



Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

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**Tzvi Gershon Ben Yoel (Harvey Felsen) o”h**

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The Gemora provides a Scriptural source indicating that toldos (*secondary labors*) except for pruning and picking grapes are not Biblically prohibited during Shemittah.

The Gemora asks: Isn't there a braisa that explicitly prohibits the performance of other toldos during Shemittah? The braisa derives from a Scriptural verse that weeding (with the roots), digging under the vines, weeding (leaving the roots), pruning trees, sawing (off branches, when they are too numerous), supporting (trees by propping them up), fertilizing, removing stones from the roots, covering the roots with earth, and smoking (for the purpose of killing the insects on the tree) are not permitted to be done during the Shemittah. All of the above are toldos and nonetheless forbidden to perform during Shemittah.

The Gemora answers: The prohibition is only Rabbinic and the Scriptural verses merely add support to the injunction. (3a)

The Gemora states that it is permitted to hoe around the tree during Shemittah to ensure that the tree will not die or dry out. One is forbidden, however, to hoe around the tree by softening and loosening the earth, as this would actually cause an improvement in the tree. (3a)

The Gemora presents a dispute between Rabbi Yochanan and Rabbi Elozar whether one would incur the thirty-nine lashes if he would plow during Shemittah. [Rashi (2b) states that there is a positive commandment which forbids plowing on Shemittah. It is written [Shmos 34:21]: *From plowing and harvesting you shall desist*. The point of contention between the two Amoraim is if there is a negative commandment as well.]

The Gemora suggests that their dispute depends on the principle of Rabbi Avin, who says in the name of Rabbi Ilai that when the verse presents a general positive command, followed by a specific prohibition, the prohibition does not limit the positive command. The one who says that he incurs lashes does not hold like Rabbi Avin in the name of Rabbi Ilai, and the one who maintains that he does not incur lashes holds like Rabbi Avin.

The Gemora rejects this reasoning, for perhaps everyone disagrees with Rabbi Avin in the name of Rabbi Ilai, and the one who maintains that he incurs lashes is understandable. The one who says that he does not incur lashes would say as follows: Let us see; pruning comes within the general process of planting and picking grapes within the general process of harvesting, what rule did the Merciful One intend to inculcate by inserting these (pruning and picking



grapes) into the verse? It is to indicate that only for these secondary processes (specified in the verse) will one be liable, but for any other secondary process, he will not be liable.

The Gemora asks: But is he not? Surely it was taught in a braisa: You shall neither plant your field nor prune your vineyard; this only forbids one from planting or pruning; from where do we know that one is forbidden from hoeing, hoeing (under olive trees), or the trimming of wilted parts? It is from the instructive form of the verse: Your field you shall not . . . your vineyard you shall not . . . which indicates that no manner of work in your field (should be done); no manner of work in your vineyard. And from where do we know that one is forbidden, by a tree, from trimming its dry branches, nor cutting back its shoots, nor supporting it? It is from the instructive form of the verse: Your field you shall not . . . your vineyard you shall not . . . which indicates that no manner of work in your field (should be done); no manner of work in your vineyard. And from where do we know that one is forbidden, by a tree, from fertilizing its roots, nor removing stones from it, nor fumigate it? It is from the instructive form of the verse: Your field you shall not . . . your vineyard you shall not . . . which indicates that no manner of work in your field (should be done); no manner of work in your vineyard. Am I might have thought that one may not hoe under the olive trees, nor hoe under the grapevines, nor fill the open gaps (under the trees) with water, nor make ditches for the vines? There is the instructive wording of the text: Your field you shall not plant. Now, planting was already included in the general terms of the ordinance (against working the field during Shemittah); why then was it singled

out? It is for the purpose of providing a comparison, that just as planting has the special quality of being a work

common to field and vineyard, so is any other work that is common to field and vineyard forbidden. [Evidently, there are many other tolados that are forbidden!?!]

The Gemora answers: The prohibition is only Rabbinic and the Scriptural verses merely add support to the injunction. (3a)

Rav Dimi came from Eretz Yisroel to Bavel and he stated: I heard the following braisa in Eretz Yisroel and I do not understand its meaning. It was taught in a braisa: You might think that one will incur lashes for transgressing the extension; there was a teaching that he does not. Rav Dimi said: I do not know what the teaching was or what '*extension*' the braisa was referring to.

Rabbi Elozar explained: When the braisa said '*extension*,' it was referring to the transgression of plowing during Shemittah and that one should incur lashes if he transgresses this prohibition; there is a teaching that exempts one from receiving lashes for plowing based on the fact that the Torah lists specific labors that are subject to lashes and it does not include plowing.

Rabbi Yochanan said: When the braisa said '*extension*,' it was referring to the days which the Rabbis added to Shemittah before Rosh Hashanah and the braisa teaches us that one who transgresses this injunction will not incur lashes.



The Gemora elaborates on the amount of days that are included in the Rabbis addition to the Shemittah year.

The Gemora cites a Mishna: Up to what date may plowing be done in a tree field in the pre-Shemittah year? Beis Shammai say: As long as it is for the benefit of the fruit; Beis Hillel say: until Shavuos. The Mishna notes: and the practical effect of one ruling is much the same as that of the other. And up to what date may they plow a grain field in the pre-Shemittah year? Up to when the moisture ceases and as long as people plow for planting their squash and gourd beds. Rabbi Shimon said: If that is so, you have handed over the Torah for every individual to determine for himself the right time! Rather, a grain field, they may plow up to Pesach, and a tree field up to Shavuos.

Rabbi Shimon ben Pazi said in the name of Rabbi Yehoshua ben Levi, who said in the name of Bar Kappara: Rabban Gamliel and his Beis Din took a vote and nullified the previous decree, thus enabling the fields to be plowed until Rosh Hashanah of the Shemittah year.

Rabbi Zeira asked Rav Avahu or according to others, Rish Lakish asked Rabbi Yochanan: How could Rabban Gamliel annul a decree of Beis Shamai and Beis Hillel? Have we not learned in a Mishna (Eduyos 1:5) that a Beis Din is not able to abolish the ordinances of its colleagues unless they are greater than the first Beis Din in wisdom and in numbers?

He was bewildered for a moment and then answered: Beis Shammai and Beis Hillel stipulated that whoever wants to nullify this decree in the future may do so.

The Gemora asks: Were Beis Shammai and Beis Hillel the ones who issued the decree regarding the days before the Shemittah year; is it not true that this was actually a halachah transmitted to Moshe at Sinai? For Rabbi Assi said in the name of Rabbi Yochanan citing Rabbi Nechunia from the valley of Bais Choron that the permission to plow a field with ten saplings until Shemittah, the use of aravah on Sukkos in the Bais Hamikdash, and water libations are all halachos transmitted orally to Moshe at Mt. Sinai.

Rabbi Yitzchak answers: The law regarding thirty days before Rosh Hashanah was transmitted to Moshe at Sinai and Beis Shammai and Beis Hillel came and established that the prohibition begins from Pesach or Shavuos, and they stipulated that whoever wants to nullify this decree in the future may do so.

The Gemora asks: Is it true that the halachah extending the Shemittah year thirty days before Rosh Hashanah is a halachah transmitted to Moshe at Sinai; Rabbi Akiva is quoted in a braisa teaching us that this is a halachah derived from Scripture. Rabbi Akiva cites a verse in the Torah and expounds from it: "Six days a week you shall work and on the seventh day you shall rest; at the plowing and the reaping you shall rest." Rabbi Akiva learns that the second part of the possuk is teaching a halachah regarding Shemittah. One must abstain from plowing prior to the seventh year if it will benefit the seventh year and one must accord Shemittah sanctity for the

harvesting of the seventh year from produce that is still growing in the eighth year. (3b – 4a)

## INSIGHTS TO THE DAF

### WOMEN PLOWING DURING SHEMITTAH

The Gemora presents a dispute between Rabbi Yochanan and Rabbi Elozar whether one would incur the thirty-nine lashes if he would plow during Shemittah. Rashi (2b) states that there is a positive commandment which forbids plowing on Shemittah. It is written [Shmos 34:21]: *From plowing and harvesting you shall desist*. The point of contention between the two Amoraim is if there is a negative commandment as well.

The Rambam in Hilchos Shemittah rules that one who plows during Shemittah does not incur the thirty-nine lashes. Kesef Mishna explains: Since in our Gemora, it was left ambiguously regarding which Amora held what, we cannot administer the lashes when there is uncertainty.

Sha'ar Hamelech in the beginning of Hilchos Shemittah writes that the Yerushalmi in Shabbos (7:2) states that Rabbi Yochanan is the one who maintains that he does not receive the lashes and the rule is that when Rabbi Yochanan and Rabbi Elozar argue, the halachah is in accordance with Rabbi Yochanan.

Minchas Chinuch (112) comments that women are obligated in this mitzvah even though it is a positive commandment that has a time element to it and the principle is that women are exempt from any positive mitzvah which is governed by time. He explains that

this is applicable only regarding a positive mitzvah that is incumbent on the body of the person and not a mitzvah like Shemittah, which is a mitzvah that is dependent on the land (*mitzvos hateluyos ba'aretz*).

Proof to this is cited from the Ritva in Kiddushin (29a). The Gemora rules based on a Scriptural verse that women are not obligated to perform a circumcision on their sons. Tosfos asks: Why is a possuk necessary; circumcision is a positive mitzvah which is governed by time since the mitzvah can only be performed by day, and women are exempt? The Ritva answers: Any mitzvah which is not related to the person themselves; this principle does not apply. The mitzvah of milah is to perform the circumcision on the son and therefore women would be obligated if not for the special verse teaching us otherwise.

## DAILY MASHAL

### Shemittah – Two Aspects

The *mitzvah of Shemittah* is introduced to us in *Parshas Behar* with the phrase, "*veshavsa haaretz Shabbos laHashem*." The land rests for Hashem. Clearly this is the aspect of *Shemittah* which is *bein adam lamakom*. Yet, *shemittah* is presented also as a *mitzvah bein adam lachaveiro*. All produce is ownerless during *Shemittah*. The poor and rich eat together. The differences between the classes in society disappear as all enjoy the fruit of the land equally. This dual aspect of *Shemittah* being both a *Shabbos Lashem* as well as a way of bringing people together conjures up the same image as does the weekly *Shabbos*. It is a day of *zecher lemaaseh breishis* as well as "*vayinafesh ben amascha vehager*" - a time when all members of society rest together.