

Daf 112: מעשר שני – Ma'aser Sheini, Second Tithe



One who has fruits or vegetables grown in *Eretz Yisrael* needs to set aside portions for *trumot* and *ma'asrot*. First, *trumah* designated for the *kohanim* is set aside, followed by *ma'aser rishon* designated for the *levi'im*. After that, an additional *ma'aser* is set aside – either “*ma'aser sheini*” (second tithe) or “*ma'aser ani*” (tithe for the needy), depending upon the year of the Sabbatical cycle.

During the Temple era, the owner of produce would set aside 10% of the fruits and vegetables to be eaten in Jerusalem and in a state of ritual purity. Alternatively, the Torah allows a person to redeem the 10% of designated produce with money. The cash was then brought up to Jerusalem and used to purchase food items. The purchased food was sanctified as *ma'aser sheini* to which there are two laws that apply: 1) It must be eaten only in Jerusalem. 2) Those who are ritually impure were forbidden to eat it. Sadly, as the Temple has been destroyed and everyone is ritually impure, we have no opportunity to eat *ma'aser sheini*. Therefore, we redeem the produce designated as *ma'aser sheini* and transfer its holiness onto coins.

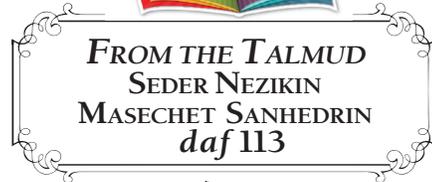
Daf 113: מעשר שני מחוץ לירושלים – Ma'aser Sheini Outside Jerusalem

The Torah only allows for redeeming *ma'aser sheini* outside of Jerusalem. Inside Jerusalem, *ma'aser sheini* may not be redeemed. What is the ruling regarding an individual who possesses *ma'aser sheini* produce in Jerusalem, but wants to redeem it – is that person permitted to take the produce out of Jerusalem to redeem it?

According to the Torah, it is possible for that produce to be redeemed, but the *Chachamim* legislated that once *ma'aser sheini* has been brought to Jerusalem it may no longer be redeemed, even if it is taken out of the city for that purpose. There is, however, an exception to this ruling based on which produce may be redeemed inside the city of Jerusalem – i.e., if the produce that became *tamei* (ritually unclean). Eating holy produce that has become *tamei* is prohibited. But, once that produce has been redeemed it becomes *hullin* (a non-holy object), and there is absolutely no *issur* (prohibition) against eating produce classified as *hullin* that has become *tamei*. In such a case, a person would be permitted to redeem the produce in Jerusalem.



הדרן עולד
Masechet Sanhedrin,
we have learned from you,
and we will return
to learn from you again.
At a good time, we begin
Masechet Makkot.



FROM THE TALMUD
 SEDER NEZIKIN
 MASECHET SANHEDRIN
 daf 113

מן התלמוד:
 סדר נזיקין, מסכת סנהדרין, דף ק"ג:
 "יוהכא בהא קמיפלגי: מר סבר 'עוד'
 לגמרי משמע, ומר סבר 'עוד' - לכמה
 שהיתה אינה נבנית, אבל נעשית היא
 גנות ופרדסים"

Translation

בהא *Be'ha* Regarding this
 ... *Ka'mee'palgei* ... They disagreed

Explanation

The *Chachamim* disagreed about the fate of an *Ir haNidachat* (a city whose inhabitants practice idolatry) after it had been burned. One opinion maintains the city must never be rebuilt in any way; while the second opinion maintains that it is forbidden to rebuild the city as it once was, but it is possible to plant gardens and orchards at that location instead.



B'Sha'ah Tova –
 We complete learning
 Masechet Sanhedrin!

Please
 join us in learning
Masechet Makkot



Daf 2: עדים זוממים – Scheming Witnesses

Masechet Makkot comprises three chapters. Chapter 1 deals with the laws of “*Eidim Zomemim*” (scheming or conspiring witnesses); Chapter 2 deals with cases of the *Rotze’ach B’sh’ga’ga* (accidental murderer) who is exiled to the *Ir Miklat* (city of refuge); and Chapter 3 deals with people who commit crimes for which they are liable for the punishment of *Malkot* (lashes).

What are “*Eidim Zomemim*”? This refers to false, lying witnesses, who testify in order to harm someone else. For example, if an individual testified that someone hurt another person, when in fact, that never happened; or if someone wanted to see to it that another person got punished (e.g., if someone testified that another person desecrated Shabbat and would therefore be subject to the death penalty). The Torah stipulates the punishment of *Eidim Zomemim* is to receive whatever punishment they tried to have imposed on their fellows. If they tried to have a person fined \$100, then they are fined \$100. If the false witness tried to have a person sentenced to death, the falsifiers are sentenced to death. In *Masechet Makkot* we learn that not all false witnesses are considered “*Eidim Zomemim*”, rather, it is only those who meet the criteria set by the Torah.



Daf 3: הונאה – Fraud

The Torah prohibits *Ho’na’a b’Mekach u’Memkar* (fraud in buying and selling), meaning, it is forbidden for the seller to mislead the customer and sell an item for more than its standard price without the customer’s prior knowledge. If, however, the fraud took place, the ruling is as such:



1. If the item was sold for slightly more than its standard price, the deal is not void, and the seller need not even refund the amount overcharged, since people generally forgive such minor discrepancies.
2. If the item was sold for exactly 1/6 over the usual price, the deal is not void, but the seller must return the overcharged funds to the buyer — e.g., if the seller sold speakers for 60 shekels that were only worth 50 shekels, then that seller took an extra 1/6 unnecessarily from the buyer. In the Gemara, 1/6 is called “*shtut*”.
3. If the item was sold for more than 1/6 above the standard price, the deal is completely invalid and the seller is obligated to return to the buyer the entire amount paid.



★ | **Israeli History**

ISRAEL@ שנה למדינת ישראל

70

**תשכ"א/1961
OPERATION “YACHIN”**



תשכ"א/1961

Operation Yachin was designed to bring Moroccan Jews to Israel, an effort which began in late 1961 and continued until 1964. As a result of the establishment of the State of Israel, anti-Semitism in Morocco grew, raising concern regarding the fate of the Jews there. Using ships, the pioneer youth movements aided in the clandestine departure of some Jews, taking them first to Gibraltar or Spain. From there, they continued to Eretz Yisrael. In 1954, Mossad emissaries arrived in Morocco and established a Jewish underground. Finally, the King of Morocco allowed the Jews to leave his country, provided they did not declare they intended to immigrate to Israel and that the body dealing with the transport would not be Zionist. The immigration organization H.I.A.S. (Hebrew Immigrant Aid Society) was chosen to handle the mission, and the Israeli government paid \$50 for each immigrant. Over the course of the operation some 80,000 Jews immigrated to Israel.



Moroccan Jews arriving in Israel in 1961. Photo source: Government blog archive.



Daf 4: מים שאובים – Drawn Water

The Torah stipulates that one must immerse in a *mikveh* (ritual bath) in order to become ritually purified. Which pools of water are halakhically suitable for immersion? A pit in which at least 40 *se'ah* (approximately 145 gallons) of rainwater has collected, a spring, or an ocean. Only if the rainwater flowed into the pit naturally is the mikveh considered kosher. Water drawn with a vessel and transported to the pit is unacceptable for a *mikveh*. This water is called “drawn water”.



Is a *mikveh* containing a mixture of rainwater and drawn water considered kosher (acceptable)? In the Talmud, we learn that the matter depends on the specific circumstances. However, after a *mikveh* is considered kosher, meaning once it already contains 40 *se'ah* of rainwater, it cannot be invalidated if some drawn water is mixed with it.

Daf 5: "הַבְּחָשָׁה" ו"הַזְמָה" – “Denial” and “Conspiracy”

The Talmud teaches us about a case of *Hak'chasha* (denial or rebuttal) and another case of *Hazama* (conspiracy).

Hak'chasha: A set of *eidim* (witnesses) testify that Reuven did such-and-such. For example: *Eidim* claim that Reuven took on a loan in Shimon's backyard, on Sunday at 2pm. Then, two other *eidim* testify that the statement of the first set of *eidim* is completely untrue, since Reuven was with them in the *Beit Knesset* at the hour in question. In such a case, it is impossible to establish which pair of *eidim* is truthful. Accordingly, the *Beit Din* deems the matter to be inconclusive.

Hazama: If a second set of *eidim* comes and states about the first set of *eidim*: “How could you give such testimony? At that exact time, when you claim the loan was being made in Shimon's backyard, you were in the *Beit Knesset*.” In such a case, the Torah rules that the second set of *eidim* are believed and the first *eidim* are deemed to have lied. The first set of witnesses are then given the punishment they conspired to impose through their false testimony.



Made In Israel

Emergency Bandage

Founder: Bernard Bar-Natan
Founded: 1993

When Israeli-American Bernard Bar-Natan was a medic in the Israel Defense Forces in the mid-1980s, he realized that the bandages being used in the field were developed decades earlier. When wounds were not clotting, medics were taught to use a rock to add pressure in order to stop the blood flow. Bar-Natan knew that there had to be a better method for treating wounds.

After years of research and working with different fabrics and methods, Bar-Natan's company First Care created the Emergency Bandage, which is also known as the Israeli Bandage. The bandage was designed to be easy to use. It applies pressure to the wound and can be placed using one hand. The bandage was officially introduced in 1993 and by 2003, the United States Army made its use the standard. Today, the bandage is used by many law enforcement agencies around the world.

Thank you Israeli researchers for creating an easy way to save lives around the world!



Emergency Bandage. Photo source: Israel21c.org

Daf 6: עֵדוּת פְּסוּלָה – Invalid Testimony

The Torah mandates that at least two *eidim* (witnesses) are required in order for *eidut* (testimony) to be accepted. What happens if there are three or more *eidim*? In such a case, even though two *eidim* suffice, the statement of each and every *eid* (witness) is heard. Halakhah mandates that if one of the *eiduyot* (testimonies) is disqualified, then all are disqualified. For example, if it turns out one of the *eidim* is a relative of one of the litigants, then, all of the *eidut* is disqualified. This means, that even if one hundred *eidim* come forward to give *eidut*, and only one of them is found to be a *karov* (relative) or *pasul* (disqualified) from providing *eidut* for any reason, all of the *eiduyot* becomes void. This *halacha* is generally called, “*Nimtza echad me’hem karov, oh pasul*” (one of them is found to be a relative or disqualified).



One of the additional *halachot* regarding testimony requires *dayanim* (judges) to hear *eidut* directly from the mouths of the *eidim*. If the *dayanim* do not understand the language spoken by the *eidim*, they may not bring in a translator in order to translate the words of the *eidim* for the *dayanim*. Instead, they must find *dayanim* who know the language spoken by the *eidim*.



QUESTIONS OF THE WEEK

All answers can be found in this Daf Yomi booklet

1. What is the difference between “*Hak’chasha*” and “*Hazama*”?
2. What is the meaning of the halacha: “*Nimtza echad me’hem karov, oh pasul*”?
3. What quantity of water is required to be in a *mikveh*, in order for the *mikveh* to be kosher?

Please email answers to questions to answers@talmudisraeli.co.il for a chance to win an iPad mini!

Dvar Torah for the Shabbat Table

Our *parasha* opens: “And the life of Sarah was one hundred years and twenty years and seven years; these were the years of the life of Sarah. Rashi says: ‘All were equally good.’ In other words, all of Sarah’s years were good. *Chazal* asked: how could it be that her all of the days of her entire life were equally good? After all, she had ninety years during which she was distressed over being barren as well as other problems and troubles that befell her. Are these years equal to the good and happy years after Isaac was born?”

The commentators replied that because Sarah was always filled with joy and had great faith in God, everything was equally good in both the happy and difficult times. Therefore, it is true that although Sarah’s life did include difficult periods, all her days were of equal standing. Even during challenging times, Sarah was as happy as she was during the good times, because she believed everything is for the best.

ISRAEL @ 70

Talmud Israeli is a highly successful education program that began in Israel and quickly earned widespread support and approval from Israel’s Ministry of Education. *Talmud Israeli* combines the study of Talmud with Torah, modern Jewish history and Israeli history. We strive to grant learners tools that strengthen Jewish identity and connections to Israel and the Jewish people. *Talmud Israeli* brings the teachings of our sages to learners of all ages. As we approach the 70th anniversary of Israel’s independence, *Talmud Israeli* has added a featured section that gives readers a comprehensive picture of *Israel’s history*.

Please contact us to sign up for *Talmud Israeli* for your school or synagogue!



FOUNDER & EDITOR: MEIR JAKOBSON | EDUCATIONAL DIRECTOR & EDITOR: RABBI AVI RATH | BOARD CHAIRMAN: HAIM FREILICMAN, C.P.A.

תלמוד ישראל SPONSORED BY: MEDISON

TALMUD ISRAELI—DAF YOMI FOR US: 112 W. 34th Street, 18th floor • New York, N.Y. 10120 • www.talmudisraeli.com
CHAIRMAN, DAF YOMI FOR US: GAL NAOR | DIRECTOR, DAF YOMI FOR US: Yael SCHULMAN • yael@talmudisraeli.co.il • T: 914-413-3128