

# TERUMA – MITZVOT 72, 279-284, 396, 507

## SEFER HACHINUCH 72

שלא להקדים חקי התבואות - שלא נקדים חקי התבואות קצתם על קצתם אלא שנוציאם בסדר

To not skip in the laws of produce: To not skip in the laws of produce - some of them over [others] of them - but we should rather extract them in order. The elucidation of the matter is that after the wheat is threshed and cleaned, it is tevel, and the understanding of tevel is produce that has not been separated. And the obligation upon us with it, is to first remove the priestly tithe from it. And by Torah writ, even one [kernel of] wheat exempts the threshing floor (Kiddushin 29b), but the Sages said that [the mandatory amount] is one part in fifty. And afterwards, the obligation upon us from that which is left over is to remove the tithe from it, and that is called the first tithe. And afterwards, the obligation upon us from that which is left over is to remove another tithe, and that is the second tithe. And the priestly tithe is given to the priest, the first tithe to the Levite, and the second tithe [is kept,] that it be eaten by its owner in Jerusalem. And we are obligated to separate these portions from the produce in this order.

It is from the roots of the commandment that in doing things in their order, they will not come to a mix-up and a mistake ... And since priestly tithes and [other] tithes are a big thing in the fulfillment of our religion - as we will explain with God's help in the Order of Reeh and of Shoftim - God, may He be blessed, commanded us to be very careful with them, so as not to ever come to a mistake in their calculations.

## SEFER 279

That an impure priest not eat priestly tithe: That an impure priest not eat priestly tithe, as it is stated (Leviticus 22:4), "Every man from the seed of Aharon, etc. from the holy things he shall not eat, until he becomes pure."

***It is from the roots of the commandment [that it is] to aggrandize and make dear all that is [part of] the holy in the heart of every man. And I have already mentioned many times the benefit that comes out to us in the thing. And it is well-known [that] to eat it in purity is from the embellishments of the holy.***

## SEFER 280

***That no foreigner eat priestly tithe:*** That no foreigner (non-priest) eat priestly tithe, as it is stated (Leviticus 22:10), "And any foreigner shall not eat the holy."

From the roots of the commandment [is] like [that which is written about] the preceding commandment. And it is from the embellishments of the holy that only the servants of God and their wives, their children, ***and their slaves that they acquired eat it; and that they give it to their beasts and to all of their animals, but not to others.***

***From the laws of the commandment is that which said (Gittin 12b) that a runaway slave of a priest eats priestly tithe ... A Hebrew slave does not eat, as behold the Torah forbade both the perennial worker and the annual worker, as it is written (Leviticus 22:10), "the boarder of a priest and the hired worker may not eat the holy." But a Canaanite (gentile) slave eats***

## SEFER 281

That the boarder of a priest and the hired worker not eat priestly tithe: That the boarder of a priest and the hired worker not eat priestly tithe, as it is written (Leviticus 22:10), "the boarder of a priest and the hired worker may not eat."

## SEFER 282

That an uncircumcised one not eat priestly tithe: That an uncircumcised one not eat priestly tithe; meaning to say, a priest that is not circumcised - whether he is volitional or inadvertent or from duress, such as when his brothers died because of circumcision, so that the fear of death prevented him from being circumcised; in any manner that it be

It is from the roots of the commandments [that it is] because the uncircumcised is considered like a foreigner, since he did not enter the covenant of the circumcision

## SEFER 283

That a profaned woman not eat from the holy: That a profaned woman not eat from the holy - meaning to say from the priestly tithe, the breast and the thigh that fit daughters of the Children of Aharon are fitting to eat - as it is stated (Leviticus 22:12), "And the daughter of a priest when she shall be to a foreign man, she shall not eat that which is raised of the consecrated things." ... that when she was married to a 'foreigner' and her husband dies, she returns to eating the tithe but does not return to [eating] the breast and the thigh." ... that all the time that the woman is [in the domain of] her husband - meaning her Israelite husband - who is a foreigner from the priesthood, she 'shall not eat the holy.' [This is] since the wife of a foreigner is considered like a foreigner - and behold, she is like one of his ribs. And know this it and receive it, as it is the received truth.

## SEFER 284

To not eat tevel: To not eat tevel - whether an Israelite or a priest - and that is a thing that tithes and priestly tithes have not been taken away from it, as it is stated (Leviticus 22:15), "And they shall not profane the consecrated things of the Children of Israel that they shall raise to the Lord." ... And so [too], is it in the Gemara Sanhedrin 83a, "From where [do we know] about the one who eats tevel that he is [punishable by] death? That which I have written above close by in the negative commandment of an impure priest with priestly tithe (Sefer HaChinukh 279) is from the roots of the commandment.

## SEFER 396

מצות הלויים לתת מעשר מן המעשר - שנצטוו הלויים להפריש מעשר מן המעשר שהם נוטלים מישראל ושיתנו אותו לכהנים, שנאמר (במדבר יח כו) ואל הלויים תדבר וגו' והרמתם ממנו תרומת יי מעשר מן המעשר, וזהו נקרא בכל מקום בגמרא תרומת מעשר

The commandment of the Levites to give a tithe from the tithe: That the Levites were commanded to separate a tithe from the tithe they take from Israel and that they give it to the priests, as it is stated (Numbers 18:26), "And to the Levites you shall speak, etc. and they shall give from it a gift to the Lord, a tithe from the tithe." And this is what is called 'terumat ma'aser' (literally, the gift of the tithe) in every place in the Gemara. They called it this expression in the way of the verse, which states, "a gift to the Lord." But the verse elucidates that he gives it to the priest, and as it states (Numbers 18:28), "**and you shall give from it, the gift of the Lord, to Aharon the priest.**"

From the roots of the commandment, [there is a need to] preface that there is no doubt that God separated the entire tribe of Levi from the congregation of Israel to always serve Him. And still, within that tribe itself, one [group] was selected to be the head, the officer and the minister over all of them - he and his seed forever, and it is the most sacred of all the tribe - to serve and to minister before God permanently. And He placed the rest of the whole tribe below it, to assist in the service - and as it states (Numbers 18:1), "And the Lord spoke to Aharon saying, 'You, your sons, and your patriarchal lineage shall bear the iniquity of the Temple - meaning to say, that the entire tribe will receive the guarding of the Temple. "But you and your sons with you will bear the iniquity of your priesthood" - meaning to say that the primary service - that is the priesthood - is upon you. And it is written after it (Numbers 18:2), "Also your brothers, the tribe of Levi, the tribe of your father, bring close with you, and they shall accompany you and serve you" - meaning to say that you are primary, and not them. ... **And so, since the priests are 'the foundation of the home' in the service of our God, they merited twenty-four gifts that are given to them, which are explicit in Scripture, and as the Sages, may their memory be blessed, enumerated (Chullin 133b) - ten in the Temple, four in Jerusalem and ten [outside].** And the rest of the tribe that was chosen with it to assist it also merited to live [from gifts], without toil, with the tithe of the

fruits that they take from all Israel. And in order that they know and contemplate that the cause of their portion being free and of the portion of their brothers is the service to God, they were commanded to give a tenth of all they take from the Children of Israel to the 'greater ministers.' **And in this way, they will [remind themselves] that there are [others] above them, and that above all of them is the One Who guards all**, may He be elevated. With this is also merit, honor and prestige for the Levites, without removing their names from the commandment of the tithe in their portion of the produce. And [the sons of the Israelites] will not [be able to] say to [the sons of the Levites], "**You merited the grain, and we the commandment.**" And now the response will be, "There is 'Torah and there is flour.'"

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**[“All *trumot of sanctity which the children of Israel elevate to Hashem, I have given it to you and your sons and your daughters...*” (Bamidbar 18:19)]**

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### **SEFER 507**

להפריש תרומה גדולה לכהן - שנצטוונו להפריש מן הדגן והתירוש והיצהר תרומה, ונתן אותה לכהן, והיא הנקראת תרומה גדולה. ועל זה נאמר (דברים יח ד) ראשית דגןך תירשך ויצהרך וגו' תתן לו. ואמרו זכרונם לברכה (חולין קלז, ב) כי מדין התורה אין לה שעור, אלא אפילו חטה אחת פוטרת כרי גדול, אבל חכמים אמרו (תרומות ד ג) להפריש יותר, ואמרו מי שיש לו עין בינונית מפריש חלק אחד מחמשים, וסמכו הדבר על לשון תרומה, כלומר, תרי ממאה, דהיינו אחד מחמשים.

To separate the great tithe for the priest: That we were commanded to separate the priestly tithe from the grain and the wine and the oil and we give it to the priest. And this is what is called the great tithe. And about this is it stated (Deuteronomy 18:4), "The first of your grain, your wine and your oil, etc. shall you give him." And they, may their memory be blessed, said (Chullin 137b), that there is no measure for it from Torah writ. Rather, even one [grain of] wheat exempts a large pile. But the Sages said (Mishnah Terumot 4:3) to separate more. And they said that one who has a moderate eye separated one part in fifty; and they based the thing upon the language, *terumah* (tithe) - meaning to say, *trei memeah* (two of a hundred), which is one from fifty.

It is from the roots of the commandment [that] since grain, wine and oil are the essence of people's nourishment and the whole world is the Holy One's, blessed be He, therefore it is fit for a man to remember his Creator for the blessing with which He blessed him, and to separate some of it for His sake, blessed be He, and give it to His servants - which are the priests that are constantly engaged in Heavenly service - **before the hand of a man touch it and benefit from it at all**. And from this foundation, they, may their memory be blessed, said that even one [grain] of wheat exempts the pile; as there is no difference between large and small in the remembrance of mastery. However, our Rabbis, may their memory be blessed, added onto the thing to give a fit measure for it, in order to arouse the heart of a man more. As in man's being physical, he does not put into his heart something small like [he does something] large, that fills his eyes and to which his actions testify more; like it is the way and nature of man to rejoice over much food. And I have already written more of what I have known about the reason for the portions of the priests in the Order of Vayikach Korach on the commandments of the tithe and the tithe from the tithe (Sefer HaChinukh 395-396).

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And the commandment of the priestly tithe - also the commandment of the tithes - is practiced from Torah writ in the Land of Israel and at the time that Israel is there. And so wrote Rambam, may his memory be blessed, at the end of the first chapter of the Laws of Heave Offerings (Mishneh Torah, Laws of Heave Offerings 1:26), and this is his language, "The priestly tithe at this time is not from Torah writ, but [rabbinic] - even in a place that those that came up from Babylonia held, and even at the time of Ezra - **as you do not have the priestly tithe from the Torah except in the Land of Israel at the time that all of Israel is there, as it is stated, 'When you come' (seemingly a reference to Numbers 15:18, which has, 'In your coming') - the coming of all of you, like they were at the first possession, and like they are to return in the future for the third possession**, and not like they were at the possession in the days of Ezra

## PIRKEI AVOT 1:16

רבן גמליאל היה אומר, עשה לך רב, והסתלק מן הספק, ואל תרבה לעשר אמדות:

Rabban Gamaliel used to say: appoint for thyself a teacher, avoid doubt, and do not make a habit of tithing by guesswork.

## MISHNA TERUMA 1:7

אין תורמין, לא במדה, ולא במשקל, ולא במנין. אבל תורם הוא את המדוד ואת השקול ואת המנוי. אין תורמין בסל ובקפה שהם של מדה, אבל תורם הוא בהן חציין ושלישין. לא יתרם בסאה חציה, שחציה מדה

They may not give terumah according to measure, or weight, or number, but one may give it from that which has already been measured, weighed or counted. They may not give terumah in a basket or a hamper of a measured capacity, but one may give in it when it is a half or a third filled. He may not give a half of seah in a seah measuring vessel, for this half constitutes a known measure.

## RAMBAM, MISHNEH TORAH, LAWS OF CHARITY, 10

There are 8 levels of charity, each greater than the next. The greatest level is to support a fellow Jew by endowing him with a loan, or entering into a partnership with him, or finding employment for him, to strengthen his hand so that he will not need to be dependent upon others.

## BEIT YOSEF, YOREH DEAH 249

In Shabbat 63A, "Rabbi Abba also said in the name of Rabbi Shimon ben Lakish: He who lends is greater than he who performs charity; and he who forms a partnership is greater than all." And Rashi explains there that this is because the poor person is not embarrassed ... And the reason that one who does business with the poor person is greater than them all is because one who lends money to his friend without any benefit to himself, in such a case the borrower is embarrassed, for he benefits from his friend in a matter which his friend does not benefit at all. But if one does business with him, in such a case he is not embarrassed at all, since both of them benefit.

## SHNEI LUCHOT HA'BRIT, Bereishit 14:20

The patriarchs observed all the commandments as revealed later on in the Torah. We know from Genesis 14,20 that Abraham tithed when he gave the tithes to Malki Tzedek. In our פרשה we have a passage showing that Isaac also gave tithes; we know, of course, that Jacob promised to give tithes from his specific statement וכל אשר תתן לי עשר אנשרנו לך, "And all that You will give me, I will surely tithe to You" (Genesis 28,22). Our sages in Midrash Hagadol on that verse say that Jacob even tithed people. They explain that if we include Ephrayim and Menasseh in the count, there should have been fourteen tribes. Deduct four, seeing that each wife had a first born who was already sanctified from birth, and you remain with ten. From these remaining ten Jacob set aside Levi as a tithe to G-d. You see that all the patriarchs observed the commandment **בכל לבבם, בכל נפשם ובכל מאודם** "with all their hearts, their souls and their means." The words **בכל מאודם** can be understood literally, i.e. "a tithe of everything." The expression **בכל נפשם** refers to Jacob who even tithed נפשות, people; the expression **בכל לבבם**, refers to תרומה גדולה, something for which the Torah does not prescribe a fixed amount. The amount to be set aside for the priest is left to the generosity of the individual, i.e. it is something to be decided on by his heart, לבבו. Our sages (Terumah 4,3) describe one fortieth as the תרומה of a generous individual, one fiftieth as the average gift, and one sixtieth as the תרומה of a miser. They derive these details from the verse in Genesis 14,20.