

# Zera Shimshon

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Published Mantua 1778\*

## Chapter L: Ki Tavo (Deut. 26:1–29:8)

### Essay 1. The first of every fruit

"וְלִקְחֶתָּ מֵרֵאשִׁית כָּל-פְּרֵי הָאֲדָמָה" פֶּרֶשׁ רַש"י מְרֵאשִׁית וְלֹא כָל רֵאשִׁית, שְׁאִין כָּל הַפִּירוֹת חַיִּיבִים בְּבִכּוּרִים אֲלָא שְׁבַעַת הַמִּינִים בַּלְבַּד, נֶאֱמַר כָּאן "אֶרֶץ" וְנֶאֱמַר לְהֵלֵן "אֶרֶץ חֹטָה וְשֹׁעֶרָה", מֵה לְהֵלֵן מִשְׁבַּעַת מִנִּין אֶף כָּאן וְכו' עכ"ל.

**“You shall take from the first of every fruit of the soil that you harvest from your Land . . . .”<sup>1</sup> Rashi explains: “ ‘Of every first fruit,’ but not all the first fruits, for not all fruits are obligated in the *bikkurim*, [the first fruit offering to be brought to the Temple], only the seven [chief] species [of produce of Israel alone].<sup>2</sup> It is said here [in this verse] ‘Land,’ and it says above [in Deut. 8:8] ‘a land of wheat, and barley.’ What [Scripture] earlier [is speaking of is] from the seven species, so too here [it is speaking of] the praiseworthy [produce] of the Land of Israel, which are the seven species.”**

וְהַקְשָׁה הֵרָא"ם דָּאֵם כּוֹן לְמַה לִּי קָרָא ד' מְרֵאשִׁית" וְלֹא כָל רֵאשִׁית תִּיפּוֹק לִי מִגְזֵרָה שְׁנֵה דְאֶרֶץ אֶרֶץ וְכו' שְׁאִין כָּל הַפִּירוֹת חַיִּיבִים בְּבִכּוּרִים אֲלָא שְׁבַעַת מִינִים בַּלְבַּד. וְעוֹד מֵאֵי שְׁנָא הֵכָא דְדִרְשִׁי מְרֵאשִׁית וְלֹא כָל רֵאשִׁית לְמַעַט שְׁלֹא יְהִי כָל הָאֵילָנוֹת חַיִּיבִים בְּבִכּוּרִים אֲלָא מִקְצָתוֹן בַּלְבַּד. וּמֵאֵי שְׁנָא גַבִּי חֵלָה דְדִרְשִׁי מְרֵאשִׁית וְלֹא כָל רֵאשִׁית לְמַעַט שְׁלֹא יַעֲשֶׂה כָל עֲסָתוֹ חֵלָה, הֵכִי נִמִּי גִימָא שְׁלֹא יַעֲשֶׂה כָל הָרֵאשִׁית בְּבִכּוּרִים, וְנִדְחָק הֵרְבֵה בְּתִירוּצִים וְעֵי"ש.

**The Re'em<sup>3</sup> questions that if so, why do I need Scripture saying that language of “from the first” instead of “every first”? I would derive [that not all fruits are obligated in the first fruit offering] from a *gezeira shava*, a tradition of a known rule applying to a new case based upon an identical word or phrase in both cases, of “Land” in Deut. 26:2 and “Land” in Deut. 8:8. From that, I would know that not all fruits are obligated in the first fruit offering, but only the seven [chief] species alone.**

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<sup>1</sup> Deut. 26:2.

<sup>2</sup> Wheat, barley, figs, dates, grapes, olives and pomegranates.

<sup>3</sup> Rabbi Elijah Mizrahi (c. 1455 – c. 1526) (“Re'em”), Talmudist, posek, and mathematician, best known for Sefer ha-Mizrahi, a supercommentary on Rashi's commentary on the Torah.

**Also, what is different here, that they expound the fact that it says “from the first” instead of “every first” to exclude that not all of the trees are obligated to the first fruit offering, but only some of them.**

**Also, what is different regarding bread, that they expound “from the first” instead of “every first” in Num. 15:21, “You shall make a gift to the Lord from the first yield of your baking,” to exclude all of his bread dough. So too, let us say that they shouldn’t make all of the first yield to be first fruit offerings, and they are greatly pressed in their solutions to this problem.**

וילדידו נראה דכאן רש"י ז"ל לא הנה מצי לפרש "מראשית" כדלעיל גבי חלה דאם כן הנה קשה מלת "כל", מה רצה לומר "כל-פרי האדמה" והלא מחמת הגזירה שנה אין כל הפירות חייבים בבכורים אלא משבעת מיני בלבד ומאי קא משמע לן "כל-פרי"? אלא נדאי צריך לומר דקא משמע לן דעושה אדם כל שדהו בכורים כדתנן בפרק ב' דבכורים, ומעתה "מראשית" דהכא אינו נדאי כ"מראשית" דחלה, דבשקלא התם פירש "מראשית" כפשוטו דהמ"ם ממעטת מקצתה ולא כולה, אבל ככאן אי אפשר לפרש הכי דכתיב בתריה "כל", וכן הוא האמת שדיניהם אינם שווים דהתם אין אדם עושה כל עיסתו חלה וכאן עושה אדם כל שדהו בכורים.

**And to us, it appears that here, Rashi of blessed memory would not have been able to explain “from the first” as he had above regarding bread, for if so, the word “every” would have been hard for him. What is “every fruit of the soil” saying, for isn’t it so that because of the *gezeira shava*, we know that not all fruits are obligated in the first fruit offering [to be brought to the Temple], only the seven [chief] species [of produce] of Israel alone? So what is “every fruit” coming to teach us? Rather, it’s certainly necessary to say that it’s coming to teach us that a man may make his entire field as a first fruit offering, as is taught in Mishnah four in the second chapter of tractate Bikkurim. Now, we understand that “from the first” here in Deut. 26:2 is not certainly like “from the first” of bread of Num. 15:21. Granted, there [Rashi] explained “from the first” as its plain meaning, that the *mem* excludes a part of the bread and not all of it is subject to be tithed, but here it’s impossible to explain thus, as it’s written afterward “every.” This is the truth: that their law is not equal, for there a man does not make all the dough of his bread as a first fruit offering, but here a man may make all of his field a first fruit offering.**

ומשום הכי הוצרכה הגזירה שנה, דאי לאו הגזירה שנה הייתי מפרש "מראשית" דהכא כ"מראשית" דחלה ומלת "כל" הנה אמינא דאתא לרבויי כל מיני האילנות. אבל השתא דאימתא לגזירה שנה אי אפשר לומר פן כנאמר לעיל, ונהו פונת רש"י ע"ה "מראשית" על פרק צריך לומר דאתא למעט שאר המינין ואינו כמו מראשית הכתוב בחלה והיגו מלח הגזירה שנה דארז ארז.

**Because of this, we needed the *gezeira shava*, for if not for the *gezeira shava*, I would have interpreted “from the first” as there “from the first” of bread, where we said it was**

interpreted as its plain meaning that the *mem* excludes a part of the bread and not all of it is subject to be tithed. Then here, for the word “every,” we would have thought it meant to include all types of trees. But now that the *gezeira shava* is brought, it’s impossible to say thus, as brought above. This is the intent of Rashi, may he rest in peace, that for “from the first,” you must necessarily say that it comes to exclude the remaining types of produce. It’s not like “from the first” that is written for bread, and it’s from the strength of the *gezeira shava* from “Land” of our verse Deut. 26:2 and “Land” of Deut. 8:8 that we know this.

ואם תאמר אם כן "מראשית" למה לי, יש לומר דאקתא לאשמועינן שאף עיטור הבכורים אינו אלא משבעת המינין כסברת רבי עקיבא במתניתין דהלכתא כותיה.

If you’ll say, if so, why do I need “from the first,” it can be said that it’s brought to inform us that even the decorations of the first fruit offering are only the seven [chief] species, according to the opinion of Rabbi Akiva in the Mishnah 3:9 of tractate Bikkurim, which is in accord with his opinion. The Mishnah there reads: “Rabbi Shimon ben Nanas says: they would decorate the bikkurim [with produce] other than the seven species. But Rabbi Akiva says: they may decorate only with produce of the seven species.

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