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The Essence of *Ma'aser Sheni*

The *Mishnayot* this week contained an assortment of laws relating to *ma'aser sheni*. The question that will be dealt with in this article is whether something can be learnt about the nature of *ma'aser sheni* from these laws.

Fundamentally, when dealing with the nature of *trumot* and *ma'asrot* they must first be divided into two categories – *trumot* and *ma'asrot*. This basic division is found in the *Torah* in *Parashat Korach* (*Bamidbar* 18: 8-21) where it discusses the commandment to separate *trumot* and *ma'asrot*:

Hashem announced to *Aharon*: I have given you responsibility for My elevated gifts. I am thus giving you all the sacred gifts of the Israelites as part of your anointment... The dedicated portion of oil, wine and grain that must initially be presented to *Hashem* is now given to you... To the descendants of Levi, I am now giving all the tithes in Israel as an inheritance. This is in exchange for their work, the service that they perform in the Communion Tent.

The *pesukim* appear to indicate that the *ma'aser* is effectively the payment for the *levi'im's* work. When discussing *trumah* on the other hand, despite the fact that the *Kohanim* also 'work' in the *Beit ha'Mikdash*, the *trumah* is not described as a payment.

Differences in the prescribed quantities of *trumot* and *ma'asrot* also reflect the above described distinction. For *ma'aser* a pragmatic instruction is given as to the required quantity – 10%. Conversely, the *Torah* does not provide a measure for *trumah* and (on a biblical level) one can give as much or as little as they desire.

What then is the aim of *trumah*? Rav Aharon Lichtenstein explains that *trumah* is one of a select few things described as "*reishit*" (first). The idea represented by this group is that one should 'give' the first portion to *Hashem* prior to sitting down and eating. Consequently, *trumah* does not serve a practical or financial purpose, but rather an educational one.

There are other laws that are understandable after this distinction. An *Israel* can eat *ma'aser rishon* once the *Levi* has received it; after all, it is his property. *Trumah* (as well

as *bikurim* and *trumot ma'aser*) on the other hand is *kadosh* and a non-*kohen* cannot eat it.

How does one then understand *ma'aser sheni*? On the one hand it appears that it should be amongst those things that are 'given' to *Hashem*, yet on the other hand it has a fixed amount - 10% - suggesting that it is similar to those "practical" gifts.

The answer may be found in the laws learnt in the third and fourth *perakim*. There we find the law that if the owner redeems his *ma'aser sheni* produce he must add one fifth of its value. Many have understood this requirement as a guarantee that the owner will not undervalue the produce when redeeming it. There therefore appears to be a practical interest that enough money will be used to redeem the produce. Return to the original question – what is the reason for this practical interest?

If one looks at the *pesukim* found in *parashat Re'eh* (*Devarim* 12) it appears that the entire aim of *ma'aser sheni* is that people have festive meals around *Yerushalaim*. So again, why the 'pragmatic' detail in the laws?

There are two points:

Firstly, there are economic considerations. During the three festivals when everyone comes to *Yerushalaim* there is a valid concern that there will be a short fall of food and the prices will inflate. If however, everyone brings *ma'aser sheni* fruit and money with them, this concern will be offset.

Secondly, it is desirable that people regularly visit the nation's spiritual centre. The fixed measure of *ma'aser sheni* forced people to regularly come. The obligatory stay would clearly have the benefit of strengthening the spirituality of those guests.

It appears that this last reason is just as valid today with *Yerushalaim* and *Yisrael* being the spiritual centre. Consequently today, even without *ma'aser sheni*, there is importance in visiting these places. In a similar manner, it is important to visit *shuls* and *batei midrash* which to a certain extent take the place of the *Beit Ha'Mikdash* in our time.

Aharon Novogrodski

Revision Questions

מעשר שני ג' ח' – ד' ח'

- What is the *halachic* status of the interior and roof of a chamber: (ג' ח')
 - Built in the *kodesh* and opening to a non-holy area?
 - Built in *chol* and opening to *kodesh*?
 - Built in both *kodesh* and *chol* with openings to both *kodesh* and *chol*?
- Explain the debate regarding what should be done with *ma'aser sheni* produce that has been brought into *Yerushalaim* and became *tameh*. Does it matter how the *ma'aser sheni* became *tameh*? (ג' ט')
- Explain the debate regarding whether one can redeem produce that has been purchased with *ma'aser sheni* money and has consequently become *tameh*. (ג' י')
- What is the law regarding: (ג' י"א)
 - An animal that was purchase with *ma'aser sheni* money that died?
 - An animal that was bought with *ma'aser sheni* money, was slaughtered, and then became *tameh*?
 - A slaughtered animal that was purchased with *ma'aser sheni* money which then became *tameh*?
- When do the jugs designated to contain *ma'aser sheni* wine also receive *kedushat ma'aser sheni*? (ג' י"ב)
- What should one do if they have a number of sealed jugs of wine and wish to separate *trumah* from one of the jugs to cover all jugs? (ג' י"ג)
- How should one redeem *ma'aser sheni* produce that have been taken to a place where their value is different? (ד' י')
- If one takes *ma'aser sheni* produce from the threshing floor to the market, can he deduct that travel expenses from the (resulting) *ma'aser sheni* money? (ד' י"א)
- At what price does one redeem *ma'aser sheni* produce – wholesale or retail? (ד' י"ב)
- How many witnesses does one need when redeeming *ma'aser sheni*? (ד' י"ג)
- If the owner bids \$1 redeems his *ma'aser sheni* and another person bids \$1.10 – who has precedence? (ה' י')
- How much extra must the owner add when redeeming his *ma'aser sheni*? (ה' י"א)
- How can the owner avoid the above described obligation? (ה' י"ב)
- How can one effectively redeem *ma'aser sheni* if his money is at a different location? (ה' י"ג)
- What is the law regarding one that purchased *ma'aser sheni* produce from someone, yet prior to the handing over the money, the value of the produce changed? (ו' י')
- There is a debate in the *mishnah* regarding whether one needs to explicitly designate the money that he uses to redeem *ma'aser sheni* produce. What other area of *Halacha* shares a similar debate? (ו' י"א)
- If someone redeemed a \$10 worth of his *ma'aser sheni* and ate half of the produce, then travelled to an area where it was worth \$5, can he continue eating any more? (ו' י"ב)

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Ma'aser Sheni 4: 9-10	Ma'aser Sheni 4: 11-12	Ma'aser Sheni 5: 1-2	Ma'aser Sheni 5: 3-4	Ma'aser Sheni 5: 5-6	Ma'aser Sheni 5: 7-8	Ma'aser Sheni 5: 9-10

