

The Weekly Daf



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Bava Metzia 86-92 Week of 9-15 Tishrei 5755 / 14-20 September 1994

Rav Weinbach's insights, explanations and comments for the 7 pages of Talmud studied as part of Daf Yomi during the above dates

Dedicated in the memory of Aaron A. Seruya Z''L of Gibraltar

Who Has The Right To Eat?

The Rule:

"When you enter the vineyard of your neighbor you may eat grapes at will..."

(Devarim 23:25)

The privilege of eating the grapes in another man's vineyard is limited, explain our Sages, to those who are employed to harvest those grapes. There is, however, the minority of opinion of the Sage Issie ben Yehuda that this privilege extends to anyone who enters the vineyard.



The Problem:

"How could there possibly be a view that a man may enter another's vineyard without permission and eat from his grapes?"

The Solution:

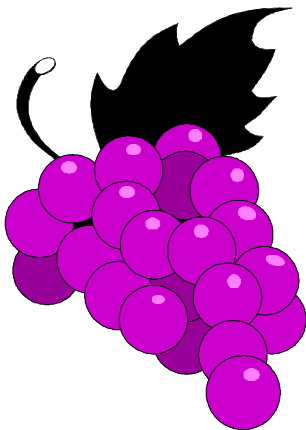
Rabbi Cahana explained that even the Sage Issie limited this privilege only to those who enter the vineyard on their own in order to assist in picking the grapes and eat from the grapes as the only wages for their labor. His interpretation is nevertheless rejected by the majority of the Sages. They consider it unreasonable that the Torah would grant such a privilege since the vineyard owner certainly prefers hiring workers, paying them to do the harvesting, and providing the bonus of grapes to eat, rather than expose his vineyard to a general invasion of self-appointed harvesters.

Bava Metzia 92a

A Word To The Worker

Although a worker has a legal right to eat an amount of grapes which exceeds even the amount of wages he is paid we have a responsibility to counsel him to refrain from doing so because such gluttonous behavior will discourage people from hiring him.

Bava Metzia 92a



Summarizing the benefits granted to the employee and the special caution urged by the Torah on the employer to pay wages honestly and on time Maimonides reminds us that the employee also has responsibilities to give his employer an honest day's work both in quantity and quality:

"He must not deprive the employer of the labor due him by idling a bit here and there and thus dishonestly wasting the day and he must also work with all his might. The saintly Yaakov said of his service to his father-in-law 'I served your father with all my might.' He therefore gained his reward in this world as well by being blessed with great wealth."

Mishne Torah, Laws of Hiring 13:7

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Issue #32

Production Design: Lev Seltzer