YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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***Bein Adam Le-chavero:* Ethics of Interpersonal Conduct**

**By Rav Binyamin Zimmerman**

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This shiur is sponsored by Aaron and Tzipora Ross and family
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Shmuel Nachamu ben Shlomo Moshe HaKohen, Chaya bat Yitzchak Dovid, Shimon ben Moshe, and Rivka bat Aharon, z"l,
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**Shiur #11: The Multifaceted Nature of Agricultural Gifts to the Poor**

**Three Passages**

In last week's lesson, in the wake of our discussion regarding the Torah's extensive concern for human dignity, we noted that *Parashat Kedoshim* discusses agricultural gifts to the poor (*Vayikra* 19:9-10). These same *mitzvot* or similar ones recur twice more in the Torah, in *Parashat Emor* and in *Parashat Ki Tetzei*. What are we to learn from these three passages?

Let us look at them inside. In *Kedoshim,* after a number of *mitzvot* regarding the proper way to serve God and no other, the Torah introduces the concept of reserving part of one’s yield for the poor. These commandments are to be fulfilled passively — not by taking action, but by restraining oneself:

When you reap your land’s harvest, you shall not completely reap the corner of your field, nor shall you gather the gleaning of your harvest.

The next verse speaks about similar gifts from one's vineyard.

And you shall not pick clean the vineyard, nor shall you gather the fallen fruit of the vineyard; you shall leave them for the poor and for the stranger: I am Lord your God.

In *Parashat Ki Tetzei*, in *Devarim* 24:19-22, we find a similar list of commands, with the addition of another crop (olives) and another type of produce to be left for the poor (the forgotten bundle):

When you reap the harvest in your field and you forget a bundle in the field, you shall not turn back to take it; it shall be for the stranger, the orphan, and the widow, so that Lord your God may bless you in all the work of your hands.

When you beat your olive tree, you shall not go over the boughs again: it shall be for the stranger, the orphan, and the widow.

When you gather the grapes of your vineyard, you shall not pick it clean afterwards: it shall be for the stranger, the orphan, and the widow. And you shall remember that you were a slave in the land of Egypt; therefore, I command you to do this thing.

Perhaps the most striking passage is back in *Vayikra*. Both *Kedoshim* and *Ki Tetzei* contain a stunning assortment of mitzvot from all walks of life, but *Parashat Emor* is extremely focused, unit by unit. Chapter 23, in particular, deals with the laws of holidays throughout the year. The repetition of the *mitzvot* already seems questionable, but positioning them (v. 22) in between two grain offerings from the new crop, the *omer* of Pesach and the two loaves of Shavuot, seems especially bizarre.

When you reap your land’s harvest, you shall not complete reaping the corner of your field, nor shall you gather the gleaning of your harvest; you shall leave them for the poor and for the stranger: I am Lord your God.

These commandments certainly seem to be significant, and their placement in three different contexts points to their complex nature.

**The Actual *Mitzvot***

The first mitzva enumerated in *Kedoshim* is known as *peia,* referring to the corner of the field that must be left uncut for the poor to reap. This mitzva applies equally to all fields, orchards and vineyards (as seen in *Devarim* 24:20). In addition, we have the mitzva of *leket*, often translated as gleanings. It refers to the mitzva to leave for the poor that which falls from the hands of the owner or the employee while harvesting the field. This only applies if less than three stalks fall in one place during the harvest; if, however, three stalks fall at once, then the owner it permitted to collect them.

Our Sages (*Shabbat* 113b) state that Rut was aware of this law and was careful to only pick up one or two fallen stalks.

The next verse states a similar mitzva regarding the vineyard, known as *peret*. Regarding vineyards there is an additional mitzva as well, not to “pick clean” the vines by collecting the *olelot*, the underdeveloped clusters of grapes which lack a complete body.

In *Parashat Ki Tetzei*, another mitzva is introduced, known as *shikhcha*. If a sheaf is forgotten during the harvest, the owner of the field may not return to collect it, as it is to be left for the poor. This mitzva applies to trees as well; when one forgets to pick one or two trees, they must be left for the poor.

The Talmud (*Chullin* 131a) summarizes these agricultural *mitzvot* thusly:

There are four gifts assigned by the Torah to the poor in a vineyard: the fallen grapes, the undeveloped clusters, the forgotten clusters and the corner of the vineyard; there are three in a field: the gleanings, the forgotten sheaf and the corner of the field; and there are two in an orchard: the forgotten fruits and the corner.

As the Rambam makes clear in *Sefer Ha-mitzvot,* each of these five named concepts, *leket, shikhcha, peia, peret* and *olelot,* has a pair of *mitzvot*: a positive command to leave items for the poor and a prohibition to take them. Nevertheless, there is a difference between *leket* and *shikhcha*, on the one hand, and *peia*, on the other. *Leket* and *shikhcha* are created by circumstance, whereas *peia* involves an active setting aside of part of one’s field. However, together all the *mitzvot* transform one's field into a center for agricultural charity, allowing one to provide for the poor in a dignified manner.

**The Placement**

A number of commentators (*ad loc.)* explain the message of placing these commandments in the chapter dealing with holiness. The Seforno comments:

The Torah explains that once we have accepted Him as God, it is proper that we walk in His ways, to do righteousness and justice, and among these are the gleanings, forgotten sheaves and corner of the field mentioned in the chapter. This is explained by His saying: "I am Lord your God" — that is to say: since I am your God and all My ways are kindness and truth, it is fitting that you observe these categories of righteousness which are desirable before Me. Afterwards, the Torah continues to explain the ways of justice…

Similarly, the Netziv explains in *Hamek Davar*:

All these prohibitions are laws of God that bring peace, because the nature of the poor is that they gather together at the period when others are harvesting their crops, and if they were not to benefit from all the bounty that is being harvested by others, the result would be cursing and defamation. However, if one has mercy on them, it will lead to a society of love and good-heartedness…

Rav S. R. Hirsch develops this concept further:

The foundation for a holy life, “*Kedoshim tihyu*,” starts with the fundamental laws of the family and the individual, namely with respecting parents and Shabbat. This foundation is completed with the fundamental law of society, namely the mitzva of *tzedaka*, the right to receive it and the duty to give it. It is significant that the social foundation is woven into one unit with laws pertaining to the service of God, laws of sacrifices. For, in Jewish life that is sustained by God, there is no antithesis of religious and social; they are not even separate, coexisting parts of one higher whole. Rather, they are interrelated in organic unity, like root and stock, blossom and fruit. Judaism says: “Love God and love mankind” (*Avot* 6:1), for the love of God includes the love of his creatures. The foundation of the peace offering, which is the joy of happiness, is also the foundation of our responsibility for the happiness of others.

This brings us to the question of what appears immediately before these *mitzvot* in *Parashat* *Kedoshim:* four verses dealing with the proper way to bring a peace offering. These verses (*Vayikra* 19:5-8) explain that one who offers a peace offering should do so with the proper intention; if one offers it with the intention to eat a portion of the offering after the prescribed time, it becomes *piggul* (a loathsome thing) and must be destroyed. What does *piggul* have to do with *peia*?

The Ibn Ezra argues (as does the Chizkuni) that the placement here underscores the similarity between the peace offering, which is mostly eaten by the owner, and the agricultural yield, which is mostly eaten by the owner as well. Just as it is essential to fulfill God’s will by giving a portion of the peace offering to the altar, it is essential to fulfill God’s will by giving a portion of the crop to the poor.

The Keli Yakar suggests that juxtaposition of *piggul* and gifts to the poor is indicative of the primacy of *tzedaka* over offerings. For an offering to be a valid religious expression, it requires the proper mindset, yet these agricultural gifts are considered righteous gifts to the poor even if they are brought without proper intention. This idea is specifically relevant to the mitzva of leaving *shikhcha,* which is viewed as a righteous act of charity even if the farmer is unaware of forgetting any sheaves prior to their being taken by the poor (see Year 1, Lesson 6). Although the ideal way to provide charity is with proper intention, the act of providing for the poor even unintentionally is also significant.

One may take this idea in a different direction as well. The juxtaposition highlights that offerings must be brought with proper intention, while charity is valid even without the proper intention; nevertheless, the ideal charity is to be given with the proper mindset. For charity to become more than a good deed, to become an act of holiness, it must be approached with the same significance with which one approaches a sacrifice.

The Or Ha-chayim offers a homiletic interpretation: even though one who eats *piggul* is condemned to be excised for desecrating God’s holies, redemption is still possible. Symbolically, the sickle has not yet reaped such a person. One must not "not completely reap the corner of your field” by becoming guilty of additional crimes, as all parts of one's existence that have not taken part in the original transgression continue to maintain their affinity with their holy origin. The gleanings remain, and one must not wipe out that residue of holiness through additional sin. Even if one has committed a crime which carries the penalty of excision, there is a thread that remains and connects every Jew to the Throne. Through repentance, the sinner may re-establish the connection with the Throne of God.

**The Connection to the Holidays**

While these commentators note the significance of mentioning these agricultural gifts to the poor in *Kedoshim*, it still must be explained what is gained by repeating them four chapters later in *Parashat Emor,* in the middle of the discussion of the festivals.

*Torat Kohanim* states that this juxtaposition equates providing for the poor with the offering of sacrifices, as one who gives these gifts to the poor is considered as if he has offered sacrifices, and one who neglects his obligations to the poor is akin to one who neglects his sacrificial duties.

Some of the commentators offer other explanations, such as the Ibn Ezra, who explains simply that these *mitzvot* are mentioned in the context of the festivals of Pesach and Shavuot as they are observed during the harvest season, and the Torah reminds one harvesting his crop to provide for the poor.

The Ramban adds that one might think that if he uses his crop for *mitzvot* such as the *omer* offering of Pesach or the two loaves of Shavuot, there is no need to be concerned with the poor. However, the Torah repeats these commandments here again to convey the critical idea that the attention one pays to his ritualistic duties must never diminish his sensitivity to the plight of the underprivileged.

Rav Hirsch (*Vayikra* 23:22) takes this idea even further, explaining the similarity in message of these specific offerings and the gifts to the poor.

Fulfillment of the *mitzvot* of *peia* and *leket* is the practical corollary to the *omer* and the two loaves, for through them every individual is guaranteed the means of an independent existence. However, this is guaranteed only by the power of Torah and *mitzvot*. Were it not for God's Torah, only the landowners would enjoy an existence worthy of human dignity; only they would benefit from the bounty of the fields. The landless, however, the poor and the strangers, would be dependent on the sympathy and judiciousness of the landowners. Yet, in our "progressive" times, to appeal to the landowners for support borders on a crime, and the few coins of charity given by them humiliate the recipients.

But such is not to be done in Israel. For this nation carries the first cuttings of its fields to the sanctuary of the Torah, and there waves the *omer* before God. And on the day that commemorated the receiving of the Torah, the nation brings two loaves to the sanctuary of the Torah, and there vows to fulfill its duty as the people of the Torah. The prosperity that is granted to the community is to bestow upon every individual a dignified existence. In this nation, the produce of the land and the labor of man are not solely for the benefit of the landowners. The landless and the strangers are rightful partners in the harvest, and their upkeep is the obligation of the wealthy and the privilege of the poor…

For the wealthy man who cares for the needy of his people merely fulfills thereby his duty to God. This duty is thrust upon him with every grain of produce that God caused to grow in his field. This concept of *tzedaka* is the greatest of the Torah's social triumphs.

**Three Mentions for Three Different Elements**

Although these various explanations provide fascinating explanations for the mentions of these *mitzvot* in these specific places, it might be worth thinking why these *mitzvot* are repeated three times in the Torah. Why could the Torah not have chosen one specific location to mention all these *mitzvot*, rather than repeating them with additional elements in three separate contexts? Aren’t they all applications of one concept, giving to the poor from the produce of the land at harvest time?

Based on what we have seen, it seems that this concept has three diverse elements. Its multifaceted nature requires that it be taught in these three separate contexts.

We will start with the third mention in the Torah, as there it would seem to be most straightforward. There these *mitzvot* are mentioned along with other interpersonal commands. The addition of *shikhcha*, which as mentioned can be fulfilled even without any awareness at all, underscores the importance of achieving the result of providing for the needs of the poor. This is the essence of what distinguishes interpersonal *mitzvot* from their ritual counterparts, as regarding interpersonal *mitzvot* it is the result that can be significant, even without the proper intent.

As for the repetition in *Emor*, on the simple level, this indicates that one cannot be joyous on the festivals without expressing care and concern for the underprivileged (see Year 1, Lesson 20). However, the message goes further, as the Ramban notes that the Torah indicates that there is also a ritual element to leaving the gifts of one's field. Social justice cannot be pushed aside for ritual obligations, partly because God views one's giving to the poor as an obligation to Him as well. It is not only meant to provide for the poor; it is a gift to God as well.

However, it is the initial mention in *Parashat Kedoshim* which is of primary importance; indeed, it may be that for this reason, *shikhcha* is omitted, as it focuses on the result rather than the intent of the giver. In the context of *kedusha,* how one gives is more important than what one gives.

Holiness requires not only giving, not only doing so in a dignified manner, but doing so in a way that transforms the giver. Just as there is a proper way to offer a sacrifice, there is a proper way to harvest one’s crops. One must focus not on the bounty; rather, one should, in giving gifts to the Temple and the poor, develop real concern for others. One’s field should become a field for the community's needs. One should give in a way that ensures that avoids haughtiness and high-handedness; property should be a means of bringing peace and connection to God and one’s fellow man. The same way that the peace offering is eaten by the priest, the altar, and the one who offers the sacrifice, one’s yield should be enjoyed by all. Doing so allows one to transform one's wealth into a holy part of religious life.

If so, the three mentions of this mitzva underscore its three elements: the interpersonal element of providing for others (*Ki Tetzei*), the ritual element of social justice (*Emor*), and the *bein adam le-atzmo* (intrapersonal; see Year 1, Lesson 8) element of becoming a giving personality through one's wealth, achieving a holy outlook in the process (*Kedoshim*). This is the multifaceted nature of these *mitzvot*.

In conclusion, Rav Hirsch points out that it seems rather evident that the purpose of this mitzva is not to solve the issues of poverty, as it is left to chance whether the poor will take anything from one's field; the poor themselves are obligated to leave these gifts from any fields they may own for other unfortunates. Rather, he explains, these *mitzvot* serve a different purpose altogether:

At harvest time, a person surveys what nature has done for him and what he is about to take home as the fruit of his own labor. At this time he utters the proud and momentous words: "My own." Precisely at this time, every member of the nation must bear in mind and signify in deed that anyone who can say “This is mine” is obligated to care for others as well. His field and his vineyard do not yield their produce for him alone (this is the message of *peia* and *olelot*). In the labor of his hands he is not to work for himself alone (this is the message of *leket* and *peret*). For in the state governed by the Law of God, the care of the poor and the stranger is not left to feelings of sympathy; it is not dependent on property owners' fears of the threat posed to them by the despair of the poor. Rather, it is a right that God has given to the poor and a duty that He has assigned to property-owners. And over all of them, God proclaims, "I am Lord your God", thereby assuring all of them of His personal care, encompassing all with equal love and justice and the obligating all equally to be just and loving toward others. Thus, He unites them all to form a holy community that is sustained by justice and charity.

In next week's lesson, we will deal with the particulars of these agricultural *mitzvot* and their messages of holiness.