



Volume 1. Issue 20.

New TITLE

Shmittah is mentioned in a number of places in the *Torah*. The most fundamental is in *Parashat Behar*, where some of the concepts relating to *Shmittah* are detailed. One of the central ideas is the prohibition of working the field. The *pasuk* mentions two types of forbidden actions.

1. שׂדֶךָ לֹא תַזְרֵעַ וְכַרְמֶךָ לֹא תִזְמְרֵר – actions where the aim is to generate growth of the produce.
2. אַת סְפִיחָ קְצִירָ לֹא תִקְצֵרָ וְאַת עֲנֵבִי נְזִירָ לֹא תִבְצֵרָ – gathering produces in the ordinary manner.

Which actions are biblically prohibited? There are three possibilities:

- a. Only those mentioned – planting and reaping – are forbidden. Any other actions whose aim is to generate growth would only be rabbinically prohibited.
- b. There is a difference between planting and reaping and the other actions. Planting and reaping would be defined as *avot melachot*, while other actions whose purpose is to generate growth would be prohibited as *toladot*.
- c. Planting and reaping are merely examples of prohibited actions that fall under the general prohibitions of:
שְׁבַת שְׁבַתוֹן יִהְיֶה לְאַרְצָה

In the heading to *hilchot shmittah ve'yovel*, the *Rambam* defines the prohibition as follows: “(It is prohibited) to work the land in this year (*shmittah*)”. This definition appears to agree with option (c), consequently working the land at all would be punishable with lashes. The *Rambam* (*Hilchot Shmitah* 1:2) however writes:

One only receives lashes if they perform planting, pruning, reaping and gathering... pruning is part of planting, and gathering is part of reaping. Why then did the *Torah* mention them? To teach that only on these two *toladot* does one get lashes, while one does not receive lashes for performing any of the other *toladot*.

It appears that only four action are biblically prohibited – two as *avot* and two as *toladot*. This possibility seems to fit option (a), and that all the remaining prohibited work would be rabbinically prohibited.

Is there an additional *issur a'se* (prohibition inferred from a positive commandment) that relates to working the land during *shmittah*? There are two way to understand and *issur a'se*:

1. Other than adding an extra *mitzvat a'se*, the scope of the prohibition remains unchanged.

2. The *a'se* extends the scope of the prohibition.

If one assumes that the following *passuk*: שׁנִים תְזַרֵעַ שׂדֶךָ constitutes an *issur a'se*, one could assume that no additional activities become prohibited. In other words, those activities that have been prohibited due to negative commandment are once again prohibited due to the *a'se*. If however the *issur a'se* is learnt from תשmeta'na ונטשתחה, then it makes sense that it expands upon the base prohibition. *Rashi* explains that השבעית תשmeta'na refers to ploughing and planting, while ונטשתחה refers to fertilising and hoeing. From here it is clear that *Rashi* adds, as part of the *issur a'se*, activities that were not included by the original prohibition. The *Ramban* however argues that no additional activities are prohibition from this *passuk*.

In *Parashat Behar* one finds the concept of שבת לה. What is the significance of this concept? There are three possibilities:

1. The scope of the prohibition is unchanged, yet there is an additional *a'se*.
2. Quantitatively, the number of prohibited activities has increased. With respect to *Shabbat* and *Mo'ed*, the *Ramban* explains that “*Shabbaton*” constitutes a biblical prohibition against weekday activities. The *Chachamim* were consequently given the authority to decide exactly which activities would be prohibited. One can assume that according to the *Ramban* here the concept to שבתון לה would prohibit typical field work, which would also be left to the *Chachamim* to determine. Accordingly, fertilise and hoeing would not be prohibited as a result of ונטשתחה but rather by the *Chachamim* including them in the definition of שבת לה.
3. שבת לה adds an extra *kiyum* (fulfilment) of *Shabbaton*. By simply refraining from work, one fulfils the *mitzvah* of שבתון לה. A similar case is found in *Hilchot Yom Tov* (1:2):

Anyone who rest from *melechet avodah*... fulfils a *mitzvat a'se* as it says “*Shabbaton*”, in other words, rest!

Even though the *Rambam* does not explicitly write this by *shmittah* it makes sense that if one does refrains from any field work, he fulfils this positive command of *shvitah*.

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מ מסכת שבת היא dédiée à la mémoire de:

דב בן יוסף ע"ה

Revision Questions

שביעית א' – ג' – ב' – ח'

- How does one determine whether a field containing non-fruit bearing trees is defined as a *sde ilan*? Why is this important? (*א:ג – ב:ח*)
- Is the above definition used when there are ten or more trees in a *beit se'ah*? (*א:ד – ד:א*)
- Explain the debate between the *Tana Kama* and *R' Yishmael* regarding what is learnt from the following *passuk*: (*אי:ד – אי:ז*) **"ששת ימים תעבד וביום השביעי תשבת בחריש ומקצר"** (שמות ל"ז : כ"א)
- Can trees owned by different people combine to define the area as a *sde ilan*? (*אי:ה – ה:א*)
- When is the latest time that one can plough a field containing young trees?
- During this time how large an area is one allowed to plough?
- Does it make a difference how the trees are arranged? (*אי:ו – ו:א*)
- Which other vegetable combines with young trees to enable an entire *beit se'ah* to be ploughed? (*אי:ז – ז:א*)
- Explain the debate regarding the time period when a tree is defined as a young tree? (*אי:ט – ט:א*)
- What is the latest time *erev shvi'it* that one can:
 - Plough a field of grain? (*ב':אי – אי:ב*)
 - Fertilise their field?
 - Prune?
 - Water a field that does not get enough rain water? (*ב':ב – ב':ג*)
 - Remove stones? (*ב':ג – ג:ב*)
 - Water his trees?
 - Insulate or repair his trees? (*ב':ד – ד:ב*)
- Explain the debate regarding placing oil on unripe figs prior to, and after the *shmittah* year? (*ב':ח – ח:ב*)
- When is the latest time that one can plant a new tree prior to *shmittah*? (*ב':ו – ו:ב*)
- What is the law regard one that plants after this time? (*ב':ז – ז:ב*)
- What is exceptional about the grain listed in *mishnah 7* and why is this important for the laws of *ma'asrot* and *shmittah*? (*ב':ז – ז:ב*)
- What other foods are added to the above group by other *tana'im*? (*ב':ח – ח:ב*)

Local Shiurim

Sunday -Thursday

Between mincha &

ma'ariv

Mizrachi Shul

9:50pm (after ma'ariv)

Beit Midrash -

Naftali Herc

Friday & Shabbat

10 minutes before

mincha

Mizrachi Shul

Audio Shiurim on-line!

• 613.org/Mishnah.html

• www.shemayisrael.com/Mishnah/

DAF YOMI SIYUM

The Melbourne community will be celebrating the 11th completion of the entire Talmud learnt as part of the Daf Yomi (7½ year) program.

Sunday 27th February
At 7:00pm
Carlton Crest Hotel

Guest Speaker
Rabbi Noah Aizik Olbaum

For tickets and information:
email@siyum.info
mishnahyomit@hotmail.com

To add another mishnah yomit shiur send an email to:
mishnahyomit@hotmail.com

Next Week's Mishnahyot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
20 th Feb. <i>י"א אדר א'</i>	21 st Feb. <i>י"ב אדר א'</i>	22 nd Feb. <i>י"ג אדר א'</i>	23 rd Feb. <i>י"ד אדר א'</i>	24 th Feb. <i>ט"ו אדר א'</i>	25 th Feb. <i>ט"ז אדר א'</i>	26 th Feb. <i>י"ז אדר א'</i>
Shvi'it 2: 9-10	Shvi'it 3: 1-2	Shvi'it 3: 3-4	Shvi'it 3: 5-6	Shvi'it 3: 7-8	Shvi'it 3: 9-10	Shvi'it 4: 1-2

