

אמר רבה בר רב הונא: השתא דאמר רבן גמליאל אתרוג אחר לקיטתו עשוורו בירק, ראש השנה שלו תשרי.

**S** Rabba bar Rav Huna said: Now that Rabban Gamliel has said that the tithe year of an *etrog* follows the time of the picking of its fruit, like a vegetable, its new year for tithing is Tishrei, like other vegetables.

מיתבי, רבי שמעון בן אלעזר אומר: ליקט אתרוג ערב חמשה עשר בשבט עד שלא תבוא השמש, וחזר וליקט משתבוא השמש – אין תורמין ומעשרין מזה על זה, לפי שאין תורמין ומעשרין לא מן החדש על הישן ולא מן הישן על החדש. היתה שלישית נכנסת לרביעית – שלישית מעשר ראשון ומעשר שני.

The Gemara raises an objection from the following *baraita*: Rabbi Shimon ben Elazar says: If one picked the fruit of an *etrog* tree on the eve of the fifteenth of Shevat before the sun had set, and then he picked more fruit after sunset, one may not set aside *teruma* and tithes from the one for the other, as one may not set aside *teruma* and tithes from the new crop for the old or from the old crop for the new.<sup>H</sup> If he did this when it was the third year of the Sabbatical cycle going into the fourth year, the *halakha* is as follows: From what he picked in the third year he must set aside first tithe and poor man's tithe, and from what he picked in the fourth year he must set aside first tithe and second tithe.<sup>H</sup>

Perek I  
Daf 15 Amud a

מאן שמעת ליה דאזיל בתר לקיטה – רבן גמליאל, וקתני – שבט!

The Gemara clarifies this ruling: Whom did you hear that said the tithe year of an *etrog* follows the time of the picking of its fruit? It was Rabban Gamliel. And yet this *baraita* is teaching that the new year for tithing an *etrog* is the fifteenth of Shevat, against the opinion of Rabba bar Rav Huna, who says that according to Rabban Gamliel it is the first of Tishrei.

אלא, אי אתמר הכי אתמר: אמר רבה בר רב הונא, אף על גב דאמר רבן גמליאל אתרוג אחר לקיטה בירק – ראש השנה שלו שבט.

Rather, if this was said, it was said as follows: Rabba bar Rav Huna said: Even though Rabban Gamliel said that the tithe year of an *etrog* follows the time of the picking of its fruit, like a vegetable, its new year is in Shevat, like a tree.

מאי שנא התם דקתני "אם היתה שנייה נכנסת לשלישית" ומאי שנא הכא דקתני "אם היתה שלישית נכנסת לרביעית"?

The Gemara asks: What is different there, in the *baraita* with regard to one who picked vegetables on the eve of Rosh HaShana, such that it teaches the case when it was the second year of the Sabbatical cycle going into the third year, and what is different here, in the *baraita* dealing with one who was picking the fruit of an *etrog* tree on the eve of the fifteenth of Shevat, such that it teaches the case when it was the third year going into the fourth year? Why is the same example not brought in both cases?

מילתא אגב אורחיה קא משמע לן: דאתרוג קשויא ליה ידא, ואידי דממשמשי ביה כולי עלמא בשביעית – לא טעין פרי עד תלת שנין.

The Gemara answers: It teaches us a matter in passing, that it is damaging for an *etrog* when the tree is handled,<sup>B</sup> and since everyone handles it<sup>N</sup> in the Sabbatical Year, as all the orchards are declared ownerless and everyone is permitted to enter and pick produce, the tree does not bear fruit that is fit for eating for another three years.

בעא מיניה רבי יוחנן מרבי ינאי – אתרוג, ראש השנה שלו אימתי? אמר ליה: שבט. שבט דחדשים או שבט דתקופה? אמר ליה: דחדשים.

Rabbi Yohanan inquired of Rabbi Yannai: With regard to an *etrog*, when is its new year? Rabbi Yannai said to him: It is in Shevat. Rabbi Yohanan asked again: Are you referring to the lunar month of Shevat or to the Shevat of the solar season,<sup>N</sup> which begins thirty days after the winter solstice, but on a different date each year? Rabbi Yannai said to him: I am referring to the lunar month of Shevat.

בעא מיניה רבא מרב נחמן, ואמרי לה רבי יוחנן מרבי ינאי: היתה שנה מעוברת, מהו? אמר ליה: הלך אחר רוב שנים.

Rava inquired of Rav Nahman, and some say that it was Rabbi Yohanan who inquired of Rabbi Yannai: If it was a leap year, what is the *halakha*? Does the new year for trees then move to the First Adar, which is the penultimate month in a leap year? He said to him: Follow the majority of years. Even in a leap year the new year for trees is in Shevat.

**שנת האתרוג למעשרות – etrog**: If one picked an *etrog* on the eve of the fifteenth of Shevat and then he picked another *etrog* on the fifteenth of Shevat itself, he may not set aside tithes from one for the other, as they belong to two different years and are considered old produce and new produce (*Shulhan Arukh, Yoreh De'a* 331:17).

**אתרוג – etrog with regard to first and second tithes** – למעשר ראשון ושני: If one picked an *etrog* on the eve of the fifteenth of Shevat, and then he picked another *etrog* on the fifteenth of Shevat, and it was the end of the third year of the Sabbatical cycle and the beginning of the fourth year, then the *halakha* is as follows: From the first *etrog* he must set aside first tithe and poor man's tithe, and from the second *etrog* he must separate first tithe and second tithe (*Shulhan Arukh, Yoreh De'a* 331:126).

BACKGROUND

It is damaging when the tree is handled – קשויא ליה: Handling a tree when it is in flower or when its fruit is taking form can damage the flowers, causing them to fall or to develop improperly. In the case of an *etrog* tree, which flowers for an extended period and at different times of the year, handling it in any season of the year can cause the loss of an entire crop.

NOTES

ואידי דממשמשי ביה – קשויא ליה: The *etrog* grows on a low tree, and since its fruit is valuable, people entering orchards touch it more than they touch other trees. Therefore, the tree is susceptible to greater damage (Rambam's Commentary on the Mishna).

The lunar month of Shevat or the Shevat of the solar season – שבט דחדשים או שבט דתקופה: See *Tosafot*, who ask why this question is not raised about the other new years as well. One can answer that the new year for trees is based not on a date given by the Torah but on the natural cycle of growth. Since the growth of the tree and development of fruit are dependent on the solar year, the question is specifically relevant to this new year more than the other new years (see *Rashash*).

NOTES

Granted, in the latter clause the halakha follows the stringent approach – בְּשִׁלְמָא סִיפָא לְחִוּמָא – Perhaps Abaye knew the baraita that states Rabbi Shimon ben Yehuda’s opinion cited later in the Gemara and assumed that Rabba relied upon it, but he thought that Rabba did not rule entirely like Rabbi Shimon because he wanted to practice stringency. Therefore, he asked why he was not stringent in the first part of his ruling as well (Penei Yehoshua). Tosafot point out that it is not really an issue of stringency or leniency, but simply whether the new year follows the time of fruit formation or the time of picking. Each option has its own stringencies and leniencies.

Everyone’s hand is touching it – יד הכל ממשמשין בה – This handling is not permitted, as the fruit is considered to be from the sixth year and therefore belongs to its owner. However, people do not ordinarily grow an entire orchard of etrog trees, but instead plant a few etrog trees in a field. Since people enter the orchard to collect the other fruits, the tree is treated for all practical purposes as ownerless, and anything that is ownerless is exempt from teruma and tithes, even not in the Sabbatical Year. Rav Hamnuna, on the other hand, holds that since this fruit is not fruit of the Sabbatical Year, and the owner did not declare it ownerless, it is not governed by the halakhot of ownerless property, despite the fact that it is not guarded (see Rid).

The matter is a dispute between tanna'im – תַּנְיָא הִיא: Although it would have been possible to identify the dispute between Rabba and Rav Hamnuna with that of Rabban Gamliel and Rabbi Eliezer, the Gemara does not say that amora'im disagree about the same issue that was the subject of a tannaitic dispute unless forced to do so (Ritva). This teaches that this issue is complicated, as the Sages in Usha established a new position that follows neither the opinion of Rabban Gamliel nor that of Rabbi Eliezer (Meiri).

LANGUAGE

Avtolemos – אַבְטוֹלְמוֹס: From the Greek εὐτολμος, eutolmos, meaning brave, daring.

PERSONALITIES

Avtolemos – אַבְטוֹלְמוֹס: Almost nothing is known about Avtolemos. He was one of Rabbi Yosei’s teachers, and Rabbi Yosei quotes his statements in the name of five Elders with regard to a variety of issues. Some commentaries identify Avtolemos with Avtolemos ben Reuven, who was granted special permission by the Sages to dress and cut his hair in the gentile manner to facilitate his efforts on behalf of the Jewish people, as he had intimate ties with the Roman government. Avtolemos may be the son of Rabbi Reuven Ha’Itzrobuli, who also fulfilled a similar role in Rome.

HALAKHA

An etrog from the sixth year that was picked in the Sabbatical Year – אֶתְרוֹג מִשְׁשִׁית לְשָׁבִיעִית – A sixth-year etrog that was picked in the Sabbatical Year is treated as sixth-year produce with regard to tithes, and as a stringency it is treated as produce of the Sabbatical Year as well, since it was picked in the Sabbatical Year. The Rambam rules in accordance with two contradictory opinions following the opinion of an unattributed mishna (see the Ra’avad’s comments, where he disagrees with the Rambam on this point). The Rambam interpreted each source in the most narrow way, ruling in accordance with the opinion of Rabbi Yohanan and Reish Lakish with regard to tithes, and in accordance with the opinion of the Rabbis of Usha with regard to the Sabbatical Year (see Jerusalem Talmud). Although many disagree with the Rambam, the common practice follows his rulings (Hazon Ish; Rambam Sefer Zera'im, Hilkhhot Shemitta VeYovel 4:12; Sefer Zera'im, Hilkhhot Ma'aser Sheni 1:5).

אָמַר רַבָּה: אֶתְרוֹג בֵּית שְׁשִׁית שְׁנֵינְסָה לְשָׁבִיעִית – פְּטוּרָה מִן הַמַּעֲשֵׂר, וּפְטוּרָה מִן הַבִּיעוּר. וּבֵית שְׁבִיעִית שְׁנֵינְסָה לְשָׁבִיעִית – פְּטוּרָה בְּמַעֲשֵׂר, וְחַיִּיבַת בְּבִיעוּר.

אָמַר לִיה אַבְיִי: בְּשִׁלְמָא סִיפָא – לְחִוּמָא; אֲלָא רִישָׁא. פְּטוּרָה מִן הַבִּיעוּר אִמָּא? דְּאִמְרִינן זִיל בְּתַר חֲנֻטָּה. אִי הָכִי – תִּיחַיִּיב בְּמַעֲשֵׂר!

אָמַר לִיה: יד הכל ממשמשין בה, וְאֵת אֶתְרוֹת הַיַּחֲיִיב בְּמַעֲשֵׂר!?

וְרַב הַמְנוּנָא אָמַר: בֵּית שְׁשִׁית שְׁנֵינְסָה לְשָׁבִיעִית – לְעוֹלָם שְׁשִׁית. וּבֵית שְׁבִיעִית הַנִּכְנָסָה לְשָׁבִיעִית לְעוֹלָם שְׁבִיעִית.

מִיִּתְיָב, רַבִּי שְׁמַעוֹן בֶּן יְהוּדָה אָמַר מִשּׁוֹם רַבִּי שְׁמַעוֹן: אֶתְרוֹג בֵּית שְׁשִׁית שְׁנֵינְסָה לְשָׁבִיעִית – פְּטוּרָה מִן הַמַּעֲשֵׂר, וּפְטוּרָה מִן הַבִּיעוּר, שְׂאִין לָךְ דְּבַר שְׁחִיב בְּמַעֲשֵׂר אֲלָא אִם בֶּן גְּדֹל בְּחִיב וְנִלְקַט בְּחִיב. וּבֵית שְׁבִיעִית שְׁנֵינְסָה לְשָׁבִיעִית פְּטוּרָה מִן הַמַּעֲשֵׂר וּפְטוּרָה מִן הַבִּיעוּר – שְׂאִין לָךְ דְּבַר שְׁחִיב בְּבִיעוּר אֲלָא אִם בֶּן גְּדֹל בְּשָׁבִיעִית, וְנִלְקַט בְּשָׁבִיעִית.

רִישָׁא קִשְׂיָא לְרַב הַמְנוּנָא; סִיפָא קִשְׂיָא בֵּין לְרַבָּה בֵּין לְרַב הַמְנוּנָא!

תַּנְיָא הִיא. דְּתַנְיָא, אָמַר רַבִּי יוֹסִי: אַבְטוֹלְמוֹס הָעִיד מִשּׁוֹם חֲמִשָּׁה זְקֵנִים: אֶתְרוֹג אַחַר לְקִטְתּוֹ לְמַעֲשֵׂר. וְרַבּוֹתֵינוּ נִמְנָו בְּאוֹשָׁא וְאָמְרוּ: אַחַר לְקִטְתּוֹ, בֵּין לְמַעֲשֵׂר בֵּין לְשָׁבִיעִית.

שְׁבִיעִית מֵאֵן דְּכַר שְׁמִיהָ!?

Rabba said: An etrog from the sixth year of the Sabbatical cycle that entered into, and was picked in, the Sabbatical Year is exempt from tithes, like the produce of the Sabbatical Year, and is also exempt from the mitzva of elimination of Sabbatical Year produce from one’s house after produce of that particular species is no longer found in the field. A Sabbatical Year etrog that entered into, and was picked in, the eighth year is exempt from tithes but is subject to the mitzva of elimination of Sabbatical Year produce from one’s house.

Abaye said to him: Granted, in the latter clause the halakha follows the more stringent approach,<sup>N</sup> as it follows the time of the formation of the fruit, which was in the Sabbatical Year, and therefore the etrog is subject to the mitzva of elimination. But in the first clause, which states that the etrog is exempt from the mitzva of elimination, why is this so? It must be that we say to follow the time of the formation of the fruit, which was in the sixth year. But if so, it should be subject to tithes.

Rabba said to him: Everyone’s hand is touching it,<sup>N</sup> as all are permitted to enter the orchards and touch all the fruit, and so the etrog is regarded as ownerless, and yet you wish to say that it should be subject to tithes? Even if it is not exempt as fruit of the Sabbatical Year, it is exempt from tithes because it is now ownerless.

Rav Hamnuna argued and said: An etrog from the sixth year of the Sabbatical cycle that entered into, and was picked in, the Sabbatical Year is always and for all purposes considered sixth-year produce. And an etrog from the Sabbatical Year that entered into, and was picked in, the eighth year is always and for all purposes considered produce of the Sabbatical Year.

The Gemara raises an objection from the following baraita: Rabbi Shimon ben Yehuda said in the name of Rabbi Shimon: An etrog from the sixth year that entered into, and was picked in, the Sabbatical Year is exempt from tithes, and it is also exempt from the mitzva of elimination of Sabbatical Year produce from one’s house, as there is nothing that is subject to tithes unless it both grew at a time of obligation in tithes and was also picked at a time of obligation. Likewise, an etrog from the Sabbatical Year that entered into, and was picked in, the eighth year is exempt from tithes, and it is also exempt from the mitzva of elimination, as nothing is subject to the mitzva of elimination unless it both grew in the Sabbatical Year and was also picked in the Sabbatical Year.

The Gemara notes: The first clause of this baraita poses a difficulty with regard to the opinion of Rav Hamnuna, who says that a sixth-year etrog that was picked in the Sabbatical Year is subject to tithes. And the latter clause of the baraita poses a difficulty with regard to the opinions of both Rabba and Rav Hamnuna, as they both say that a Sabbatical-Year etrog that was picked in the eighth year is subject to the mitzva of elimination.

The Gemara answers: The matter is a dispute between tanna'im,<sup>N</sup> as it is taught in a baraita: Rabbi Yosei said: Avtolemos<sup>LP</sup> testified in the name of five Elders: An etrog follows the time of its picking in the matter of tithes. But our Sages voted in Usha and said that an etrog follows the time of its picking, both in the matter of tithes and in the matter of the Sabbatical Year.<sup>H</sup>

The Gemara raises a question about this baraita: Who mentioned anything about the Sabbatical Year? The subject of the discussion was tithes.

חסורי מיתסרא והכי קתני: אחרון אחר לקיטתו למעשר, ואחר חנטה לשביעית. ורבותינו נמנו באושא: אחר לקיטתו, בין למעשר בין לשביעית.

איתמר, רבי יוחנן וריש לקיש אמרי תרווייהו: אחרון בת ששית שנכנסה לשביעית – לעולם ששית. כי אתא רבין אמר רבי יוחנן: אחרון בת ששית שנכנסה לשביעית, אפילו בואת ונעשית כבר – חייבין עליה משום טבל.

תנו רבנן: אילן שחנטו פירותיו קודם חמשה עשר בשבט – מתעשר לשנה שעברה. אחר חמשה עשר בשבט – מתעשר לשנה הבאה. אמר רבי נחמיה: במה דברים אמורים – באילן שעושה שתי בריכות בשנה.

שתי בריכות סלקא דעתך? אלא אימא: בעין שתי בריכות.

אבל אילן העושה בריכה אחת, בגון דקלים וזיתים וחרובין, אף על פי שחנטו פירותיהן קודם חמשה עשר בשבט – מתעשרין לשנה הבאה.

אמר רבי יוחנן: נהגו העם בחרובין כרבי נחמיה.

The Gemara answers: The *baraita* is incomplete<sup>N</sup> and is teaching the following: Avtolemos testified in the name of five Elders: An *etrog* follows the time of its picking in the matter of tithes and it follows the time of the formation of its fruit in the matter of the Sabbatical Year. But our Sages voted in Usha and decided that an *etrog* follows the time of its picking, both in the matter of tithes and in the matter of the Sabbatical Year.

It was stated that the *amora'im* of Eretz Yisrael discussed this issue: Rabbi Yohanan and Reish Lakish both say: An *etrog* from the sixth year of the Sabbatical cycle that entered into, and was picked in, the Sabbatical Year is always and for all purposes considered as sixth-year produce. When Ravin came from Eretz Yisrael to Babylonia, he said that Rabbi Yohanan said: A sixth-year *etrog* that entered into, and was picked in, the Sabbatical Year, although at the beginning of the Sabbatical Year it was only the size of an olive-bulk and during the Sabbatical Year it grew to the size of a loaf of bread,<sup>B</sup> is considered sixth-year produce that is subject to tithing, and if one eats it without tithing, he is liable for eating untithed produce.

The Sages taught in a *baraita*: A tree whose fruits were formed before the fifteenth of Shevat is tithed in accordance with the previous year, and if the fruits were formed after the fifteenth of Shevat it is tithed in accordance with the coming year.<sup>H</sup> Rabbi Neḥemya said: In what case is this statement said? It is said with regard to a tree that produces two broods,<sup>N</sup> two crops, in a single year.<sup>B</sup>

The Gemara interrupts with a question about the wording of this *baraita*: Does it enter your mind to say two broods? Animals produce broods, but trees do not. Rather, say: Like two broods, i.e., two seasons' worth of crops.

The *baraita* continues: But in the case of trees that produce only one brood of fruit, for example, palm trees, and olive trees,<sup>N</sup> and carob trees, which yield fruit only once a year, although their fruit took form before the fifteenth of Shevat, they are tithed in accordance with the coming year, since they follow the time of their fruit's picking. According to Rabbi Neḥemya, most fruit will be tithed according to the time that the fruit is picked, since only a minority of fruit trees produce two crops a year.

Rabbi Yohanan said: The people were accustomed to act with regard to carobs<sup>NH</sup> in accordance with the opinion of Rabbi Neḥemya, that their tithe year follows the time of the fruit's picking.

## NOTES

**The *baraita* is incomplete** – חסורי מיתסרא: Actually, there is no addition here of any new material, but merely an emphasis of what was already stated. When the *baraita* states that an *etrog* follows the time of its picking in the matter of tithes, it means specifically for tithes, but not for anything else, and from this it may be concluded that in the matter of the seventh year an *etrog* follows the time of the formation of its fruit (Ritva).

**Two broods** – שתי ברכות: Most commentaries explain that the term broods applies specifically to animals, and perhaps only to doves (Rosh), and not to plants. The Ritva understands that two broods in the context of plants should mean that after the first round of fruit is picked, the tree flowers a second time and bears a second crop of fruit. However, this was extremely uncommon, and so even in the borrowed sense two broods must be understood to mean that the fruit ripens at different times of the year. The Jerusalem Talmud reads: Two threshing floors [geranot].

**Palm trees and olive trees** – דקלים וזיתים: *Tosafot* ask: It was already stated that olives follow the time that they reach one-third of their growth, and so it would seem that they are mentioned here only because they are often mentioned with palm trees. In the *Tosafot Yeshanim* a distinction is made between olives grown for their oil, whose year is determined by the time that they reach one-third of their growth, and olives grown to be eaten, which are governed by a different rule.

**Carobs** – חרובין: The Ra'avad, who holds that there is no halakhic difference between carobs and other trees, explains why it is specifically carobs that are mentioned here: Since their fruit was not deemed important, their time of tithing was deferred to the time of their picking.

## BACKGROUND

**The size of an olive-bulk and it grew to the size of a loaf of bread** – כמות ונעשית כבר: Various varieties of *etrog*, such as the Yemenite *etrog*, grow to a very large size. It is not uncommon to find an *etrog* 30 cm long and even larger. An *etrog* the size of a loaf of bread is therefore common in these varieties.



Yemenite *etrog*

**Two broods in a year** – שתי ברכות בשנה: Various trees in Eretz Yisrael produce fruit more than once a year. With proper cultivation it is possible to bring grapevines to bear fruit twice a year, and many varieties of fig trees produce fruit at two different times of the year.

## HALAKHA

**The time for tithing fruit** – מן מעשר פירות: Fruit that reaches the point at which it is obligated in tithes before the fifteenth of Shevat is tithed in accordance with the previous year, even if it is picked only later, whereas fruit that reaches this point after the fifteenth of Shevat is tithed in accordance with the coming year (*Shulḥan Arukh, Yoreh De'a* 331:152).

**The people were accustomed to act with regard to carobs** – נהגו העם בחרובין: According to the Rambam, only inferior varieties of carobs are tithed in accordance with the time of

their picking, even if they were formed prior to the fifteenth of Shevat. The Ra'avad holds that carobs are in principle no different from other fruit. According to the Ra'avad, the tithing of all fruit besides olives and grapes is by rabbinic law. For this reason, even though it is incorrect, one does not protest against a custom to tithe according to the time of picking carobs, or any other fruit. In the absence of such a custom, one should tithe all fruit according to the time of the formation of the fruit (*Rambam Sefer Zera'im, Hilkhot Ma'aser Shenii* 1:3).



HALAKHA

בנות שוח בשביעית – White figs in the Sabbatical Year – White figs that were formed in the Sabbatical Year must be eaten with the sanctity of Sabbatical-Year produce, even if they were picked only in the second year of the next Sabbatical cycle, because in this regard they follow the time of the formation of the fruit (Rambam *Sefer Zera'im, Hilkhot Shemitta VeYovel* 4:15).

NOTES

Grows for three years – עושות לשלש השנים: In the Jerusalem Talmud, the *Arukh*, and other sources, it is understood that these trees produce fruit every year, but the fruit ripens very slowly over a period of three years. It is also explained there how people would mark the fruit of each year separately. In his Commentary on the Mishna, the Rambam writes that white fig trees bear fruit only once every three years.

איתיביה ריש לקיש לרבי יוחנן: בנות שוח – שביעית שלהן שניה, מפני שעושות לשלש השנים!

Reish Lakish raised an objection to the opinion of Rabbi Yoḥanan from a mishna that teaches: In the case of white fig trees,<sup>b</sup> the Sabbatical Year<sup>d</sup> for them with regard to the halakhot of eating and elimination is in the second year of the Sabbatical cycle, due to the fact that their fruit grows for three years,<sup>n</sup> and so the fruit that ripens in the second year of the Sabbatical cycle had already taken form in the previous Sabbatical Year. This indicates that the tithe follows the time of the formation of the fruit and not the time of picking.

אישתיק. אמר ליה רבי אבא הבהן לרבי יוסי הבהן: אמאי אישתיק? לימא ליה: אמינא לך אנא רבי נחמיה, ואת אמרת לי רבנן!

Rabbi Yoḥanan was silent and did not respond, as though he had no answer. Rabbi Abba the priest said to Rabbi Yosei the priest: Why was Rabbi Yoḥanan silent? He should have said to Reish Lakish as follows: I am speaking to you of the opinion of Rabbi Neḥemya, and you say to me the opinion of the Rabbis?

משום דאמר ליה: שבקת רבנן ועבדת רבי נחמיה?!

Rabbi Yosei the priest answered: He could not have made this argument, because Reish Lakish would then have said to him: Do you abandon the opinion of the Rabbis, who constitute the majority, and act in accordance with the opinion of Rabbi Neḥemya, who express a sole dissenting opinion?

ולימא ליה: קאמינא לך "נהגו" ואת אמרת לי איסורא? דאמר ליה: במקום איסורא, בי נהגו שבקינן להו?

Rabbi Abba the priest asked further: Rabbi Yoḥanan should have said to him: I am speaking to you only about how the people practice and that their custom follows the opinion of Rabbi Neḥemya, and you say to me that it is a prohibition? Rabbi Yosei the priest answered: He could not have said this, because Reish Lakish would then have said to him: Where there is a prohibition, even if they were accustomed to act in a particular manner, would we leave them to continue?

ולימא ליה: בי אמינא לך אנא – מעשר חרובין דרבנן, ואת אמרת לי שביעית דאורייתא?

Rabbi Abba the priest asked further: Rabbi Yoḥanan should have said to Reish Lakish as follows: I am speaking to you about the tithe of carobs, which is only by rabbinic decree, as by Torah law all fruits apart from grapes and olives are exempt from tithing, and you speak to me about the Sabbatical Year, which is by Torah law? This being an irrefutable argument, the Gemara once again clarifies this matter.

אלא אמר רבי אבא הבהן: תמיהני אם השיבה ריש לקיש לתשובה זו. אם השיבה? הא אותבה! אלא אימא: אם קיבלה רבי יוחנן, אם לא קיבלה.

Rather, Rabbi Abba the priest said: I wonder whether Reish Lakish actually raised this original objection to the opinion of Rabbi Yoḥanan, since it has such a clear refutation. The Gemara asks: Whether he asked it? But he did ask it, as is reported in the story. Rather, say: I wonder if Rabbi Yoḥanan accepted this question and was silent because he had nothing to answer, or he did not accept it but nevertheless remained silent because he thought the question was not worthy of an answer.

BACKGROUND

White fig trees [benot shuah] – בנות שוח: There are several opinions with regard to the identification of benot shuah. An alternative version of the text has benot sheva, which some say is a synonym, while others argue that it is an entirely different species. Some sources suggest that it is referring to a type of white fig, perhaps the species *Ficus virens*, whose common name is white fig. Others say that the reference is to a species of pine, perhaps the rock pine, the fruit of which, pine nuts, is eaten.



White fig tree