YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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

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**Shiur #12: The *Mitzvot* of *Peia* and *Shikhcha***

In last week's lesson we introduced the agricultural *mitzvot* of the field mentioned in *Parashat Kedoshim*; *leket* and *peia*, and their counterparts in the vineyard; *peret* and *olelot*. We noted that the first pair of *mitzvot* is repeated four chapters later in *Parashat Emor,* and in *Parashat Ki Teitzei* (*Devarim* 24), we find the additional mitzva of *shikhcha.* We discussed the importance of the placement of these *mitzvot* and noted that the Torah's mention of these *mitzvot* in three different locations seems to underscore the multifaceted nature of these *mitzvot*, as they contain three fundamental aspects: an interpersonal element of providing for others (*Ki Teitzei*), a ritual element of social justice (*Emor*), and a *bein adam le-atzmo* element that fosters a giving personality (*Kedoshim)*.

In this week's lesson, we will focus on some of the unique aspects of each of these *mitzvot*.

**Singular of Plural**

In *Parashat Kedoshim*, the various agricultural forms of charity are introduced with the following statement (*Vayikra* 19:9):

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.

A number of commentators are bothered by the change in terminology, as the verse begins with the plural “you” at the beginning of the verse, and then moves to the singular “you.”

Rabbeinu Bachya explains that the verse is focusing on the individual responsibility of providing for the poor even when society as a whole is involved in the harvesting.

"When you reap your land’s harvest" is in the plural because… it was the custom in those days that many people began the harvesting process simultaneously, By contrast, the words "you shall not completely reap”are addressed to the individual owner of the field, as the onus is on the individual owner.

The Or Ha-chayim explains:

The Torah may have wanted to dispel the faulty notion that when the amount of gleanings does not add up to anywhere near enough to provide something meaningful for the poor, the law does not apply… The Torah therefore addresses each farmer individually, telling him that even though his individual contribution is minimal, he must abide by the legislation. The Torah uses the singular for each one of the types of gifts for the poor listed in our verse.

Both understandings seem to focus on the psychology of a blessed individual in a society that has a number of needs. One is liable to feel that the solving of the needs of the poor is a communal responsibility, not an individual one, or that his charity is so insignificant that it will not even make a dent in the communal needs. Therefore, the Torah states unequivocally that one must focus on his or her own personal responsibilities to the needy.

Indeed, the Torah may be stressing that one should not blame poverty on societal mismanagement or lack of care by the community; even if this is true and even if one has competitors who are not fulfilling their moral duties, one is still personally accountable. This responsibility helps both the recipient and the giver, even if the latter cannot solve the world's problems — "It is not incumbent upon you to finish the task, but neither are you free to absolve yourself from it" (*Avot* 2:15).

Rav S. R. Hirsch adds another important point, explaining that this presentation serves to implant a communal perspective in the individual who is harvesting his own property and dealing with his wealth, as he is reminded that the land essentially belongs to everyone:

Even when the land is divided, it is not given to individuals for purely selfish purposes; it is still considered communal land even when it becomes your individual field. Even when you gather in the produce of your own portion of the communal soil, the Land remains the possession of the community. Therefore, do not completely reap what grows in your portion, as though it has grown for you alone. Rather, leave part of your field untouched, preferably at the end of the field…

Moreover, the Torah's terminology is striking: “You shall leave them” in *Vayikra*, “It shall be”in *Devarim*. The Talmud derives from this that the landowner does not truly give the gifts to the poor, nor does he even have the benefit of deciding which needy individuals will receive his gifts. It is their entitlement.

Rav Hirsch points out that this formulation also adds a positive commandment to the list of prohibitions here; even if one were to violate the negative prohibition and collect all the produce of the field, there is still a possibility of fulfilling the positive commandment ladder.

As the Rambam writes:

The poor man may come and take them even against the will of the owner; even if the latter is himself a poor man, we take them away from him.

These *mitzvot* serve an essential role in teaching man about the limits of his own wealth. The Panim Yafot points out that the literal translation is actually “You shall not eradicate the corner of your field by reaping.” To pick clean every last spot of one’s field is a destructive act, while leaving a bit for the poor is constructive. Providing for the needy and allowing God to provide more is the landowner’s key to unlimited blessing.

**How Much to Leave?**

The directive “You shall leave them” indicates that these agricultural gift belong to any pauper who takes them, and the owners are not even given the prerogative to choose the recipient. However, there is one element regarding the mitzva which is relegated to an individual's choice, and that is the amount.

The Mishnaic tractate of *Peia* begins by listing *mitzvot* which have no measure, *peia* first and foremost*.* Essentially, though the Torah forbids one to harvest one's entire field and requires that some of it be left for the poor, there is no quantification. One stalk would satisfy the obligation, but the more one gives, the more one realizes that charity is not an obligation as much as a delightful opportunity to provide for others.

Still, the Sages of made the choice a little easier by requiring that one leave at least one-sixtieth of the field as *peia*. Although there is now a minimum, there remains no maximum. The landowner chooses the amount, expressing that a significant percentage of the harvest belongs to those in need.

**The Lesson of *Shikhcha***

Let us consider the differences between the different lists of these *mitzvot*. In *Kedoshim*, the Torah states (*Vayikra* 19:9-10):

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.

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 *Ki Teitzei*, the Torah states these *mitzvot* again along with the additional mitzva of *shikhcha* (*Devarim* 24:19-22):

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.

Regarding *leket* and *peia,* the Torah states that they are to be given to the poor and the stranger, while regarding *shikhcha* it states that the beneficiaries are the stranger, the orphan, and the widow, reminding us that we were slaves in the land of Egypt. Halakhically, the eligibility requirements are the same, but the Torah clearly chooses to emphasize different aspects. In *Kedoshim*, the landowner plays a socioeconomic role; in *Ki Tetzei*, where *shikhcha* is introduced, the landowner seems to play a familial role, stepping in to the shoes of the lost father or husband. Why is this?

**The Uniqueness of *Shikhcha***

The mitzva of *shikhcha* requires that a harvester who forgets one or two sheaves in the field not return to pick it up, but instead leave it for the needy. What is particularly interesting about the mitzva is that the pauper may take them before the owner realizes the sheaves have been forgotten! This implies that one may fulfill a mitzva without being aware of doing so.

The Tosefta (*Peia* 3:8) relates the following:

An incident occurred with a pious man who forgot a sheaf in his field. He told his son: “Go out and sacrifice on my behalf a bull for a burnt-offering and a bull for a peace-offering.”

The son said: "Father, what makes you want to rejoice in this mitzva more than other *mitzvot* in the Torah?”

The father responded: “The Omnipresent has given all other *mitzvot* to be observed consciously, but this one is unconsciously observed. Were we to observe this one of our own deliberate freewill before the Omnipresent, the mitzva would never come into existence. But we are guaranteed… a special blessing. Moreover, isn't it an *a fortiori* argument? If when a man has no deliberate intention of performing a good deed it is nevertheless reckoned to him as one, one who deliberately performs a good deed, how much more so!”

*Shikhcha* is a mitzva which defies intent, yet it carries with it a guarantee of tremendous blessing. How are we to understand its unique nature? The Ibn Ezra writes about this blessing:

Because you gave of yours in thought, God will give you of His own in truth.

What “thought” is the Ibn Ezra referring to? The mitzva of *shikhcha* is accomplished specifically when one does not intend to leave something; indeed, one may realize the gift only *ex post facto*!

A similar idea is found in Rabbeinu Bachya’s commentary:

God assigns a blessing for people who have the right thoughts. The Sages (*Sifrei* 283) expound: even if the gift becomes the property of the poor without deliberate intent by the farmer who has forgotten it, he will be blessed; how much more will he be blessed if he has arranged it!

Rabbeinu Bachya seems to be saying that the basic mitzva is to leave the forgotten sheaf, but the greatest blessing is reserved for those who provide for the needy willfully and willingly. Still, as he notes (based on the next verse and the *Sifrei ad loc*.), self-aggrandizement diminishes from one’s act of charity.

The moral lesson is that one should not publicize the kind acts one performs.

Thus, the mitzva of *shikhcha* teaches us much about the nature of charity. *Shikhcha* does not require an action and may be fulfilled without the giver’s knowledge; the real test is one’s reaction when the act is realized. After all the hard work, will one rejoice in providing unintentionally for the needy? Moreover, the giving of charity may be undermined by braggadocio. Charity is a state of mind: having the proper thoughts, being content and delighted to have provided for others by a happy accident.

This understanding of *shikhcha* jibes well with the comments of the Chinnukh regarding the nature of this and other agricultural gifts of the field.

**Building Character**

Both Rav Hirsch and the Chinnukh explain that *shikhcha* is not a social mitzva, but a character-forming one, educating man's conscience. How does this work? How may one acquire a generous nature through the “performance” of a mitzva one had no intention of performing? Certain elements are definitely instructive: giving without knowing whom one gives to, abdicating ownership of one's field and eschewing boastfulness (as one’s generosity was unintentional) allow one's charity to be purer. Is there more to *shikhcha* than this? Rav Hirsch seems to indicate just that, explaining why this mitzva appears in *Devarim*, Moshe’s final speech to the Jews as they prepare to cross the Jordan:

Here the Torah says that the harvest gifts bring blessing to those who give them; they constitute an acknowledgment of the redemption from Egyptian bondage. It is self-evident that this is relevant to the people who are about to enter the land, who will dwell there in independence.

He points out the additional law here of *shikhcha* and the mention that *peia* applies to trees.

The verse focuses on ownership: "you reap,” “your field." You are now standing on your soil, where nature has served you. You worked your land, and yours is the abundance that you are about to reap, either by your own effort or by the labor of the persons in your employ.

Rav Hirsch stresses how the various *mitzvot* of the field contribute to the unique forms of *tzedaka* that "counter the pride of ownership" while providing the means for the poor to support themselves. It reminds man that he shouldn't view the whole harvest as being his alone; he should not exploit the field down to the last stalk, but leave to the poor at least whatever falls.

To the foregoing is now added the mitzva of *shikhcha*. The mitzva serves to purge your thoughts of possessiveness and greed. It teaches you that your mind, too, which works at increasing wealth, must not be focuses solely on your own welfare. Rather, whatever has once escaped your attention at harvest time must be left for the poor. The mitzva of *shikhcha* serves to uplift harvest thoughts, just as the mitzva of *leket* serves to uplift harvest labor…

The harvest gifts don't actually provide for the poor as much as they remind us of our duty to provide for the poor. Remembering that which grows in our fields is chiefly for us but also for our needy brethren.

The Chinnukh (216) explains how the mitzva of *peia* develops one's character:

God wished His chosen people to be graced with every good moral quality, that they should be generous in spirit and blessed in soul. I have already written that actions mold the character, improving it and making it receptive for divine blessing. There is no doubt that by leaving a portion of his produce and declaring it free to everyone so that the needy may enjoy it, man's spirit will become more unselfish and he will enjoy divine grace. But he who gathers in everything into the house, leaving nothing for the needy who saw the field full of standing corn and hoped to satiate their hunger, will no doubt do harm to his character, breeding selfishness, ill-will and miserliness.

This same reason suffices to explain the laws of *leket, shikhcha, peret* of the vineyard and *olelot.*

Regarding *shikhcha,* the Chinnukh adds:

What lies at the root of the precept? The poor and the needy, in their want and their penury, set their eyes on the crop of grain when they see the owners of the fielding bringing in sheaves from the field according to God’s blessing. "If only I might be granted to gather in sheaves to my house! If only I had one, I would rejoice in it!” It was therefore part of God's beneficent will to fulfill their desire and yearning when it happens by chance that the owner forgets a sheaf.

It is also beneficial to the owner of the field, as he acquires a generous nature, since the generous soul doesn't concern itself with the forgotten sheaf, leaving it for the poor. On those with a generous nature, God’s blessing will rest in perpetuity.

From the words of the Chinnukh, it would seem that all the agricultural *mitzvot* serve an essential purpose in transforming the harvester from a greedy individual counting all his crops to one who realizes that his wealth can also be used as a means of providing for the poor. *Shikhcha* helps one foster this spirit by realizing that the things he has forgotten are probably not important at all, allowing him to put himself in the shoes of the needy, realizing how important and precious the ability to pick up sheaves is for them. With this in mind, it is not surprising that the Malbim quotes the Chinnukh*’s* reasoning, explaining that through this mitzva, God allows man to be the conduit for taking care of the needs of the indigent — not only feeding them, but allowing them to feel important as well.

**The Connection to the Land of Israel**

At this point, we must consider the following question: are these agricultural *mitzvot* limited to the Land of Israel? If they are so essential for ensuring that one who is involved in planting a field develops and fosters a holy character, why should they not apply throughout the world?

In next week's lesson, we will analyze the nature of agricultural *mitzvot* of the Holy Land and the template they present for the world as a whole.