

Land Definitions: Land Contracts, *Tevel*, *Demai*, *Chaver* etc Ref: *Sefer Zeraim*, *Hilchot Maasrot*, Chapters 6, 9, 10 and 12

TEVEL

Tevel means produce from which *trumah* and *maaser* have not been separated.

Eating *tevel* is forbidden.

Kindling impure *tevel*. – Even though impure and not eaten, it is still forbidden to benefit from the fire.

Reminder:

Forbidden Foods – Vegetables and Miscellaneous.

Ref: *Sefer Kedushah*, *Hilchot Maachalot Assurot*, Chapter 10 and 11.

Pack on Food.



Planting *tevel* seeds – forbidden to sow before tithes separated.

It is forbidden to sell *tevel*. If there is a dispute between seller and purchaser, and purchaser says “I purchased tithed produce” and seller says “I told you it was *tevel*”, we compel the seller to make the appropriate separations.

Presents – Forbidden to send *tevel* as a present in case recipient will eat without tithing.

Debts – One cannot pay a debt with *tevel*.

Products taken by force (they were stolen from him) do not need separations of *trumah* and *maaser*.

Rules regarding different contracts of land use i.e.

- *Arisut* (sharecropping)
 - *Choker* – Hires field for a specific amount of produce.
 - *Mekabel* – Hires field for a percentage of the yield.
- *Socher* – Rents land for sum of money.

DEMAI

Demai means produce where there is doubt if tithes had been separated. (*de, mai* – this, what is it?)

Yochanan Kohen gadol ordained that (because only *trumah* was being separated), the *demai* should be treated as follows:



- Remove *trumah* *maaser* $\frac{1}{100}$ and give to Priest. (because punishment would be death)
- Assess *maaser sheni* and transfer holiness onto money.
- If the *Levi* (first tithe or *ani* (poor person) (*maaser ani*) want their share, they need to bring proof that tithes had not been separated, and then take their tithes. – because obligation is doubtful

Demai can also apply to

- A loaf of bread bought from a baker.
- Having a meal with a colleague who cannot be trusted.

No *brachah* is said, but there is a text.

With *demai* one may also separate tithe from products which belong to neighbour (i.e. if one is invited to neighbour for *Shabbat* and one has a doubt whether tithes have been separated).
– Normally one can only make separations for one's own property, but here the separations of *demai* are *Derabanan* and therefore more lenient. Here one only separates for the portion which he eats.

CHAVER

Chaver (trustworthy person regarding Jewish law)

A *chaver* is a Torah scholar who is considered trustworthy regarding tithes.

Reminder:

Pack on Impurity of Clothes



Others can also be considered trustworthy if they will make the following commitments in public: in front of witnesses

- To tithe the products he eats.
- To tithe what he sells.
- To tithe what he purchases.

Otherwise, an unlearned person (*am haaretz*) cannot be trusted.

The family of a *chaver*, his children, members of his household, servants, and wife are given the same status.

We can therefore assume that all *demai* in their possession has been separated of their tithes. Combinations of *chaver* and unlearned, can exist within the family, and what to do in these circumstances.

The collectors of charity collect from everyone without investigating whether tithes have been separated. If the recipient wish to make their own separations, they should.

SHABBAT

There are special laws relating to trustworthiness on *Shabbat*.

If one purchased produce from someone upon whom we do not rely, on *erev Shabbat*, and he forgot to tithe, he should enquire from the seller regarding the status of the produce. If the answer is that the product was tithed, we may rely on that statement just for that *Shabbat*, and may eat. After *Shabbat*, tithe should be taken relating to *demai*.

However if we know for sure that seller is lying, his word cannot be accepted, even on *Shabbat*.

The rationale is that most people are in awe of *Shabbat*.

DIMUA (mixture of product with *trumah* or *trumat maaser*)

Similarly most people are in dread of *trumah* and *trumat maaser*, because the punishment is Death at the Hand of Heaven. Therefore extra trustworthiness is allocated to sellers.