

Happy NEW YEAR!



Celebrating a different kind of new year in January | BY ROBERT SUSSMAN

HAPPY NEW YEAR! NO, I'M NOT TALKING ABOUT 1 January, I'm talking about the 15th of the Hebrew month of Shevat, aka Tu (from the pronunciation of the two Hebrew letters that make up the number 15, tes and vav) B'Shevat, which this year falls out on 25 January. Our Sages teach that there are actually four Rosh Hashanahs – aka 'starts to the year' or 'new years' – the most famous, of course, being the one we actually call by the name Rosh Hashanah. This falls out on the first of the Hebrew month of Tishrei and serves as the well-known date from which we count our years.

Tu B'Shevat is the 'start of the year' for trees. So why exactly do we need a new year for trees? Believe it or not, it has absolutely nothing to do with the very popular practice of planting trees – an activity which has seemingly become ubiquitous with Tu B'Shevat. Apparently, its roots can be traced back to the begin-

ning of the 20th century and the much needed effort to reclaim and build up the land of Israel, and which has made Tu B'Shevat into a sort of Jewish Arbor Day. Ironically, there is actually a 'start of the year' for the planting of trees (more on this later), but it falls out on an entirely different and, in this case, inconvenient date, the first of Tishrei (aka Rosh Hashanah), on which we're generally already occupied with far more important matters and on which we wouldn't be allowed to plant anything anyway. Back

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when it started, the tree planting was all part of the massive effort to restore the land of Israel and try to make it suitable for agricultural purposes, for which the Jewish National Fund (JNF) was created, with the hope of making possible the eventual establishment of a modern-day Jewish state on that land. Following its original introduction on Tu B'Shevat, the tree planting effort was later zealously and successfully taken up by the JNF, leading to over 250 million trees being planted in Israel over the course of the last century.

So, how are we meant to mark Tu B'Shevat? Our Sages teach¹ that Ashkenazi Jews are accustomed to eating a larger variety of fruits grown from trees than we normally do on other days.

TU B'SHEVAT AND TITHING

Each of the four 'starts to the year' has its own significance in Jewish law. For the most part, however, they have sort of a 'fiscal' significance, akin to designating when each 'tax' year begins and ends. This is important, for example, for things like ma'aser (aka tithing, giving 10% as required by the Torah in various situations). We're required to tithe things such as our crops, but – and here's where the significance of the 'new year' comes in – we're not allowed to take the tithe from one year to pay for the obligation from a different year, hence the important significance of many of these 'starts to the year'. To make this a bit more concrete, imagine if the money you earned during a particular year was the only source from which you could pay the taxes due for that year's earnings. Unlike with our salaries, where we're often required to at least pay an estimated amount upfront, so as to ensure the government gets its due, when it comes to the giving of tithes, the produce is actually prohibited from being used until the relevant tithes have been separated from it.

And the requirement that each year's tithe only come from that year's crop be-

comes even more important when we realise that tithing works on a seven-year cycle, during which, after the initial annual tithe (which goes to the Levi) is separated, an additional tithe must go either to the poor (known as ma'aser oni) in years three and six, or back to ourselves, but on the condition that it has to be consumed in Jerusalem (known as ma'aser sheini), in years one, two, four, and five (year seven of the seven-year cycle is the shemita year, when we fallow the land and, therefore, no tithes are taken).

So, for example, separating tithes on fruits that grow from trees depends on when those fruits ripen. And here's where Tu B'Shevat comes in, as it's the cut-off date between one year and the next based on whether fruit ripens before or after Tu B'Shevat. Accordingly, a person isn't allowed to separate tithes (or even a portion of those tithes) from fruits that ripened before Tu B'Shevat on behalf of the fruits that ripened after Tu B'Shevat. Let's look at an example that will illustrate how this plays out using the tithes we just mentioned above: the one given to the poor and the one we have to consume in Jerusalem. If fruit ripens at the beginning of the third year (in the seven-year cycle) before Tu B'Shevat, regardless of when that fruit is actually picked, it's considered as though it was from the second year in the seven-year cycle – which means they are considered part of the tithe that gets eaten by us in Jerusalem, whereas fruits that ripen in that third year after Tu B'Shevat are considered part of the tithe that goes to the poor.

TU B'SHEVAT AND ORLAH

Another application of Tu B'Shevat requires an introduction to two other concepts that are closely connected: the 'start of the year' for planting, which we previously noted just happens to be the first of Tishrei, and Orlah, which refers to the fruit that a tree produces in the

first three years after it was planted and which is forbidden from being eaten or even benefited from (eg, used to make dyes, sold to other people, etc).

Our Sages teach² that when we plant a sapling in the ground, it takes 14 days for it take to root. They further teach that the minimum amount of time that can be counted towards fulfilling the first year in the counting of Orlah is 30 days. Accordingly, if we plant a tree before the 16th of the Hebrew month of Av, when the 1st of Tishrei rolls around, this 44-day time period will be counted as one year towards the three-year count of Orlah and the second year will then start to be counted. When two years pass from that first Tishrei, the tree will have completed three years. A quick summary of the math: the 44-day period prior to 1 Tishrei that counted for the first year, plus the two subsequent occurrences thereafter of 1 Tishrei, comes to a total of three years.

However, the fruit still cannot be eaten at this point – and this is where Tu B'Shevat comes in – because the fruit of that tree will still be prohibited due to Orlah until Tu B'Shevat has passed! (And even then, it still can't be consumed, as the fruit of the fourth year has its own special requirements which are beyond the scope of this article.)

So, when Tu B'Shevat rolls around, grab your favourite fruit, make a brocha, and give thanks to Hashem for the wonderful assortment and abundance of produce He continually makes for us. **■**

For questions concerning how and in what circumstances the above mitzvos apply practically to produce grown both within and outside of Israel, please consult a competent rabbinic authority.

¹Magen Avraham on Shulchan Aruch O.C. 131:16

²See Rosh HaShanah 9b, 10 and Shulchan Aruch Y.D. 294:4

To understand how all of these concepts interact, it's helpful to have a list of the Hebrew months:

1	2	3	4	5	6	7	8	9	10	11	12
Nisan	Iyar	Sivan	Tammuz	Av	Elul	Tishrei	Cheshvan	Kislev	Tevet	Shevat	Adar