



Shul Lighting with Terumah

The final *Mishnah* in *Terumot* explains that one can use *terumah* oil that has become *tameh* (*shemen sreifah*) for lighting shuls, *batei midrash*, dark alleyways and for a sick person "*bereshut kohen*". What does *bereshut kohen* mean? Furthermore, what is unclear is whether *bereshut kohen* is a requirement for all the cases in the *Mishnah* or only the case of a sick person.

The *Bartenura* explains that *bereshut kohen* means that there must be a *kohen* present at the time. The reason is "*ner echad, ner lemeah*" - one candle can benefit many people equally.

The *Rambam* however understands that *bereshut kohen* means with the *kohen's* permission. The *Tosfot Anshei Shem* explains similarly, because of the following question. The *Yerushalmi* teaches that if a *kohen* came to a *yisrael's* house to perform some accounting, the *yisrael* can fuel the lights with *shemen sreifa* and continue to benefit from the light after the *kohen* leaves. The *Tosfot Anshei Shem* argues that if for mundane matters one is allowed to benefit from *shemen sreifa* in the presence of a *kohen*, then surely one can do so for the sake of a *mitzvah*. What then is the novelty of the *Mishnah* according to the *Bartenura's* understanding? The *Tosfot Anshei Shem* therefore explains that he is gifting the oil to the *kohen* and getting permission to use it in these locations.

The *Mishnah Rishona* however notes that the next case in the *Mishnah* discusses a *bat Yisrael* who marries a *kohen* and can thereby consume *terumah*. The *Mishnah* teaches that if she is frequently at her father's house, then he can light candles with the *shemen sreifa* "*birshuta*". The context seems to suggest that it requires her presence, not just her permission. The *Mishnah Rishona* suggests that the first cases in the *Mishnah* are different since they are *tzorchei rabbim* - they serve a public need. Even so, how can one be lenient in that case?

The *Tosfot Anshei Shem* notes that the *Yerushalmi* explains that the presence of a *kohen* is required where it is used for a sick person. This implies that in the other cases, in the shuls, *batei midrash* and alleyways, the presence of a *kohen* is not

required. Again, the difference being that these cases have a public need. Why can we be lenient in those cases? The *Tosfot Anshei Shem* suggests that in these environments one can assume that a *kohen* will inevitably benefit from the light. He argues that if however, it was not for the need of a *mitzvah*, then both permission and the presence of a *kohen* would be required.

The *Melech Shlomo* also understands that the requirement of "*bereshut kohen*" is only when used for a sick person. He however understands, that for the other cases that satisfy a public need, no permission is needed at all! He assumes that it is based on the principle that one would be happy for another to use their property for the sake of a *mitzvah* and therefore no permission is required.

The *Rambam* (*Hilchot Terumot* 11:18) rules that one can use *shemen sreifah* to light shuls, *batei midrash* and dark alleyways, without the permission of a *kohen*. The *Rambam* adds that one could even use *shemen sreifa* to light *channukah* candles if they have no other oil, without the permission of a *kohen*. The addition of the case of the *channukah* candles seems to support the *Melech Shlomo's* explanation, that it is not just for the public need, but also for the sake of a *mitzvah*.

The *Tosfot* (*Pesachim* 34) however argues that *bereshut kohen*, the presence of the *kohen*, is required in all the cases listed in the *Mishnah*. What is behind this debate?

The *Mishnah LeMelech* understands that the *Rambam* and *Tosfot* argue regarding the prohibition of a *non-kohen* deriving benefit from (but not eating) *terumah* as it is being used up - *hanaat kilui*. Everyone agrees it is prohibited. The *Tosfot* however understands that it is prohibited biblically. Consequently, no matter the need, it is prohibited. The only way a *non-kohen* can benefit from it, is alongside a *kohen*. The *Rambam* however understands that *hanaat kilui* is prohibited rabbinically. Consequently, the *Chachamim* permitted the benefit where there is a public need.

Revision Questions

תרומות י"א:א-י"י

- Which *trumah* products are forbidden to be mixed in fish brine and which are permissible? (י"א:א)
- Explain the debate regarding the status of fruit juices made from *trumah* fruit? (י"א:ב)
- Can fruit juices become *tameh*? (י"א:ב)
- In general one cannot change the form of *trumah* produce (eg, in to a juice or jam) – what are the two exceptions? (י"א:ג)
- In which other (four) areas of *halacha* are these two things also exceptions? (י"א:ג)
- Can a non-*kohen* get benefit from the stalks of *trumah* dates? (י"א:ד)
- What indicates whether a seed for a *trumah* fruit is permissible for a non-*kohen*? (י"א:ה)
- What *kohen*-specific food other than *trumah* shares the above described law? (י"א:ה)
- Does one need to take special precautions when cleaning out a store room that contained *trumah* produce with the intention of replacing it with *chulin*? (י"א:ו)
- Does one need to take special precautions when cleaning out a barrel that contained *trumah* oil with the intention of replacing it with *chulin*? (י"א:ו)
- What is the minimum size of *trumat ma'aser* of *demai* that one has give to a *kohen*? (י"א:ז)
- What is the law regarding *trumat ma'aser* of *demai* that is smaller than this amount? (י"א:ח)
- Which *trumah* food can a *kohen* feed to his animals? (י"א:ט)
- When can a *Yisrael* who rents a *kohen's* animal feed it *trumah* and when can a *kohen* that rents a *Yisrael's* animal feed it *trumah*? (י"א:ט)
- Explain the debate regarding lighting *shemen sreifa* at a mourner's house or at a *simcha*? (י"א:י)
- In which other cases can a non-*kohen* light *shemen sreifa*? (י"א:י)

מעשרות א' א"ד-י"ד

- What is the law regarding replanted *tameh trumah* seedlings? When can a *kohen* eat from its fruit? (י"א:ט)
- What are the three defining characteristic of produces from which *ma'asrot* must be separated? (י"א:א)
- What is the second general rule that is mentioned in this *Mishnah*? (י"א:א)
- At what point in time in the growth of the following products is one obligated to separate *ma'asrot*:
 - Figs and grapes?
 - Dates?
 - Pomegranates?(י"א:ב)
 - Carobs?
 - Olives? (י"א:ג)
 - Pumpkins and watermelons?
 - Apples? (י"א:ד)

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
7 August י"א אב	8 August י"ב אב	9 August י"ג אב	10 August י"ד אב	11 August ט"ו אב	12 August ט"ז אב	13 August ט"ח אב
Maaserot 1:5-6	Maaserot 1:7-8	Maaserot 2:1-2	Maaserot 2:3-4	Maaserot 2:5-6	Maaserot 2:7-8	Maaserot 3:1-2

