

OVERVIEW of the Daf

1) Drinking (cont.)

The proof from the verse that drinking is part of "eating" is successfully challenged.

Another verse is cited as proof that drinking is part of "eating."

This proof is unsuccessfully challenged.

Rava cites a Mishnah that demonstrates that drinking is part of "eating."

Abaye unsuccessfully challenges this proof.

R' Ashi suggests another proof that drinking is part of "eating" but this proof is rejected.

2) Different varieties of bread

The Mishnah's understanding that by mentioning different varieties of bread the intent was to make separate oaths is unsuccessfully challenged.

3) Different varieties of drinks

R' Pappa explains the circumstance of the Mishnah's ruling that mentioning different varieties of drinks constitutes separate oaths.

This explanation is unsuccessfully challenged.

R' Acha the son of R' Ika offers a second explanation of the Mishnah.

Another Mishnah and subsequent comment of R' Yochanan similar to our Mishnah is cited.

R' Acha and Ravina disagree about the meaning of the Mishnah and R' Yochanan's subsequent comment.

The Gemara asks whether this dispute applies to our Mishnah.

Rava rejects the parallel.

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Distinctive INSIGHT

Three oaths or one?

במסרהב בו חבירו עסקינן

The Mishnah (22b) had taught that if a person makes an oath not to eat wheat bread, barley bread or spelt bread, and he eats, he is liable for each and every loaf from which he partakes. We interpret the extra word "loaf" which he enunciated for each grain to be a separate oath. If a person makes an oath not to drink wine, oil or honey, and he drinks, he is liable separately for each and every beverage.

The Gemara suggests that there should be a difference between the cases. Regarding the loaves, the person said the word "loaf" for each grain, thus signaling his acceptance of each grain as a independent oath. But for the beverages, perhaps he simply meant to not drink these three, to the exclusion of other beverages which remain permitted. Where do we see that he accepted upon himself several oaths?

The Gemara presents two answers to this question. The point of both is that if the person could have referred to the three beverages in a comprehensive manner, but he chose to mention each of them separately, we interpret his detailing as acceptance of three oaths. For example, Rav Pappa says that the case is where the three beverages were all sitting in front of the person on a table. He could simply say, "I will not drink from these." Yet, he did not refer to them collectively, and he said, "I will not drink wine, oil or honey," thus indicating his intention to accept three oaths, not just one.

Rav Acha b. R' Ika offers a different explanation. He says that the case in the Mishnah is dealing with a situation where this person's friend is pressuring him to drink. He insists that he join him, as he demands, "Come and drink wine, oil and honey together!" The listener denies the invitation and says, "I will not drink wine, oil or honey!" Now, he could have easily said, "I will not drink these," in response to the friend's invitation. Nevertheless, explains Rav Acha, since he mentions each beverage separately, he is obviously accepting upon himself separate oaths for each.

The Rishonim discuss whether only the explanation of R' Acha is accepted as the halacha, in which case a person's words are always considered as one oath if the beverages are sitting in front of him on a table, or whether the explanation of R' Pappa is also accepted as the halacha, and even if the drinks are on the table he is considered to have accepted three oaths upon himself.

Ritva writes that both explanations are accepted as halacha, and R' Acha does not disagree with R' Pappa. The reason he gives an alternative case is that he does not feel that the Mishnah should be limited only to where the beverages must be sitting in front of the person. ■

REVIEW and Remember

1. How do we know that "eating" includes drinking?

2. What is the significance of the fact that the Mishnah used the term פת before each variety of bread?

3. In the Mishnah, why is it assumed that the person intended to make separate oaths for each beverage that is enumerated?

4. Explain איסור כולל.

HALACHAH Highlight

Including one who drank water in the zimun

דשתיה בכלל אכילה איתא

Because drinking is included in "eating"

Shulchan Aruch¹ rules that if nine people eat bread together and a tenth person eats an olive's volume of vegetables the group may include Hashem's name in the zimun. Even if the tenth person did not eat a full olive's volume of vegetable but when the volume of the vegetable is combined with the dip with which it was eaten the total volume is equal to the volume of an olive they may include Hashem's name in the zimun. Moreover, if the tenth person drank a revi'is of any liquid other than water he can join their zimun so that Hashem's name could be included. Beis Yosef² explains that one who drinks only water may not join the zimun since water is not something that satiates a person.

Magen Avrohom³ challenges this ruling. What difference does it make whether water satisfies or not; the very fact that it is considered eating should be sufficient to allow one who drinks water to join the zimun. He proves that drinking is included in the category of eating from our Gemara and the subsequent ruling in Shulchan Aruch⁴ that one who takes an oath not to eat may not even take a drink. Even though it seems from the Gemara that it refers to drinking wine, it is not logical to assume that the halacha is limited to wine.

Chemed Moshe⁵ suggests that the dispute between Shul-

4) Clarifying the Mishnah

A contradiction in the Mishnah whether one is liable for eating food that is unfit is noted.

One resolution is suggested but rejected.

Rav, Shmuel and R' Yochanan suggest one resolution.

Reish Lakish suggests a second resolution.

Reish Lakish's resolution is unsuccessfully challenged. ■

chan Aruch and Magen Avrohom relates to another dispute between Shulchan Aruch and Rema. Shulchan Aruch⁶ rules that someone who is in the middle of eating may pause to answer the zimun and only has to refrain from eating until the end of the zimun whereas Rema⁷ holds that one must refrain from eating until the end of the first beracha. The basis of this dispute relates to what qualifies as "eating" to participate in the zimun. According to Shulchan Aruch all that is necessary is that one should consume something that qualifies as eating – ברוך שאכלנו – and drinking is considered "eating." Rema, on the other hand, maintains that one must eat something that is satisfying הזן את העולם – Who sustains the world – therefore one must eat something that is satisfying, to the exclusion of drinking water. ■

1. שו"ע או"ח סי' קצ"ז סעי' ב'.

2. ב"י שם ד"ה אמר ר' יהודה.

3. מג"א שם סק"ו.

4. שו"ע יו"ד סי' רל"ח סעי' ב'.

5. חמד משה שם סק"א.

6. שו"ע או"ח סי' ר' סעי' ב'.

7. רמ"א שם. ■

STORIES Off the Daf

"Wine and Spirits"

"תירוש וחמרא" ..

A certain drunk was very distressed at the antics he would get up to when inebriated. After a particularly unpleasant escapade when he was found laying in a stupor in public his family convinced him to vow al daas rabim never again to let any alcohol pass his lips. He did so, but shortly after this he began to crave a drink with an intensity that he could hardly resist. Nevertheless, he was not about to violate his vow. But when he began to feel the violent illness of withdrawal, he had serious doubts about

his rash act and wished he had never vowed in the first place. The doctors examined him and warned that he could literally die while detoxing, since treatment for delirium tremens was still very primitive at the time.

However, when the alcoholic asked various rabbis to annul his vow, they could not see how it could be done. After all, it seems clear that al daas rabim has no heter no matter what. Although there were certain leniencies, it was not enough to permit him to drink again. When the unfortunate man finally made his way to the young Rav Beirish of Biale, ז"ל, he had all but given up on finding a way out.

When he joined the throng that wished to speak to the rebbe and receive

his blessing, he couldn't keep himself from bursting into bitter tears of regret. When the chassidim asked him to explain what was so troubling to him he blurted out his trouble. They immediately ushered him into the rebbe's presence.

After much careful thought and iyun the rebbe permitted this based on the opinion of the Rashbah.

When the Rebbe of Strikov, ז"ל, told over this story, which he witnessed, he added, "We see from here the rebbe's mastery of Torah from even a very young age. Despite his yiras shomayim and youth, he was willing to rule in a difficult question in which no other rav could find a leniency."¹ ■

1. דברות קודש-סטריקוב, שלח תשס"ד, ע"ג