHUD AHL HAMAASER…

- One who is suspect regarding maaser is not suspect regarding shmitta, because maaser can be redeemed whereas shmitta produce cannot and therefore people treat it more stringently.

HECHASHUD AHL ZEH V'AHL ZEH…

- Since we see that he is suspect regarding things that are D'Oraisa (shmitta, maaser) he is definitely suspect regarding things that are only D'Rabanan.

V'YEISH CHASHUD AHL HATEHAROS

- The reason is, that just because he is suspect regarding a D'Rabanan does not make him suspect regarding a D'Oraisa.
    - **Q:** A Braisa says that one who is trusted regarding tahoros is trusted regarding shmitta. That seems to suggest that one who is suspect regarding tahoros is suspect regarding shmitta!? **A: R' Illai** said, our Mishna is discussing a case of where we see the person keeping the halachos of shmitta and maaser in the privacy of his home. **R' Yannai the son or R' Yishmael** said, the case of the Braisa is where a person was suspect regarding shmitta and tahoros, and in front of the Rabanan then accepted upon himself to be trustworthy for both these things, and we then found him to be suspect regarding tahoros. In that case we say that since he is suspect for one of the things he accepted upon himself, he is also suspect regarding the second thing as well.
- **Rabbah bar bar Chana in the name of R' Yochanan** said, our Mishna reflects the view of **R' Akiva**, but the **Chachomim** hold that if one is suspect regarding shmitta he is also suspect regarding maaser. The view of the **Chachomim** is the view of **R' Yehuda**, because in his locale the people treated shmitta very stringently.
    - **Some** say that **Rabbah bar bar Chana in the name of R' Yochanan** said, our Mishna reflects the view of **R' Akiva Sitimta'ah**, but the **Chachomim** hold that if one is suspect regarding maaser he is also suspect regarding shmitta. The view of the **Chachomim** is the view of **R' Meir**, who says that if one is suspect regarding one thing he is suspect for everything in the Torah.
    - **R' Yonah and R' Yirmiya** the talmidim of **R' Ze'eira** argued – one said that the **Chachomim** argue on our Mishna and say that if one is suspect regarding shmitta he is also suspect regarding maaser, and their view is the view of **R' Yehuda**, the other said that the **Chachomim** argue on our Mishna and say that if one is suspect regarding maaser he is also suspect regarding shmitta and their view is the view of **R' Meir**. We see this in a Braisa which says that if an ahm Haaretz accepts to be a chaveir and then becomes suspect to one thing, **R' Meir** says he becomes suspect for the entire Torah. The **Chachomim** say that he only becomes suspect for that one thing. If a ger accepts

the Torah on himself and then becomes suspect regarding one thing, he is suspect regarding the entire Torah and is treated as a Yid who is a mumar – which is important, because this means that if he is mekadesh a woman it is a valid kiddushin (not like the kiddushin of a goy, which has no affect).

- A Braisa says, if a person comes to accept to be a chaveir except for one thing, we do not accept him as a chaveir. If a goy comes to accept all of the Torah except for one thing, we do not accept him as a ger. **R' Yose the son of R' Yehuda** said, this is true even if he doesn't want to accept one chumra of the **Rabanan**. Also, if a Levi comes to accept the halachos regarding a Levi except for one thing, we do not accept him. Also, if a Kohen comes to accept the halachos regarding a Kohen except for one thing, we do not accept him. The pasuk of "hamakriv es dam hashelamim…" teaches that the Avodah was given to the Kohanim, and any Kohen who does not accept it fully does not get a share of the Kehuna.
- A Braisa says, if a person comes to accept to be a chaveir and we see that he has been practicing the rules of chaveiros in the privacy of his home, we accept him and then teach him the rules. If we haven't seen that, we must first teach him the rules and can then accept him as a chaveir. **R' Shimon ben Yochai** says, in either case we can accept him immediately and he can then learn the rules as he goes along.
- A Braisa says, we accept a chaver in stages – first with regard to "wings" (i.e. netilas yadayim) and then for all other matters of taharos. If he says he only accepts the rules of "wings" we may accept him for that. If he says he only accepts the other rules of taharos but not of "wings" we don't accept him as a chaveir for anything.
- A Braisa says, for how long must one be practicing as a chaveir before we may accept him as a chaveir? **B"S** say, for drinks it is 30 days and for clothing it is 12 months. **B"H** say that for both it is 12 months.
    - **Q:** This would then be another case where **B"S** is more meikel than **B"H**!? **A:** Rather, say that **B"H** say for both it is 30 days.
- A Braisa says, if a person comes to accept to be a chaveir he must make the acceptance in front of 3 chaveirem, but his sons and family need not accept in front of 3 chaveirem. **R' Shimon ben Gamliel** says that even his sons and family need to do so, but we can't compare someone who accepted to be a chaver on his own and someone who is the son of someone who accepted to be a chaver.
- A Braisa says, if a person comes to accept to be a chaveir he must make the acceptance in front of 3 chaveirem, and even if he is a talmid chochom he must do so. However, if he is a "zakein" who sits in yeshiva (on the Sanhedrin) he need not accept in front of 3 chaveirem, because he has already accepted this when he began to sit in yeshiva. **Abba Shaul** says that even a talmid chochom does not have to do so, and even more than that, others can accept to be a chaver in front of a talmid chochom even if he himself had never accepted to be a chaver.
    - **R' Yochanan** said that this Braisa that says that a talmid chochom must accept chaveiros in order to be treated as a chaver, was taught in the days of the son of **R' Chanina ben Antignus**. He then related a story of how the son of **R' Chanina ben Antignus** didn't trust anybody with his taharos – even talmidei chachochim of the caliber of **R' Yehuda and R' Yose** – unless they accepted chaveirus on themselves.
- A Braisa says, when a chaver dies, his wife, children and household continue to be treated as chaveirem until they become suspect. Similarly, a chatzer in which they sell techeiles continues to be considered as reliable until we have reason to believe that they are selling blue wool that is not proper techeiles.
- A Braisa says, if the wife or daughter of an ahm haaretz married a chaver, or if the slave of an ahm haaretz was sold to a chaver, they must accept the rules of being a chaver in order to be considered a chaver. However, if the wife or daughter of a chaver married an ahm haaretz or if the servant of a chaver was sold to an ahm haaretz, they do not need to accept the rules of chaveirus in order to be trusted as a chaver. **R' Meir** says that they do. **R' Shimon ben Elazar in the name of R' Meir** said, there was a woman who when married to a chaver would tie his tefillin on his hand for him, and yet when she

then married an ahm Haaretz she should tie his tax collector papers onto his hand for him.