

# Mishnayot

## מסכת שבת

This week we will learn Mishna Gimmel, Perek Gimmel in Massechet Shabbat. This Mishna is quite an enjoyable one as much of it is dealing with cooking (one of my favourite topics).

One may not roast an egg by putting it next to a hot kettle of water (or a Shabbat urn) on Shabbat. This applies even if one is not fully cooking it, merely eating it 'softly done'.

One may not fry an egg by cracking it over hot scarves, warmed in the sun. R'Yose permits it.

However, even R'Yose agrees that one may not roast an egg by burying it in hot sands.

The Mishna now recites an incident which occurred in Tiberius. Tiberius has many hot springs. However, explains the Pnei Yehoshua, the water is not so pleasant. Therefore, the residents ran a pipe of clean, cold water through the hot springs and then, when heated, the clean water ran out into a separate pool. They would turn on the 'cold tap' before Shabbat, and therefore they felt that they were doing the right thing. However, the Chachamim told them that for Shabbat, it was forbidden to use that hot water for bathing or even for drinking! They then said that on Yom Tov, one could also not use the water for bathing, however, one could drink it and cook with it.

Next week we will continue with the theme of water-heating. (But no more eggs!)

### 'Parasha Digest – Acharei-Kedoshim

**ראשון:** The Yom Kippur Avodah of the Kohen Gadol is described, details include the fact that he has to change his garments 5 times and immerse in a Mikveh 5 times. He cannot go into the Kodesh Hakadoshim wearing his normal Gold garments.

**שני:** The averoh of bringing a Korban outside the Bet Hamikdash is related and this averoh is said to be one of Bnei Yisrael's big sins which they are guilty for.

**שלישי:** The aveirah of eating blood is repeated and the end of Acharei Mot describes the 15 prohibited relationships.

**רביעי:** Homosexuality and Bestiality are related as serious aveirot. How to be Kadosh (holy) is discussed and the halachot of tzedakah, honesty and paying wages on time are related.

**חמישי:** Favouritism when judging a case is forbidden and the Aveirot of wearing Shatnez, cutting peyot and tattooing are also mentioned.

**שישי:** We are given the mitzvah of loving geirim (converts). Failure to accord appropriate respect to a ger shows an extreme arrogance. Anyone who worships idols is Chayav Mitah (liable to the death penalty) and there is also a punishment if Bnei Yisrael neglects to punish other Jews who worship Avodah Zarah.

**שביעי:** The punishments for someone who curses their parents or who engages in a forbidden relationship are discussed. Kedoshim ends with an instruction that we should be very careful about only eating kosher foods.

### Shabbat Shalom

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Editorial Team:	Eli Gaventa Avi Greenberg George Kestel Raphy Meyer Nathan Witzum
Contributor:	Nathan Witzum
Director :	Rabbi D Meyer
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### A Three Way Dispute on Fourth-Year Fruits

The Torah says (19:23-24), "When you come to the land and you plant any food tree...for three years it shall be orlah to you, it may not be eaten. And in the fourth year, all its fruit shall be sanctified lauding to Hashem."

In these two pesukim, the Torah sets forth the laws of orlah, that fruit from a tree may not be eaten for its first three years, and *neta reva'i*, that the fruits of the fourth year must be brought to, and eaten in, Yerushalayim (or else redeemed, and the money is taken to Yerushalayim).

The Gemoro in Brochos (35a) brings down a dispute between two Amora'im as to whether the law of *neta reva'i* applies exclusively to vineyard produce (namely, grapes and wine) or to all types of fruit-bearing trees. Rav Achai Gaon (c. 900 CE), in his monumental work, She'iltos (She'iltah 100), explains the rationale behind these two opinions. The opinion which holds that *neta reva'i* applies to all trees bases itself on the preceding verse regarding orlah, which states, "And you plant any food tree." He understands that this phrase refers to the law of *neta reva'i* as well. The other opinion, however, learns a *gezeirah shavah* from the word "produce" in verse 25 to a pasuk in Devarim 22:9, which reads, "And the produce of a vineyard." Just as over there, "produce" refers to the produce of a vineyard only, so too, here. Alternatively, this opinion could also learn out that the law of *neta reva'i* applies exclusively to vineyard produce by the fact that the pasuk uses the word "lauding", which hints to the fact that the pasuk refers to something over which they would sing in the Beis Hamikdash. Hence, the pasuk would then only refer to vineyard produce, as the Gemoro in Brochos (ibid.) states, "We only sing over wine." Due to this dispute, there is a split amongst the Rishonim as to what the halachah regarding *neta reva'i* is in Chutz La'aretz. Many Rishonim (including

Tosfos, the Rosh, the Rashba and the Sefer HaChinuch) state that *neta reva'i* only applies to vineyard produce in Chutz La'aretz, basing themselves on the famous principle, "Whoever is lenient in Eretz Yisroel, the halachah is like him in Chutz La'aretz," and hence, we can only apply the law to vineyard produce. The Rambam (Hilchos Ma'acholos Assuros 10:15), on the other hand, disagrees strongly and argues that the whole rule of *neta reva'i* shouldn't apply at all in Chutz La'aretz, not even to vineyard produce. He brings a kal v'chomer to support his opinion, stating that if even Syrian land, which is obligated in Ma'aser and Shmittah, is not obligated in *neta reva'i*, how much more so the rest of Chutz La'aretz which is not obligated in Ma'aser and Shmittah.

Lastly, Rabbeinu Yonah in his commentary to the 6th chapter of Brochos entertains the possibility that in such a case, we cannot apply the principle of "Whoever is lenient etc." and consequently, even in Chutz La'aretz, we must adhere to the opinion that the law of *neta reva'i* applies to all trees. The confusion amongst the Rishonim is reflected in the fact that all three opinions are quoted in Shulchan Aruch (Yoreh Deah 294:7), and is further stressed by the fact that the commentaries on Shulchan Aruch (see, for instance, the Shach and the Vilna Gaon) are at loggerheads as to how to pasken the halachah. In any event, the Sefer HaChinuch (247) explains that the purpose of this mitzvah is so that Hashem's blessing can rest upon the fruits of the one who brings them to Yerushalayim. He also adds that through this mitzvah, "One will fix his place, or the place of his sons in that place to learn Torah there, as it is the centre of wisdom."

May we all merit to bring our fruits to Yerushalayim and fix our place there, speedily and in our days.

**By Nathan Witzum.**

## Forty-Three Rubles

When Rabbi Zvi Elimelech Shapiro (known as the ‘Bnei Yissaschar’, and named after his uncle, R’ Elimelech of Lizhensk, the ‘Noam Elimelech’) was ten years old, his father took up a position as a teacher in a distant town. Consequently, his father had to spend the duration of the winter in a Jewish-owned inn, far away from his hometown.

That winter was particularly bitter, with snowstorms lasting for a week. During one such storm, a knock was heard at the door to the inn. The innkeeper opened the door and found three half-frozen Polish peasants requesting a place to stay. He inquired of their ability to pay and found that their combined funds were not enough for even one night's stay. The innkeeper closed the door on them. The teacher, the Bnei Yissaschar's father, was shocked. When he complained to the innkeeper, the innkeeper merely shrugged and responded, "Do you want to undertake their expenses?" Much to the innkeeper's surprise, the teacher agreed. The peasants thanked their benefactor and proceeded to enjoy themselves at his expense. That storm was particularly brutal and the peasants remained in the inn for two weeks. After the snow cleared enough for passage, they thanked the teacher profusely and left.

Pesach approached and the Bnei Yissaschar's father went to settle his account. The innkeeper figured he owed the teacher 40 rubles for teaching his children, but the teacher owed him 43 rubles for taking in the peasants. The innkeeper wished him a Happy Pesach and said he could bring the three rubles upon his return after the festival.

The teacher did not know what to say. He bid his employer farewell and left. He travelled to

his village, but could not bring himself to go home, having not only failed to make money during his long winter away but even lost some. He stopped off in one of the local synagogues, opened a Gemara and immersed himself in study. In the meantime, his son heard that his father was in town and went looking for him. He found his father in the *shul*.

Young Zvi Elimelech ran to his father and with great emotion begged his father to come home. He wanted to show his father his new Pesach shoes and clothes and all the other things mommy had bought (on credit). This made the father only feel worse. As they walked home a chariot came rumbling through the streets. The streets of that hamlet were very narrow and pedestrians were forced into alleyways to avoid being trampled. As the coach passed by the two, it hit a bump and a parcel fell off the back.

The Bnei Yissaschar's father picked it up and began running after the coach, but was unable to get the coachman's attention. The coach turned a corner and disappeared. The Bnei Yissaschar's father, seeing no distinguishing marks on the bag (that would give the owner any hope of it being returned to him), and realizing that there was no possible way for him to locate the owner, opened the parcel. Inside were exactly 43 rubles.

The night of the seder, the Bnei Yissaschar was given the job to open the door for Elijah the Prophet. When he opened the door, he called to his father, "Father, the coachman is here!" But when the Bnei Yissaschar's father reached the door he found there was no one there. He pulled his son aside and told him that he must promise never to tell anyone this story until the very last day of his life.

(adapted from *chabad.org*)

### Thought for the Week

A double standard for right and wrong, depending on the person it concerns, is harmful not only in a court but also in social communications and conversation. To rate unethical or illegal behaviour according to the status of the person, whether he is rich or poor, whether he belongs to the so-called higher echelons of society or to the lower classes, means to distort public opinion and mislead people's consciences. If the highly-placed excuse their unethical and illegal practices to satisfy their life of luxury, then why should the 'common' man - as we so commonly call him - not excuse himself, indeed justify himself, if he commits a crime to satisfy his basic needs. "Judging a person according to appearances is not good; else a man would transgress for a piece of bread" Mishlei (28:11)

## Know Him In All Your Ways?

“ושמרתם את חקתי ואת משפטי אשר יעשה אתם ויהי בהם אני ה'”

“You shall observe My decrees and My judgements, which many shall carry out and live by them - I am Hashem”

The above verse is somewhat enigmatic. The Ten Commandments begin with the statement, “I am the Lord, Your G-D,” because the belief in Hashem is the basis for Judaism and a prerequisite for everything in the Torah. What is the purpose of repeating the principle here?

R’ Twerski (*Twerski on Chumash*) writes that the principle has been repeated in order to impress upon us that the Pasuk that follows immediately is equally vital to Judaism and is essential for there to be a relationship between Israel and Hashem. The verse that follows “Do not perform the practices of the land of Egypt...and do not perform the practices of the land of Canaan...”.

1. What is there in this rather non-specific verse that makes it so pivotal as to warrant it being introduced by the opening words of the Ten Commandments?
2. Just what is meant by the prohibition against emulating the practices of the Egyptians and the Canaanites? Surely everything we may not do is stated explicitly in the Torah. We may not eat non-kosher foods, we may not have forbidden relations, not work on Shabbat, lie, steal, kill, etc. What is this general statement adding to what has been explicitly forbidden?

The answer lies in Berachot 63a where the Gemara states that the one verse that is fundamental to everything else in the Torah is in Mishlei 3:6,

“בְּכָל-דְּרָכֶיךָ יָדָעֵהוּ” - Know Him in all your ways”

In some faiths there is a dichotomy between activities of life that pertain to religion and those that are distinct from religion. Worship and certain rituals are the arena of religion. Working, eating, relaxing, socializing and other activities of daily life are not affected by religion. One works to earn a livelihood,

and that has nothing to do with G-d. One may enjoy a hearty meal, and that has nothing to do with G-d. In Judaism there is no such separation. The verse “know Him in *all* your ways” means that *everything* a person does must be related to the service of Hashem. Working, eating, relaxing, socializing and other activities of daily life are no less religious functions than are observing Shabbat, hearing the shofar or eating matzah on Pesach. We see from the Halacha that states that we must pay a hired wood chopper for the time it takes him to sharpen his axe that the necessary preparations for performing the task are an integral part of the task. The purpose of a Jew's life is to develop a close relationship to, and unite with, Hashem. This is accomplished by fulfilling the will of Hashem as it is expressed in the Mitzvot of the Torah. There are prerequisites to the performance of these Mitzvot. A person must have the means and must be physically and emotionally capable of doing so. Everything a person does that enables him to perform the Mitzvot is an integral part of the Mitzvot. The basic behaviors that are required for optimum functioning can become part of the Mitzvot, *provided that one intends them to be*.

The practices of the Egyptians and the Canaanites to which the Torah refers are not the prohibited acts. Rather, they are permissible behaviours. However, whereas people in the Jew's environment may eat solely for gustatory delight, sleep for the pleasure of sleeping and recreate for the fun of it, the Jew must sublimate these activities. He should eat to have the energy wherewith he can observe the Mitzvot, sleep in order to have the requisite rest for optimum function and do things that contribute to physical and emotional well-being so that he can best strive to achieve his ultimate goal: a close relationship with Hashem. He then “knows G-d” in all his ways. When he elevates the seemingly mundane aspects of his life to a spiritual level, he draws himself closer to Hashem.

**Shabbat Shalom**

### Riddle for the Week

Two saw Three. One died, One lived. Who? What? When?

(Answer in next week's Living Torah)

Answer To Last Week's Riddle:

Q: How can a person commit four Aveirot (sins) by saying one thing?

A: One who curses his father who is a deaf mute, a Cohen, and a judge, has broken 4 prohibitions.