

Zera Shimshon

by Rabbi Shimshon Chaim Nachmani zt"l

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Chapter XXXII: Behar (Lev. 25:1–26:2)

Essay 2. Inviting the poor to dine in one's home is like bringing first fruits to the Temple

מדרש ילקוט על פסוק "ועניים מרודים תביא" בית ר' אבין אמר נאמר כאן "תביא" ונאמר להלן "וראשית בכורי אדמתך תביא". מה להלן בכורים אף כאן בכורים עכ"ל.

There is a **Midrash Yalkut Shimoni** (Isaiah remez 492:3) **on the verse**, “It is to share your bread with the hungry, **and you should bring the wretched poor** into your home; when you see the naked, to clothe him, and not to ignore your own kin” (Isaiah 58:7). **The school of Rabbi Avin says, “It is said here ‘you should bring’ and it is said there, ‘The choice first fruits of your soil you should bring** to the house of the L-rd your G-d’ (Ex. 23:19).¹ **Just as there** in Ex. 23:19 we are talking about **first fruits, so too here** in Isaiah 58:7 we are talking about **first fruits.**”

והוא תמוה מה ענין זה לזה? ויש לומר דבפרק ג' דאבות תנו תן לו משלו, שאתה ושלך ושלך. שכל הממון של האדם הוא של חקב"ה ועקר העושר של האדם הוא בשדות וכרמים ובתים דהא ביבמות אמרינן כל מי שאין לו קרקע אינו אדם, וברצונו נותן העושר היום למי שרוצה וברצונו נוטלו ממנו ונותנו לתבירו, גלגל הוא שחזור בעולם. נמצא שמי שזכה לעושר אינו זוכה אלא לאכול הפירות של אותו העושר אבל הקרן הוא של חקב"ה.

This is very peculiar, for what is the connection between this and that, i.e., between bringing poor people into one's home and bringing first fruits to the Temple? It can be said that in the third chapter of tractate Pirkei Avot (mishnah 7), we learned, “Rabbi Elazar of Bartota said: Give to Him of that which is His, for you and that which is yours are His; and thus it says with regards to David: ‘for everything comes from You, and from Your own hand have we given you’ (I Chron. 29:14).” This means that all the wealth of a man is from the Holy One, Blessed be He, and the principal of the wealth of a man is in fields, and vineyards, and houses. Thus in tractate Yevamot (65a), it is said that whoever has no land is not a man, and by His will, He gives the wealth today to whom He wants, and by His will He takes from him and gives it to

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¹ The mitzvah of *bikurim*, First Fruits, applied to those who owned land on which produce grew, and applied only to the seven species mentioned in Deut. 8:8, viz, wheat, barley, grapes, figs, pomegranates, olives, and dates. The owner would tie a string around the first fruits as they began to grow, and when they ripened, he would collect them in a beautiful basket, bring them to the Temple, and present the basket to the Priests, who could then eat the fruit. The owner was also required to make a recitation of verses from the Torah related to the *bikurim*.

his fellow, and it is written in Shabbat 151b that “Rabbi Yishmael taught that [such a reversal of fortune] is a wheel that [continuously] turns in the world.” It’s found that he who has gained wealth only merits to eat the fruits of the wealth, but the principal belongs to the Holy One, Blessed be He.

ובגמרא דגיטין (דף מ"ח) המוכר שדהו בזמן שהיובל נוהג ר' יוחנן אמר מביא וקורא ריש לקיש אמר מביא וקורא. ופרש רש"י בזמן שהיובל נוהג כל מכירת קרקע לפירות שהרי חוזר הגוף ביובל. ואמרין נמי התם דאי לאו דאמר ר' יוחנן קנין פירות קנין הגוף דמי לא מצא ידיו ורגליו בבית המדרש. דאמר רבי אסי אמר ר' יוחנן האחין שחלקו לקוחות הם ומחזירין זה לזה ביובל, ואי סלקא דעתך לאו קנין הגוף דמי לא משפחה דמיתתי בפורים אלא חד בר חד עד יהושע בן נון, משום דכתיב בהו "מארכה" וזה אינו שולו למאן דאמר קנין פירות לאו קנין הגוף דמי. ופסק הרמב"ם ז"ל (בפרק ד' מהלכות בפורים) המוכר שדהו לפירות, הלוקח מביא וקורא עכ"ל.

In the Gemara of tractate Gittin (page 48a), it is written: “Someone who sells his field in the time when the Jubilee Year is practiced [and every sale of land is only for its produce, because the land returns to its original owners in the Jubilee Year], **Rabbi Yochanan says:** [The purchaser] **brings** [the first fruits] **and recites** [the verses in the Torah associated with the bringing of the first fruits]. **Reish Lakish says:** [The purchaser] **brings** [the first fruits] **but does not recite** [the verses].” **Rashi explained that in the time when the Jubilee Year is practiced, every sale of the land is only for the produce, for the land returns [to the original owner] with the Jubilee Year.** Rabbi Yochanan believes that one who owns the fruit is equivalent to one who owns the land, and that he should make the recitation, while Reish Lakish disagrees, and says that one who owns the fruit is not equivalent to owning the land, and he should not make the recitation. **It also says there** in Gittin 48a that:

Rav Yosef said: **If not** [for the fact] **that Rabbi Yochanan said** [that the] **acquisition of** [an item for] **its produce is considered to be like the acquisition of the property itself, he would not find his hands or his feet in the study hall** [i.e., he would not have been a successful teacher]. **As Rav Asi says that Rabbi Yochanan says: Brothers who divided** [property received as an inheritance] **are** [considered to be] **purchasers** [from one another], **and** [as purchasers of land] **they must return** [the portions] **to each other in the Jubilee Year** [at which point they may redistribute the property].

And if it enters your mind [to say that the legal status of the acquisition of an item for its produce] **is not like** [that of the] **acquisition of the item itself** [then according to Rabbi Yochanan’s opinion] **you will find that one brings first fruits** [by Torah law, i.e., including the recitation] **only** [when he is] **an only son of an only son** [and so forth, dating back] **to** [the time of] **Joshua, son of Nun.** [Only in such a case does the child fully inherit the land, rather than having to share it with siblings. In any other case, the children inherit only the rights to the produce, as

they must return the actual land to each other in the Jubilee Year, and would not be able to recite the verses connected with the first fruits, since they could not refer to the land that the L-rd has given them. But since Rabbi Yochanan holds that the acquisition of an item for its produce is considered to be like the acquisition of the item itself, then according to him, anyone who inherits land may recite the verses.]

- Gittin 48a

Because it is written there, “You should bring some of every first fruit of the soil, which you harvest from **your land** that the L-rd your G-d is giving you, put it in a basket and go to the place where the L-rd your G-d will choose to establish His name” (Deut. 26:2). **This is not his, according to the one who said that it’s the acquisition of produce and not like the acquisition of the land, i.e., Reish Lakish. The Rambam, of blessed memory, ruled (in chapter four of the Mishneh Torah, Laws of the First Fruits, halacha 6), “When a person sells [the right to harvest] the produce of his field, the purchaser should bring [the first fruits], but not make the declaration. [The rationale is that] the acquisition of the produce is not equivalent to the acquisition of [the land] itself.”** Thus, the halacha agrees with the opinion of Reish Lakish.

נמצא שפשהאדם מכניס עניים בתוך ביתו ומשמש לפניהם ופורס להם הלחם פדכתיב "הלווא פרס לרעב לחמך ועניים מרודים תביא בית", הוא כמודה בפיו שעושה כן בשביל שסובר קנן פירות לאו כקנן הגוף דמי, שאין לו בגוף העושר שלו ממשלה גמורה אלא הכל הוא של הקב"ה ולא קנאו אלא לפירות ליהנות ממנו כל זמן שהוא אצלו, שאם היה סובר דקנן פירות כקנן הגוף דמי לא היה מכניס העני בביתו כמו אדון וכאחד מבני ביתו שיש להם חלק באותו המזון. ואם כן לפי סברתו כל שדחתיו הם של הקב"ה והוא אין לו קנן בהם אלא לפירות וכדכתיב "כילי הארץ".

It is found that when a person brings poor people into his house and serves them and slices the bread for them, as it is written, “It is to share your bread with the hungry, and you should bring the wretched poor into your home” (Isaiah 58:7), he is like one who acknowledges with his mouth that he is doing so because of the opinion that the acquisition of produce is not like the acquisition of the land. For in the main part of his wealth, he has no complete dominion, rather everything belongs to the Holy One, Blessed be He, and he has only the fruits from which to enjoy as long as [the wealth] is with him. For if he were of the opinion that the acquisition of produce is like the acquisition of land, he would be taking G-d out of the picture, he would be acting with haughtiness and thinking that everything he had was due to his own efforts, and then he would be unwilling to share it with others. Thus, he would not bring the poor person into his house like a possessor and like one of the members of the household, that he has a portion of the wealth. If so, according to his opinion, that all of his fields belong to the Holy One, Blessed be He, and his only acquisition in them is the fruits, as it is written, “But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident with Me” (Lev. 25:23).

ויבסקרא זו היתה מתבטלת מצנות הבאת בכורים או לפחות מצנות מקרא בכורים, דלא משפחת תו מצנה זו אפילו חד בר סד, ומשום הכי הוצרך הכתוב להבטיחו שלא יתבטל ממצנות בכורים, ועוד שישעלה עליו פאילו הקריב בכורים לבית המקדש.

According to this opinion, that he only owns the fruits but not the land, then the mitzvah of bringing the first fruits would be abolished, or at least the mitzvah of reciting the verses in the Torah associated with the bringing of the first fruits. In other words, through the person's generosity of bringing poor people into his home, he has showed that his understanding is that he does not own the land, the G-d is the true owner of the land. So he can't bring the first fruits, or at least he can't make the associated declaration. **Then you don't find this mitzvah anymore, even with the Gemara's highly unlikely case of an only son of an only son etc., dating back to Joshua bin Nun.** That is, even if there had never been any shared ownership of the land, and thus never any need to return the land to a sibling during a Jubilee Year, if one viewed the land as belonging to G-d, he could never make the declaration regarding the first fruits. **Because of this, it was necessary for Scripture to promise him that he would not be exempted from the mitzvah of bringing the first fruits, and further that by acting in this way, by bringing poor people into his house, it is as if he were bringing first fruits to the Temple.** That is the lesson of the midrash!

והיינו דעדיין קשה לסברת הרמב"ם דקננו פירות לאו קננו הגוף דמי אידך יכול לומר "את־ראשית פרי האדמה אשר־נתתה לי", והא הקרקע אינו שלו? ואידך יש מצנות בכורים בעולם?

There is still a difficulty according to the opinion of the Rambam, that the acquisition of the produce is not like the acquisition of the land. For how can one say, "Wherefore I now bring the first fruits of the soil which You have given me, O L-rd" (Deut. 26:10), when the land is not his? How can there be the mitzvah of first fruits in the world?

ויש לומר דבבבא בתרא (דף קל"ו) אמרינו דדעתו של אדם קרובה אצל בנו ואבא לגבי בריה אחולי אוסיל. והכי נמי ישאל נקראו בנים למקום וכשעושים רצונו של מקום אמרינו שהקרקע הוא שלהם. ונהו מה להלן בכורים שנתשבת הקרקע כשלהם ממש. אף פאן בכורים שנתשב שעשה הצדקה ממה שהיה לו ממש ולא משל הקב"ה.

It can be said that in tractate Bava Batra (page 136b), it is said that the feelings of a man are connected to his son, and the father will waive [his rights in property] to his son. So too, Israel is called sons of the Omnipresent, and when they do the will of the Omnipresent, it is said that the land is theirs. This is what [it says] there, 'The choice first fruits of your soil you should bring to the house of the L-rd your G-d' (Ex. 23:19), the first fruits that the land is considered as though it is really theirs, because G-d has waived His rights in the property in favor of His children. Even here, in Isaiah 58:7, discussing bringing poor people into one's home and feeding them, we have the equivalent of the first fruits, as it is considered as though he has given charity from what is really his, and not belonging to the Holy One, Blessed be He.

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