

בבת אחת דברי הכל טמאים – טמא Simultaneously; all agree they are

OVERVIEW

Concerning the case of שבילין ב' יוחנן רבא' that if both travelers came together and asked about their status, the unanimous ruling would be that they both are טמא. Our תוספות qualifies this ruling.



נראה דהיינו מדרבנן¹ דמדאורייתא אפילו בבת אחת טהורים²:

It appears that this ruling that both are טמא is only מדרבנן, for according to תורה law even if they asked simultaneously as to their status the ruling would be that both are טהורים.

SUMMARY

טהור even if they asked simultaneously. both travelers are מן התורה

THINKING IT OVER

According to טהור מדאורייתא (even if they asked simultaneously); why then did תוספות say previously³ that if they both touched תרומה (or a person) that it is טמא, when both of these people are טהור⁴?! (מדאורייתא)?

¹ It would appear to be a mockery that even though that בי"ד knows that one of them is certainly טמא, nevertheless we rule that both are טהור. People would be puzzled with such a ruling.

² The rule is (as mentioned in the previous הלך ד"ה) that they each have a חזקת כשרות, and we cannot be מטמא any one of them מספק. The fact that they are asking simultaneously, or that people may view this strangely, has no bearing on the ruling מדאורייתא.

³ בד"ה הלך (footnote # 4).

⁴ See אור החמה.