

OVERVIEW of the Daf

1) New Year for Shemittah and Yovel (cont.)

The Gemara explains how the Rabanan who disagree with R' Yishmael the son of R' Yochanan ben Berokah interpret the pasuk he cited to support his position.

The previously cited Baraisa stated that there is an obligation to add from חול קודש. The Gemara searches for a source for this ruling.

A Baraisa is cited that presents a dispute between R' Akiva and R' Yishmael. R' Akiva states clearly that there is an obligation to add to the Shemittah year.

A second Baraisa, dealing with Yom Kippur, is cited that serves as the source for R' Yishmael concerning the obligation to add from חול קודש.

R' Akiva's response to R' Yishmael's drosha is recorded.

A Baraisa presents a dispute between R' Yehudah and R' Yosi, as to how to interpret the phrase יוכל היא.

The Gemara explains why R' Yosi was compelled to offer two reasons for his position.

The rationale behind R' Yehudah's opinion is explained.

As a side note, the Gemara explains how we know that the word דרור means freedom.

R' Chiya bar Abba in the name of R' Yochanan presents a third opinion regarding the criteria necessary for Yovel to take effect.

2) Orlah

The source that the first of Tishrei is the New Year for orlah is identified.

The source is unsuccessfully challenged.

A Baraisa elaborates on the halachos of newly planted trees. ■

REVIEW and Remember

1. What are the two sources for the obligation to add kodosh to chol?

2. What is the source for the obligation to add to Yom Kippur at the beginning and at the end?

3. What are the three opinions concerning the criteria necessary to begin Yovel?

4. How do we know that the New Year for orlah begins on the first of Tishrei?

Distinctive INSIGHT

Eating on the ninth of Tishrei

כל האוכל ושותה בתשיעי מעלה עליו הכתוב כאילו התענה תשיעי ועשירי

The Gemara (Avoda Zara 20a) cites the famous ladder of spiritual ascent of Rabbi Pinchas ben Yair: "Torah leads to watchfulness, and watchfulness leads to זריזות (zeal)," until a person can finally achieve holy inspiration. Clearly, any process can only begin once a person has determined his objective to conscientiously aim towards a goal. If a person is not interested in seriously pursuing a mission, then any forward progress which may be made may be lost the next moment when the person acts in a counterproductive manner.

When the Jewish people gathered in Yerushalayim for the festival celebration three times a year, they prepared their approach to the Mikdash with great care. During this journey, every adult male had an obligation to bring a burnt offering. In dealing with the holy, the average person had to exercise a degree of watchfulness far beyond that to which he was normally accustomed. The proper intent had to be maintained when bringing the animal, and the rules of ritual impurity had to be observed with great scrutiny. This trained a person to be attentive to detail and meticulous in his performance of the laws of Shabbos, family purity, and in all areas of halachah. The simple experience of spending a week in Yerushalayim in the vicinity of the Mikdash would directly improve mitzvah observance in general.

The Gemara tells us that if one eats on the eve of Yom Kippur, he receives merit and it is considered as if he has fasted on the ninth and the tenth of Tishrei. A possible explanation for this is that upon entering the mighty day of Yom Kippur, one must have awe and fear of the impending judgment ahead of him. When eating during the last few hours before the arrival of Yom Kippur, a person would be extremely careful about the kashrus of his food, as well as his reciting of the proper brachos, and other procedures. If he displays a serious attitude and is deliberate about not missing any detail, then it can be assured that this person has been fine-tuned to heeding the word of Hashem.

One's eating on the day before Yom Kippur can then be a direct barometer of one's observance the entire year. ■

HALACHAH Highlight

Orlah

תנו רבנן אחד הנוטע אחד המבריך ואחד המרכיב... שלשים יום לפני ראש השנה עלתה לו שנה

The Rabbis taught in a Baraisa: Whether one plants a tree, or whether one bends [a branch into the ground], or whether one grafts [a branch onto an existing tree] ... [if it was done] thirty days before Rosh HaShanah, he is credited with a [full] year of growth.

Rambam¹ writes that in order for thirty days to be counted as a full year towards orlah, the tree must have taken root. Since it takes approximately two weeks for a tree to take root, one must plant a new tree no later than the sixteenth of Av (44 days before Rosh HaShanah) to allow two weeks for the tree to take root (from Av 16 until Av 29 is 14 days) and thirty days that count as a year (from Av 30 until Elul 29, which is 30 days). Rav Chaim Kanievski², in the name of Chazon Ish, writes that regarding the two weeks needed for the tree to take root we apply the principle of **מקצת היום ככולו**—part of the day is equivalent to the entire day. However, when calculating the thirty days necessary to count as a

year, the principle of **מקצת היום ככולו** is not utilized.

The Baraisa presents examples of circumstances when a tree will be subject to the restrictions of Orlah. The essential principle is that a “new” planting is subject to the halachos of Orlah but “old” plantings are exempt from Orlah restrictions. Thus, planting a seed or a branch, or bending a branch into the ground to sprout new roots are all examples of “new” planting and the halachos of Orlah will apply³. If a tree is uprooted and replanted, depending upon the exact circumstances, it may or may not be considered “new.” If a tree together with some of the dirt around the roots is uprooted from its place, for example, if it is blown over by the wind or uprooted by a flood, and replanted⁴, the question that has to be addressed is whether there was enough dirt from the original place for the tree to live⁵. If there is enough dirt it is considered an “old” planting and exempt from Orlah restrictions, but if there is not enough dirt from the original location, it is considered a “new” planting and subject to the halachos of orlah. ■

1. פ"ט מהל' מעשר שני ונטע רבעי ה"ח
2. בספרו דרך אמונה (ח"ג) שם
3. פ"י מהל' מעשר שני ונטע רבעי ה"א
4. שו"ע יו"ד סי' רצ"ד סע' י"ט
5. ע' פת"ש שם דיש פלוגתא מה נקרא "יכול לחיות" י"א דצריך לחיות ג' שנים וי"א דה"מ בא"י אבל בחו"ל א"צ אלא מקצת ימים ע"ש ■

STORIES Off the Daf

The prisoner rejoices

לומר לך כל האוכל ושותה בתשיעי מעלה עליו הכתוב כאלו התענה תשיעי ועשירי

On today's daf we find that one who eats on Erev Yom Kippur is considered as if he had actually fasted on both the ninth and the tenth of the month.

Someone once approached Rav Pinchas of Koritz, zt"l, and asked, “Why is eating on Erev Yom Kippur as great as fasting?”

The Rav explained, “Eating a festive meal today is our way of celebrating Hashem’s kindness in forgiving our sins on Yom Kippur, and this is

how we demonstrate our faith that Hashem is kind and forgiving. Since it is in the merit of this faith that we are forgiven, our eating on this precious day can achieve so much.”

Rav Meir Marom, zt"l, was the Rav in Kovrin and had been a student of Rav Moshe of Kovrin, zt"l, a great Chassidic master. Aside from Chassidim, there were also many German Jews living in Kovrin who occasionally displayed some curiosity about the customs of the Chassidim living among them. One Erev Yom Kippur, a local German Jew visited the Rav to see how he conducted his meal. The visitor was surprised to find the Rav in a state of euphoria. It was as if the Rav thought it was Simchas Torah instead of Erev Yom Kip-

pur! This seemed strange to the German Jew, and not in keeping with the solemnity of the day. Although the visitor did not say what was on his mind, Rav Meir discerned his confusion.

“You wonder why I am so joyous?” asked the Rav. “Why shouldn’t I be joyous? Let me tell you a parable to help you understand. Once there was a king who announced he was clearing out his dungeons. All prisoners were to be granted full amnesty. Whom do you suppose this proclamation made the happiest? Obviously, the very worst perpetrator! That is why I am so festive. When biggest sinner hears that all will be pardoned tomorrow, he certainly feels joyful anticipation and gratitude!” ■