



Volume 4. Issue 28

## Eating and Drinking

With the beginning of the third *perek*, we start discussing the subject of *Shevuot* (oaths). The first case brought is as follows (3:1):

If someone made a *shevuah* not to eat, and they ate and drank, they are only obligated to [bring] one [*korban*]. If someone made a *shevuah* not to eat and not to drink, then ate and drank, they are obligated to [bring] two [*korbanot*].

The *Bartenura* explains that in the first case, “eating” implies both eating and drinking, therefore if he eats and drinks, it is the same as if he ate multiple times in one instance, and he is therefore only obligated to bring one *korban*. In the second case, since he explicitly stated drinking separately, he is revealing to us that “eating” refers only to eating and we therefore have two *Shevuot*.

The *Gemara* provides two sources for why drinking is also considered eating. The first is based on logic: when a person invites another to go and “taste”<sup>1</sup> something, they then proceed to eat and drink. The second source is based on *p’sukim* where the term *achilah* (eating) is used to refer to drinking

One may question the rationale of the first logic-based source. If people in general say, do you want to go and eat something and then they proceed to eat and drink, it does not necessarily imply that the term “eating” encompasses both. For this reason, a number of *Rishonim* (*Ritva*, *Rashba*) opted for a different version of the text compared to ours. Theirs says, that people invite another to go and “taste” something, but then go out to drink. This version of the logic more tightly demonstrates that “eating” also implies drinking.

The *Tosfot* make an attempt to defend our version, stating that had eating not implied drinking, the inviter

would have stated both activities explicitly. Nevertheless, they agree that the alternative version is preferred.

The *Ri Mi’lunil* provides a stronger support for our version. He explains that when the *Gemara* writes “they then proceed to eat and drink” the intention is “eat or drink” – either activity exclusively. We therefore see that the term eating can sometimes also imply drinking alone.

One question is left: why does the *Gemara* require both a source based on logic and grounding from *p’sukim*? Surely one would be sufficient! The *Tosfot* cite another *Gemara* where such a strategy is questioned: “Why do we need a *pasuk*? It is logical!” (*Ketubot* 22a)

The *Rashba* explains the *Gemara* wished to first present the *pasuk* as the source. Yet, some may feel that it is inappropriate as we have a principle in *nedarim* (vows) that the interpretation of the terms in a *neder* is determined by their common use and not their use in the *Torah*. Therefore to abate such concerns, the *Gemara* provides a rationale that indeed even looking to the common spoken language would lead to the same conclusion. Similarly, the *Ritva* explains when a person makes a *shevuah* he can choose that it be interpreted based on the language of the *Torah* or common speech. The two sources, the logic and textual, both support that eating implies drinking for both these methods.

The *Tosfot* however provide precisely the opposite explanation. Instead, their starting point is the logic. They explain sometimes when a rationale is provided that is questionable, a *pasuk* is required as reinforcement.

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<sup>1</sup> “Taste” is a translation of the term used in the *Gemara* – “*te’imah*”. The *Tosfot* (s.v. “*ta*”) explain that we should not be bothered by this term as

they understand that *te’imah*, in the language of the *Gemara*, was used in place of *achila*.

### Revision Questions

שבועות א' – ד' – ג' :ה'

- What are the two opinions for what is a *mechaper* for a person that did not have *yediyah* at all? (ד': א')
- What is *R' Meir's* opinion with respect to the function of the *se'irim*? (ד': א')
- Describe the debate around the opinion of *R' Shimon*? (ד': א')
- How does *R' Shimon ben Yehuda* differ in his understanding of *R' Shimon*? (ה': א')
- What *korban* atones for one that entered the *mikdash* in a state of impurity deliberately? (ו': א')
- What does the *seir ha'mishtaleach* atone for? (ו': א')
- With respect to which *aveira* is there a difference between the *korban* for *kohanim* and the rest of *Yisrael* and what are the respective *korbanot*? (ז': א')
- Complete the following expression and explain: (א': א')  
 \_\_\_\_\_ שיהן \_\_\_\_\_ ידיעות הטומאה
- Where exactly has someone entered (in a state of *tumah*) if they are obligated to bring a *korban oleh ve'yored*? (ב': ב')
- Explain the process by which the *azarah* could be extended. (ב': ב')
- When would someone who got *tameh* while in the *azarah* be required to bring a *korban oleh ve'yored*? (ג': ג')
- What is the case regarding *niddah* that is similar to the discussion in the previous *Mishnah*? (ד': ב')
- Regarding which form of *helem* is the subject of the debate whether the person would bring a *korban oleh ve'yored*? (ה': ב')
- Complete the following expression and explain: (א': א')  
 \_\_\_\_\_ שיהן \_\_\_\_\_ שבועות
- What is the law if someone made a *shevu'ah* not to eat, and:
  - They ate and drank? (א': ג')
  - They ate three different type of bread? (ב': ג')
- Regarding the previous question, when would the law be different? (ג': א'-ב')
- What other case is brought that share a similar law to the previous two questions? (ג': ג')
- If a person made a *shevu'ah* not to eat, and he ate, when would he not be *chayav*? (ד': ג')
- Explain the debate regarding a person who made a *shevu'ah* not to eat, then ate *neveilot* and *tereifot*? (ד': ג')
- The *Mishnah* explains that *shevuot* apply to four extra categories – what are they and explain? (ה': ג')

### Local Shiurim

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 Between mincha & ma'ariv  
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 10 minutes before mincha  
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### Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
2 <sup>nd</sup> December כ"ב כסלו	3 <sup>rd</sup> December כ"ג כסלו	4 <sup>th</sup> December כ"ד כסלו	5 <sup>th</sup> December כ"ה כסלו חנוכה א'	6 <sup>th</sup> December כ"ו כסלו חנוכה ב'	7 <sup>th</sup> December כ"ז כסלו חנוכה ג'	8 <sup>th</sup> December כ"ח כסלו חנוכה ד'
Shevuot 3:6-7	Shevuot 3:8-9	Shevuot 3:10-11	Shevuot 4:1-2	Shevuot 4:3-4	Shevuot 4:5-6	Shevuot 4:7-8

