

## There is no contesting with less than two – אין ערער פחות משנים

### OVERVIEW

ר"י stated that there can be no ערער unless two עדים are contesting. Seemingly this would exclude any and all types of contesting (even a קול); תוספות disabuses us of this notion.

לאפוקי חד דלא הוי ערער אבל קול נמי פוסל בתחלה<sup>1</sup> בתרומה קודם שבא העד המכשיר:<sup>2</sup>  
The term 'אין ערער' is only to exclude an ערער of one; that it is not considered an ערער; however a rumor can also initially invalidate the כהן from eating תרומה if the rumor began before the qualifying עד came and testified that he is a כשר כשר.

### SUMMARY

A ע"א is פוסל (even) when a קול is פוסל.

### THINKING IT OVER

The קול can be פוסל against a חזקת כשרות and an ע"א cannot (indicating that קול is stronger than ע"א).<sup>3</sup> Once there is an המכשיר עד, a subsequent קול is not effective to be פוסל (indicating that an ע"א is stronger than a קול).<sup>4</sup> How can we reconcile this?

<sup>1</sup> The קול is פוסל even if there is a חזקת כשרות (as opposed to an ע"א who cannot be פוסל).

<sup>2</sup> Once there is an המכשיר עד initially then the קול cannot be פוסל (even if there is no חזקת כשרות). See 'Thinking it over'.

<sup>3</sup> See previous והאמר תוס' ד"ה והאמר (at the end).

<sup>4</sup> See footnote # 2.