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Intermingled Vegetables

[Biblically, it is forbidden to plant kilayim of the vineyard – that is planting different species with grapevines. The Rabbis prohibited even kilayim of different seeds. The primary concern is that the species should not appear intermingled. They were also concerned that the species should not draw nourishment from common ground. There is, however, nothing inherently wrong with this. Generally, there must be a distance of at least three tefachim – handbreadths, between different species, for the roots of the seeds spread out and draw nourishment from an area of one and a half tefachim in each direction. The Mishna in Kilayim states that it is possible to plant five different species of vegetable in a six-tefachim square garden patch. This is possible by planting four of the species on the perimeter of the patch and one seed of a different species in the middle. This allows a space of three tefachim between each row of seeds on the perimeter and the one in the middle. The rows of seeds on each side do not need to be separated from the row of seeds perpendicular to it, for the very position of each strip, relative to the other, shows that they are separate strips.]

The Mishna asks: From where do we know that in a vegetable patch, measuring six tefachim by six tefachim, it is permissible to plant five (rows of different) vegetable seeds, namely; four species, one on (each of) the four sides of the patch (leaving the corners open), and one (a single seed) in the center? It is because it is written: *for as the earth brings forth its plant, and as the garden causes its seeds to sprout. 'Its seed,'* is not stated, but *'its seeds'* is stated. [The Gemora will explain how this is derived.]

The Gemora asks: How is this implied?

Rav Yehudah said: *For as the earth brings forth its plant: 'brings forth'* denotes one, and *'its plant'* denotes one, which gives two; *'its seeds'* denotes two, making four; *'causes to sprout'* denotes one, making five (in total), and the Rabbis ascertained that five (species planted) in six (tefachim square) do not draw nourishment from each other.

The Gemora asks: And how do we know that that which the Rabbis ascertain is of consequence?

The Gemora answers: For Rabbi Chiya bar Abba said in the name of Rabbi Yochanan: What is meant by that which is written: *You shall not move your neighbor's landmark [which the earlier ones have set]?* It means: The landmark which the earlier ones have set you shall not encroach upon (by planting so near to your neighbor's border that the roots will draw nourishment from his land, thus weakening it).

The Gemora explains: What landmarks did the earlier ones set? Rabbi Shmuel bar Nachmeini said in the name of Rabbi Yochanan: As it is written: *These are the sons of Seir the Chorite, the inhabitants of the land.* Are then the rest of the world inhabitants of heaven? Rather, it means that they were experts in the cultivation of the earth. [They knew through smelling the soil, tasting, and other tests – as to which plant a certain piece of land was most hospitable for; they knew how to divide up the land for cultivation, and as a corollary they must have known how much earth each species required for its nourishment. It was from them that the Rabbis acquired this knowledge, whose correctness is vouched for by this verse.] For they used to say: This

(measuring) rod's length (of land) is fit for olives, this rod's length (of land) is fit for vines, this complete rod's length (of land) is fit for figs. And Chorite implies that they smelled the soil. And Chivite, said Rav Pappa, teaches us that they tasted the earth like a snake.

Rav Acha bar Yaakov said: Chorite implies that they became free from their property (for Esav's descendants dispossessed them).

Rav Assi said: The internal area of the patch (discussed in the Mishna) must be six (tefachim square), apart from its borders. [Fallow borders were left around vegetable patches for a walkway – used by those who would water the plants; the area stated in the Mishna does not include these one-tefach borders, for if it would, there would only be two tefachim space between the seeds on the perimeter and the seed in the center.]

The Gemora cites a supporting braisa: The internal area of the patch must be six (tefachim square), apart from its borders.

The Gemora asks: How wide must its borders be (in order for it to be regarded as a full-fledged vegetable patch, and then, the lenient laws appertaining to it (as will be explained below) will apply to it)?

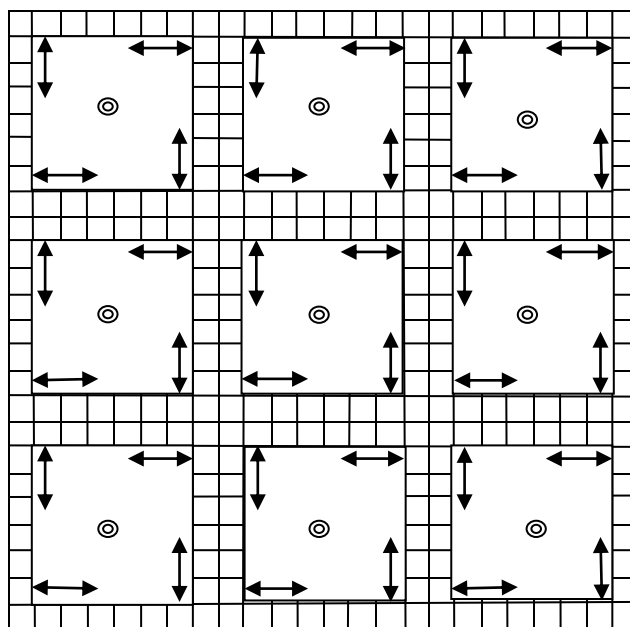
The Gemora answers: It is as we learned in a Mishna: Rabbi Yehudah said: Its width must be the full width of the sole of a foot.

Rabbi Zeira said, and others say, Rabbi Chanina bar Pappa said: What is Rabbi Yehudah's reason? It is because it is written: and water it with your foot like a vegetable garden: just as the sole of the foot is a tefach, so must the border as well be a tefach.

Rav said: We learned (our Mishna) of a vegetable patch in a barren plot. [If, however, it was surrounded by other patches planted with different seeds, there is only the two tefachim space occupied by the borders of the two contiguous patches between them, whereas three tefachim space is required

between two rows of different plants.]

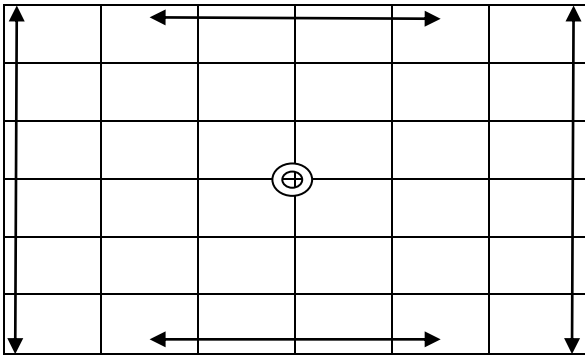
The Gemora asks: But there is the corner space (which can be left unplanted; it is then possible to have the patch surrounded by others)?



[Every box represents one tefach of space. There are two tefachim of empty space between each vegetable patch – one tefach border for each patch. The Gemora is asking that while it's true that if the entire row is filled up with seeds, the row parallel to it from an adjacent patch is two tefachim away, and that would be subject to the kilayim prohibition; but there is a way that all four sides can be planted – even if it is not in a barren plot. That can be accomplished as follows: Seeds can be planted on the side for a length of two and a half tefachim. In the adjacent patch, they will also be planted for a length of two and a half tefachim, but they will begin from the opposite end. In this manner, and as can be seen in the diagram, all the rows of seeds parallel to each other are three tefachim apart! This is because there is a two-tefach fallow space in between the patches, plus the fact that each of the rows end one tefach before the parallel seed of the adjacent patch begins. The fact that a row of seeds running perpendicular to a row of seeds in an adjacent patch are within three tefachim of each other does not concern us at all, for the very position of each strip, relative

to the other, shows that they are separate strips.]

The school of Rav answered in the name of Rav: The *Mishna* refers to one who fills up the corners (with seed, and therefore, there is no way to plant a parallel row of seeds in an adjacent patch).



The *Gemora* asks: Yet let one plant on the outside (in the adjacent patches), and not fill up the (corners of the) inside (patch; and Rav would not have to limit the *Mishna's* ruling to one specific (far-fetched) case)?

The *Gemora* answers: It is a preventive measure, lest he fill up the corners (and then it would be *kilayim* with the rows in the adjacent patches).

The *Gemora* asks: Yet (even if he does fill up the corners), let it not be other than a corner furrow of a vegetable patch (which is permitted)? Did we not learn in a *Mishna*: If a corner furrow of a vegetable patch enters into another field, this is permitted, because it is evidently the end of a field? [As was mentioned above, there is no inherent prohibition for one species of seeds to draw nourishment from another; the prohibition is that the seeds should not appear intermingled. Accordingly, in these cases as well, it is evident – due to the position of the rows, or on account of the walkways in between that they are two different rows, and that each row is distinct from the other, and it should be permitted!?!]

The *Gemora* answers: The permissibility of the tip of the field does not apply to a vegetable patch (for in the proposed case, there is nothing to show that the different

rows are distinct).

The *Gemora* cites a dissenting opinion: Shmuel maintained: We learned of a vegetable patch in the midst of other vegetable patches.

The *Gemora* asks: But they (the parallel rows) intermingle (with the rows in the adjacent patches)?

The *Gemora* answers: He inclines one row in one direction and one row in another direction. [This is the same way that was described above in the question to Rav; Shmuel disagrees with the preventive measure, mentioned above, that he will fill up the corners.]

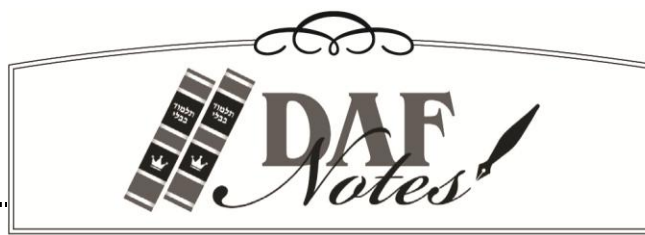
Ulla said: They inquired in the West (*Eretz Yisroel*): What if a person draws one furrow (and plants in it) across the entire patch? [He plants from north to south one row across the entire patch, crossing the middle seeds, this furrow being either of one of the five seeds or of a sixth. Is this *kilayim* with the parallel rows, for there is not three *tefachim* of space between them, or perhaps, since it was deepened by a *tefach* - that constitutes a distinguishing mark, so that it shall be permitted?]

Rav Sheishes said: The intermingling comes and annuls the rows (and the entire patch is forbidden).

Rav Assi said: The intermingling does not annul the rows.

Ravina asked to Rav Ashi from the following *Mishna*: If one plants two rows of cucumbers, two rows of gourds, and two rows of Egyptian beans, it is permissible (since two rows of each of these species present the appearance of a complete and separate field), but planting one row of cucumbers, one row of gourds, and one row of Egyptian beans is prohibited. [We see that one row of a different species is regarded as *kilayim* with the others.]

The *Gemora* answers that here it is different, because there is entanglement (for their leaves become entangled above as they grow high; on this account they are forbidden).



Rav Kahana said in the name of Rabbi Yochanan: If one desires to fill his whole garden with vegetables (*of various species*), he can divide it into patches of six (*tefachim*) square, describe in each a circle five (*tefachim in diameter*), and fill its corners with whatever he pleases (*for planting in this way shows that there has been no indiscriminate intermingling*).

The *Gemora* asks: But there is the space between the patches? [*The walkway cannot be planted, for then, there would be no division of fields! If so, how could he say that the whole garden can be filled?*]

In the school of Rabbi Yannai they said: He leaves the spaces in between (*the patches*) fallow (*for he did not mean that the entire garden 'literally' can be filled up*).

Rav Ashi answers: If the patches are planted in the length (*vertically*), he plants them (*the interspaces*) in the width (*horizontally*), and vice versa.

Ravina objected to Rav Ashi from the following *braisa*: The work area (*for the farmer*) for one vegetable planted with another requires six *tefachim* square, and they are regarded as a square board. Thus, it is only permitted as a square board, but otherwise, it is forbidden?

The *Gemora* answers: There, (*it desires to*) teach another leniency in respect of the permission to plant the tip of the field which is extending into another field. (84b – 86a)

INSIGHTS TO THE DAF

Kelayim – Mixing Separate Species

By: Meoros HaDaf HaYomi

The Talmud Bavli did not devote an entire mesechta to *kelayim*. As such, the sugyos presented here offer us a unique opportunity to become acquainted with these important, yet unfamiliar halachos. In particular, the

Gemara discusses the leniencies applicable to an “*aruga*,” a garden patch of six square *tefachim*.

Before we address the particulars of this sugya, let us first examine the six basic categories that fall under the general heading of *kelayim*. The first three pertain to the laws of agriculture: *kelai zera'im* – mixing seeds; *kelai kerem* – planting certain grains in a vineyard (this category is unique, in that the plantings become forbidden); and *harkavas ilan* – grafting trees (one may plant grains together with tree saplings). The other three categories are *shatnez* - wearing a mixture wool and linen; plowing with two different animals together; and mating two species of animals together.

This article will focus on the first of these categories, the prohibition of *kelai zera'im*. We find here a golden opportunity to investigate what is perhaps the most central *machlokes Rishonim* in all of *hilchos kelayim*.

In Rashi's explanation of *aruga*, he states that one may plant different seeds in close proximity, as long as they are grouped in distinctly separate rows, since in essence the prohibition of *kelayim* is “disorder.” Rashi continues to explain that this leniency is true in regard to *kelai kerem*, which is forbidden *medeoraisa*, and it is certainly true in regard to *kelai zera'im*, which is only forbidden *mederabanan*. Elsewhere in *Meseches Bechoros*, Rashi repeats his assumption that *kelai zera'im* is only *mederabanan*.

Tosafos is known to often argue with Rashi, presenting alternate explanations or halachic conclusions. In this case *Tosafos* is so adamantly opposed to Rashi's assumption that he is forced to conclude that the version of Rashi before us contains a misprint. The Torah explicitly states, “You shall not seed your field with *kelayim*.” Rashi himself rules in *Meseches Kiddushin* that *kelai zera'im* is *medeoraisa*. Therefore, *Tosafos* finds no other resolution, than to attribute Rashi's statement to a simple printing error.

The *Aruch HaShulchan* defends Rashi, by introducing a fundamental *machlokes Rishonim* into the discussion. Some *Rishonim* learn that the Torah's prohibition against *kelai*



zera'im focuses on the action; one may not plant two species together. Others interpret the prohibition to focus on the result; one may not cause two species to grow side by side. According to the first opinion, if one species was already planted, the Torah permits planting a different species alongside it. According to the second opinion, although one did not plant the different seeds together, he caused them to grow together, thereby transgressing a Torah prohibition.

Rashi follows the first opinion. Our sugya discusses a case in which the first species had already been planted. Therefore, Rashi rules that it is only a Rabbinic prohibition to plant the other species alongside it. In Kiddushin, Rashi refers to sewing two different species at once. Therefore, Rashi regards it as an *issur deoraisa*. (In regard to *kelai kerem*, mixing seeds in a vineyard, the Talmud Yerushalmi explicitly rules that the Torah only prohibits planting different seeds together at once. Rashi apparently applied this ruling to *kelai zera'im*, as well).

To further explain Rashi's opinion, that the Torah only prohibits planting two species at once, we cite the following ruling of the Chazon Ish. As long as the first species has not taken root, it is forbidden *medeoraisa* to plant the other species alongside it. This is still considered planting two species at once. Generally, it takes three days for a seed to take root. Only afterward does it become an *issur derabanan* to plant the second species. (The Chazon Ish suggests a condition to this rule, that it is only an *issur deoraisah* if one planted the first species with intention to add the second species afterward.

According to Rashi, it is only an *issur deoraisah* for one person to plant two species at once. If two people were to combine their efforts, each planting a different species, it would only be an *issur derabanan*, since the seeds were not planted with one action.