

Pe-ah

This week's Torah portion, *Emor*, repeats the commandment of *Peah* – farmers must leave some produce for the poor in the corners of their fields:

And when you reap the harvest of your land, you shall not completely reap the corner of your field, and shall you not take what falls to the ground during harvest; [Lev. 19:9]
you shall leave them for the poor and for the stranger. I am the Lord your God.
[Lev 23:22]

This seems clear enough -- so clear that the Babylonian Talmud does not even have a Gemara on the subject, only the Mishna. Such a Gemara is found only in the Jerusalem Talmud, which is secondary to the Babylonian. It is a perfect example of the kind of questions the rabbis debated. Let us review some of these questions. For answers, you will have to read the tractate itself, but it is fascinating to see how their minds were able to foresee potential uncertainties and ambiguities, and then set out to resolve them.

First, how much of the corner should be left for the poor? Is there a minimum and a maximum? If you leave just one stalk in each corner, is that enough? If you remove one stalk from the middle and leave the rest, is that too much?

Some farmers are very poor themselves and their fields are very small. How big must the field be for the obligation of *peah* to apply?

If the government builds a road through your field, does it count as two fields, meaning eight corners to leave for the poor? If you yourself decide to split your field into two, to grow two different crops, does it count as two fields?

The Torah only says "reap". What if your field only has trees in it? You don't "reap" trees, you "pluck" the fruit from them. So are you still obligated to leave *peah*? The Torah says "when YOU reap". What if you yourself didn't reap, but hired someone to do it? Are you still obligated?

The Torah implies that the poor harvest their own peah. What if the produce is on top of trees? It is dangerous for the average poor to go up themselves. Must the owner have it done professionally for them, at his own cost?

If bandits harvest your field and steal a large part of your crop, are you still obligated to leave peah?

If you sell your field before harvest, who must give peah, you or the new owner?

If you own the land, but rent it to someone else who farms it, who is obligated, you or the renter?

If several people own or lease the field, what is their individual obligation?

Must the poor wait until the whole field is harvested, or can they come while it's being harvested?

If a Jew and a Gentile are partners in the field, how much is the Jew's obligation?

Are people who are not poor allowed to collect peah to give to the poor?

If the owner of the field is not Jewish, but converts to Judaism during harvest, what is his obligation?

If the poor don't take some of the produce, perhaps because it is of low quality, or too far from them, who does it legally belong to? The owner? Should it be left for animals to scavenge?

The Talmud recounts a relevant anecdote:

Rabbi Yochanan said: When I was young, I used to eat the peaches [the owners left on the trees because they weren't good enough to harvest. These peaches] were better than the [prime] peaches I eat in my old age [today]. The world sure has changed. [Peah Y 62a]

Apparently, even back then they used to say: "They just don't make them like they used to!". But some commentators say it refers to the degradation of the quality of the land after the wars with Rome.

Tractate Peah also contains teachings on the importance of avoiding *lashon hara* – the evil tongue, the practice of spreading damaging gossip about other people. It begins as follows:

These are the things for which no definite quantity is prescribed: The corners [of the field for peah], first-fruits, [the offerings brought] on appearing [before the Lord at the three pilgrim festivals], the practice of lovingkindness, and the study of the Torah. The following are the things for which a man enjoys the fruits in this world while the principal remains for him in the World to Come: Honoring father and mother, performing acts of kindness, and bringing peace between a man and his fellow. But the study of Torah is equal to them all. [Peah Y 1a]

Later, it adds:

And corresponding to these are four things for which punishment is exacted from a person in this world, while the principal punishment remains intact for him in the World to Come: Idolatry, sexual immorality, and murder. And Lashon Hara' [the evil tongue] is equal to them all. [Peah Y 8a]

The tractate gives examples warning against even hinted *lashon hara*. The Romans frequently drafted skilled people to get some work done for them for free, as a form of taxation. In these examples, one skilled person managed to escape, but his colleagues indirectly brought the authorities' attention to him, in a way that they thought would not be wrong:

The flax dealers' market were subjected to a work draft from the [Roman] government ... [A man named] Bar Chovetz escaped the attention of the officials and did not show up. The flax merchants said to each other within earshot of the [Roman] officials: "What should we eat today?" One said "Chvutzin" [meaning cheese]. This reminded the [Roman] official of Bar Chovetz and he [instructed his guards to go get him].

[Similarly,] the counselors of Tzippori also experienced a work draft. A man named Yochanan did not go. [No relation to the famous Rabbi Yochanan.] One worker said to another, "Rabbi Yochanan is sick. Should we go visit him today?" The officials heard and realized Yochanan was missing and they [instructed their guards to go get him]. [Peah Y 8b]

The lesson: Even an indirect reference is evil, when it is clear it was made to cause harm to someone.

Shabbat shalom.