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Moed Katan Daf 4

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The Gemora concludes that the halachah of extending the restrictions of Shemittah prior to the seventh year was transmitted to Moshe at Sinai only according to Rabbi Yishmael. Rabbi Akiva derived this halachah from the Scriptural verses. (4a)

Rabbi Yochanan said: Rabban Gamliel and his Beis Din nullified all the halachos restricting labor prior to Shemittah, even those halachos that were derived from Scripture. He was empowered to do this because he had his own Scriptural source proving otherwise. Rabban Gamliel’s source was through a gezeira shavah of the words “Shabbos, Shabbos,” from the Shabbos of Creation. Just as there, it is forbidden to perform labor on the day of Shabbos, but prior to that day and afterwards it would be permitted; so too regarding Shemittah, only the seventh year would be subject to the Shemittah restrictions and not the sixth or the eight years.

Rav Ashi objected to this explanation: How can a gezeira shavah come and uproot a halachah transmitted to Moshe at Sinai or uproot a halachah derived from a Scriptural verse?

Rav Ashi explains: Rabban Gamliel and his Beis Din maintained that the halachah restricting labor thirty days prior to Shemittah was a halachah transmitted to Moshe at Sinai, but Rabban Gamliel maintained that this halachah applied only in the times that the Beis Hamikdosh was in existence, similar to the halachah of the water libations on Sukkos, which was applicable only in the times that the Beis Hamikdosh was in existence. Therefore, one would be allowed to plow any type of field up until Rosh Hashanah. (4a)

The Mishna had stated: One may not water his field during Chol Hamoed from a pool of rainwater or from a well. The Gemora asks: We understand that watering from a well should be prohibited because it involves excessive exertion, but what is the reason to prohibit watering from a pool of rainwater?

Rabbi Ila’ah said in the name of Rabbi Yochanan: The Rabbis issued a decree against watering from rainwater to safeguard the prohibition against watering from a well. (*They assumed that if people will water from a pool of rainwater, this will lead to watering from a well as well.*)

Rav Ashi answers: They were concerned that the pool of rainwater will lose water and eventually become like a well, which will also involve excessive exertion (*one would be required to use a pail to water his field from there*). (4a)

It was taught in a braisa: One is not permitted to water his field on Chol Hamoed from water basins or trenches that were filled with water prior to the festival (*the water level might drop and he will be compelled to use a pail, which will involve excessive exertion*), however, if there is a water channel passing between them, it will be permitted (*since even if the water from the trenches dries up, the water from the channel can be used*).

Rav Papa maintains that this is only true if the channel contains enough water to irrigate a majority of the fields at one time. Rav Ashi disagrees and holds that it would be permitted even if the channel does not contain enough water to irrigate a majority of the fields at one time because the person will say: if it cannot be irrigated in one day, it will be so in two or three days, and he will not bother himself to bring water from elsewhere. (4a)

It was taught in a braisa: We may draw water for vegetables in order to eat them, but it is forbidden if it is to improve them.

The Gemora records a related incident. Ravina and Rabbah Tosfa'ah went for a walk on Chol Hamoed. They observed a man drawing buckets of water with a pail and watering his vegetable field with it.

Rabbah suggested to Ravina that this person warrants excommunication for violating the Rabbinic decree of watering a rain-watered field. Ravina disagreed and he quoted the braisa mentioned above that one may draw water for vegetables in order to eat them. Rabbah replied: The braisa does not mean that one can draw water for the vegetables; rather it means that one may pull out from an overgrowth of vegetables, provided that he will eat them on the festival. Ravina said back to Rabbah: There is an explicit braisa which allows one to draw water for vegetables in order to eat them. Rabbah said: If it was taught in a braisa like that, I retract my opinion. (4a – 4b)

The Mishna had stated that one should not make *ugiyos* for the grapevines. The Gemora asks: What are *ugiyos*? Rav Yehudah answers: They are ditches, which one digs around the roots of a grapevine in order to collect water.

The Gemora qualifies this ruling and prohibits the creating of new ditches (*which involves strenuous labor*), but cleaning an old ditch would be permitted. (4b)

The Mishna had stated: Rabbi Elozar ben Azarya says: One may not create a new irrigation canal during Chol Hamoed or Shemittah. The Gemora asks: We understand why this should be prohibited on Chol Hamoed because it involves excessive exertion, but what is the reason to prohibit creating a canal during Shemittah?



The Gemora offers two reasons: One Amora says that it resembles hoeing to benefit the crops. Another Amora says: It is preparing the banks of the canal for planting.

The Gemora states: A difference between the two reasons would be in an instance where water fills up the canal as he is digging. It would still be preparing the banks for planting, but he obviously is not intending on hoeing there.

The Gemora rejects this explanation because both reasons are valid and they both should be applicable.

The Gemora states: A difference between the two reasons would be in an instance where he throws the dirt a considerable distance away from the canal. He is not preparing the banks for planting but it can be forbidden on the account that it resembles hoeing.

The Gemora rejects this explanation as well because both reasons are valid and they both should be applicable.

The Gemora answers: In fact, digging a canal does not resemble hoeing because the purpose of hoeing is to soften the ground and that is why one who hoes, places the earth back in its place; however, one who digs a canal, moves the earth away and therefore it is not similar to hoeing. (4b)

The Mishna had stated: One may make repairs to the irrigation canal in the public domain, and clean

them (from the mud and small stones that accumulate in them).

The Gemora asks: To what extent is the damage to the irrigation canal?

Rabbi Abba answers: If the canal is presently one tefach deep, it may be restored to its original depth of six tefachim.

The Gemora inquires: If the canal is presently two tefachim deep and he wishes to restore it to its original depth of seven tefachim; is that permitted? Do we say that since he is only digging five tefachim, it should be permitted just like from one to six or do we say that it should be prohibited on the account that he is digging an additional unnecessary tefach (*since a canal runs efficiently when it is six tefachim deep*). The Gemora lets the question remain unresolved. (4b)

Abaye allowed the inhabitants of Bar Hamdoch to clear away the branches of the trees growing in the river on Chol Hamoed. Rabbi Yirmiyah permitted the inhabitants of Sechavta to clean a clogged river. Rav Ashi allowed the inhabitants of Masa Mechasya to clear away a sandbank from the river Burntiz. He said: Since many people drink from its water, it is considered a public necessity, and our Mishna states that all work for the public is permitted. (4b)



INSIGHTS TO THE DAF

FOOD FOR THOUGHT

1. The Gemora concludes that the halachah of extending the restrictions of Shemittah prior to the seventh year was transmitted to Moshe at Sinai only according to Rabbi Yishmael. Rabbi Akiva derived this halachah from the Scriptural verses.

It emerges that there is a dispute if there was an Oral Law transmitted to Moshe at Sinai regarding the pre-Shemittah restrictions.

Doesn't the Rambam state that there cannot be disputes regarding any halachah l'Moshe misinai?

2. Rabban Gamliel's source (that there are no pre-Shemittah limitations) was through a gezeirah shavah of the words "Shabbos, Shabbos," from the Shabbos of Creation. Just as there, it is forbidden to perform labor on the day of Shabbos, but prior to that day and afterwards it would be permitted; so too regarding Shemittah, only the seventh year would be subject to the Shemittah restrictions and not the sixth or the eight years.

Isn't there a halachah that one is required to add time to the beginning of Shabbos and afterwards as well (tosfos Shabbos)?

3. The Mishna had stated that one should not make *ugiyos* for the grapevines. The Gemora asks: What

are *ugiyos*? Rav Yehudah answers: They are ditches.

Rashi states that the word "*ugiyos*" means *agul*, round, similar to the words "*ag ugah*," he drew a circle around himself.

The Torah says [Shmos 12:39]: *And they baked unleavened cakes of the dough which they brought forth out of Egypt.* The term used for the unleavened cakes, i.e. matzos is "*ugos*" matzos. This would be a source that matzos should be round and not square.