

## דרכי שלום Ways of Peace

### Mishnah Gitin משנה גיטין נטב

**משנה** אלו דברים אמרו מפני דרכי שלום כהן קורא ראשון ואחריו לוי ואחריו ישראל מפני דרכי שלום מערבין בבית ישן מפני דרכי שלום בור שהואקרוב לאמה מתמלא ראשון מפני דרכי שלום מצודות חיה ועופות ודגים יש בהן משום גזל מפני דרכי שלום רבי יוסי אומר גזל גמור מציאת חרש שוטה וקטן יש בהן שום גזל מפני דרכי שלום רבי יוסי אומר גזל גמור עני המנקף בראש הזית מה שתחתיו גזל מפני דרכי שלום רבי יוסי אומר גזל גמור אין ממחין ביד עני עובדי כוכבים בלקט שכחה ופאה מפני דרכי שלום:

**These are the things that are taught because they are the ways of peace. The *Kohen* reads the first portion and after him the Levite reads and after him the Israelite reads because of ways of peace.**

*(Originally, people were called up arbitrarily to be one of the seven who bless a section of the weekly Torah portion. For the sake of "ways of peace" this ruling was established.)*

**We make an *eruv* at the old house [the first house where it was done] because of ways of peace.**

*(There is a prohibition against carrying from a private domain to a public one on Shabbat. In a semi-private courtyard shared by two or more neighbors, a symbolic gesture was made to demonstrate that the courtyard could be used as an extension of one's private domain. This was done by placing a loaf of bread at one person's home. This ruling says that one must not switch the home where the loaf is placed, but it must be the one that is always used.*

The person closest to the cistern that is filled from the aqueduct gets to fill his jug first because of ways of peace.

**Traps of wild animals, fowl and fish [if taken] can be considered stolen because of ways of peace. Rabbi Yossi says, "It is to be considered stolen on its own" [without using ways of peace for a reason].**

*(Because traps may be placed on land which is considered ownerless, there is a question of whether once an animal is trapped if the trapper has legitimately acquired it since he has yet to claim it with his own hand, or have it brought it into his own domain which is a necessary criterion for claiming ownership.)* **Rabbi Yossi claims there is no need for a decree because it is already considered robbery.**

**The findings of a deaf person, a mentally challenged, or a minor [if taken] are considered to be stolen because of ways of peace.**

*(The people listed in this case are not considered to be legally aware to make acquisitions, therefore there is a question whether robbing them of something they have found is technically considered robbery.)*

**Rabbi Yossi says, "It is considered stolen on its own."**

**The poor person who cuts the olive tree top that which falls [on the ground] below is considered to be stolen because of ways of peace.**

**Rabbi Yossi said, "It is to be considered stolen on its own".**

(The poor person is entitled to "the corner " of the tree top, what happens if some branches fall from his hand and fall on the ground? Are they considered to be the property of that person or are they available for another poor person to claim?)

**One doesn't prevent the gentile poor from taking *Leket, Shikcha, and Peah* [agrarian tributes designated by the Torah for the Jewish poor.] because of ways of peace.**

### YOUR TALMUD NAVIGATOR

1. Go through all the statements and see what they have in common.
2. Are there any items that do not seem to belong in this list?
3. What is the legal status of these statements? In other words, why is the reason "ways of peace" given? Why do they not say that such activity is forbidden or prohibited and leave it at that?

<b>גיטין א 61    Gitin 61a</b>
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תנו רבנן מפרנסים עניים נכרים עם עניים ישראל ומבקרין חולי נכרים עם חולי ישראל וקוברין מתי נכרים עם מתי ישראל מפני דרכי שלום

The Rabbis taught: One sustains the gentile poor with the Jewish poor, visits the gentile sick with the Jewish sick, and buries the gentile dead with the Jewish dead, because of ways of peace.

### YOUR TALMUD NAVIGATOR

What is the difference between the statement above and, "One doesn't prevent the gentile poor from taking *Leket, Shikcha, and Peah* [agrarian tributes designated by the Torah for the poor.] because of ways of peace."

How does the Talmud teach us to deal with "the other" in these statements.

Why doesn't the Talmud say that these, too, are cases of *Tikkun Olam*? What could be the difference between *Darchei Shalom* (*Ways of peace*) and *Tikkun Olam*?