



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Menachos Daf Ayin Aleph

#### MISHNA

- We may harvest the grains growing in irrigated fields in the valley (they are of inferior quality and therefore can't be used for the Omer, and are therefore not included in the prohibition of harvesting before the Omer), but the grain may not be piled before the Omer is brought.
  - The people of Yericho would harvest such grain before the Omer with the agreement of the **Chachomim**, and would even pile the grain but that was done against the will of the **Chachomim**, however the **Chachomim** did not protest their doing so.
- We may harvest "shachas" (unripe grain) for the purpose of using it as animal feed, before the cutting of the Omer. **R' Yehuda** says this may only be done if the grain is harvested before it reaches one third of its eventual growth. **R' Shimon** says this may be done even after it has reached one third of its eventual growth.
- We may harvest the grains that must be cut for the sake of trees (they grow near the trees and will ruin the trees or will create a kilayim problem) before the Omer. We may also harvest grains to clear a space needed for an Avel. We may also harvest grains to make place for people to learn Torah.
  - The stalks may not be made into bundles. Rather, they must be left untied.
- The mitzvah is for the Omer to be brought from standing grains. If there is none to be found (all grains have already been harvested), it can be brought from grain that was already cut.
- The mitzvah is for the Omer to be brought from moist, fresh kernels. If there is none to be found, it may be brought from dried kernels.
- The mitzvah is for the Omer to be cut at night (the night going into the 16<sup>th</sup> of Nisson). If it was cut by day (on the 16<sup>th</sup>), it is valid.
  - The Omer overrides Shabbos.

#### GEMARA

- A Braisa says, **R' Binyamin** said, one pasuk says "ukitzartem es ketzira vahaveisem es Omer", which suggests that harvesting may be done before the Omer, and another pasuk says "reishis ketzirchem ehl haKohen", which suggests that the first harvest must be for the Omer. This teaches that in a place from which the Omer may be brought, nothing may be harvested before the Omer. In a place from which the Omer may not be brought, the grains may be harvested before the Omer.
  - **Q:** Maybe we should instead say that from a species from which the Omer may be brought the Omer must be the first harvest, but from a species from which the Omer may not be brought one may harvest the grains before the Omer? **A:** That can't be correct, because we have learned a gezeira shava of **R' Yochanan** which taught that all 5 grains are included in the issur of chadash.

#### ANSHEI YERICHO KOTZRIN BIRTZON CHACHOMIM...

- The Mishna follows **R' Yehuda**, who we find elsewhere discusses that there were instances where the **Chachomim** protested things done by the people of Yericho and instances where they did not.
  - **Q:** A Braisa says, **R' Meir** said, the people of Yericho had 6 practices: 3 that the Chachomim approved of, and 3 that they didn't approve. The Chachomim approved of their practice of grafting palm trees the entire 14<sup>th</sup> of Nisson, the practice of being "koreich" the shema, and the practice of cutting the grain before the Omer was brought. The Chachomim did not approve of their practice of piling the grain before the Omer was brought, the practice of making openings in their fences to allow the feeding of the fallen fruit to poor people on Shabbos and Yom Tov, and the practice of allowing

the branches of hekdesch for personal use. **R' Yehuda** said, if the Chachomim approved of the first 3, why didn't everyone else do these things as well. Rather, the Chachomim disapproved of all 6, but they only protested 3 of them. They did not protest their practice of grafting palm trees the entire 14<sup>th</sup> of Nisson, the practice of being "koreich" the shema, and the practice of cutting and piling the grain before the Omer was brought. They did protest their practice of allowing the branches of hekdesch for personal use, the practice of making openings in their fences to allow the feeding of the fallen fruit to poor people on Shabbos and Yom Tov, and the practice of giving pe'ah from vegetables. We see from the Braisa that **R' Yehuda** holds that the harvesting was done *against* the wishes of the **Chachomim**, not like our Mishna that says it was done with their agreement!? **A:** If you count the number of items listed by **R' Yehuda** in the Braisa, there are actually 7, not 6. We must remove mention of harvesting. Doing so will also resolve this contradiction.

#### KOTZER L'SHACHAS UMACHIL L'BEHEIMA

- A Mishna lists a number of things that act as a separation in a field for purposes of "peyah" (and would require that peyah be left from both sides of the separation). **R' Meir** says that a row of harvested shachas acts as a separation as well (presumably because he holds this is not viewed as a true act of harvesting and is therefore not viewed as the beginning of the harvesting of this field). The **Chachomim** say that this would not act as a separation unless he then plowed this area as well (presumably because they hold this is viewed as a true act of harvesting and is therefore viewed as the beginning of the harvesting of this field).
  - **Rabbah bar bar Chana in the name of R' Yochanan** said, **R' Meir** (of this Mishna) follows the reasoning of **R' Shimon** (of our Mishna), who says that the cutting of shachas, even after it has grown to 1/3 of its potential size, is not considered to be a significant act of cutting.
    - **Q: Rava** repeated this teaching. **R' Acha bar Huna** asked him, a Braisa says that if a row of produce was eaten by locusts or ants or was severed by the wind, all would agree that if he then plowed it, it would be viewed as a separation, but if he did not, it would not be viewed as a separation. Now, presumably the "all agree" comes to include **R' Meir**. If we say that the Mishna quoted above is only discussing shachas that had not yet reached 1/3 of its growth, we can understand why over there **R' Meir** says it is not a significant act and is not viewed as a true harvest, whereas the Braisa is discussing shachas that has reached 1/3 of its growth and that is why **R' Meir** views it as a significant act of harvest. However, if even the Mishna is discussing shachas that has reached 1/3 of its growth, and even there when a person cut it **R' Meir** holds it is not a significant act of harvest, then in the Braisa, where the cutting was not done by human hands, **R' Meir** would certainly hold that it is not a significant act of harvest!? **A:** Rather, **R' Meir** of the Mishna follows the reasoning of **R' Yehuda** of our Mishna, and holds it is only an insignificant act when the shachas has not yet reached 1/3 of its potential growth.
      - **Q: R' Yehuda** only held this way regarding shachas that is cut for animal feed, but with regard to shachas cut for human consumption he would say that it is always considered to be a significant act of harvest. However, **R' Meir** seems to say that even when it is cut for human consumption it is not a significant act! **R' Meir** cannot be following the reasoning of **R' Yehuda**!? **A:** Rather, **R' Dimi** said that **R' Meir** follows the view of his rebbi, **R' Akiva**, who is explained by **Shmuel** to say in a Mishna that cutting of shachas even for human consumption is not considered to be a significant act.
        - **Q: R' Akiva** holds that way even when the harvested grain has grown to more than 1/3 of its size!? **A: R' Meir** holds like **R' Akiva** regarding one thing (cutting for human consumption before the grain reaches 1/3 of its growth) and disagrees with him regarding one thing (cutting for human consumption after the grain has reached 1/3 of its potential growth).