



Volume 1. Issue 22.

The Sanctity of Shmittah Fruit

Fruit that grows during the *Shmittah* year have an added quality called *kedushat shvi'it*. The *Chachamim* learn this idea from the following *pasuk*:

”והייתה שבת הארץ לכם לאכלה”

They explain that during the *Shmittah* year the land is given to us for eating (”לאכלה”) and not for wasting. Consequently there is a prohibition against wasting the *shmittah* food. The fundamental details of this law are found in the *mishnayot* in the eight *perek* in connection to the prohibition against selling *shmittah* fruit or using them for medicinal purposes. This week, we however met some *mishnayot* that relate to this law:

1. *Perek 4, mishnayot 7-9* refer to the time after which one can eat *shmittah* fruit. Before that time the fruit are not ripe enough and it is considered as if one has wasted them.
2. *Perek 4, mishnah 10* refers to the prohibition against cutting down a fruit tree as it will effectively destroy the fruit which is on the tree.

What does it mean that the *shmittah* fruit have “*kedushah*”? Does it solely mean that there is a prohibition against wasting this fruit, or is there something special about these fruit? Most of the *Rishonim* explain the *kedushah* is expressed only in the prohibition against wasting it. The *Ramban* (on the *Sefer HaMitzvot*) however understands that there is a positive *mitzvah* to eat the *shmittah* fruit. Consequently when one eats *shmittah* fruit he fulfils a positive *mitzvah* due to the *kedushah* present in the fruit.

Support for the *Ramban's* opinion may be found in the *Yerushalmi* (8:2):

One is commanded to eat that which is edible excluding stale bread or vegetables or cooked food that has rotted.

The *Yerushalmi* writes that one is not obligated to eat food that has *kedushat shvi'it* but has been ruined. This implies that we are in fact obligated to eat *shmittah* fruit that is edible (see the *Megillat Esther* on the *Ramban*). According to the *Ramban* there are two ways to understand the nature of this *mitzvah*:

1. There is a *mitzvah* to find *shmittah* fruit and eat it, much like the obligation to eat *matzah* on *Pesach*.

2. The *mitzvah* does not obligate a person; rather it is connected to the object itself. If someone has *shmittah* fruit there is a *mitzvah* to eat it as apposed to waste it, yet one is not required to go out and find *shmittah* fruit if he has none.

In contrast to the *Ramban*, the *Rambam* does not count eating *shmittah* fruit as one of the 613 *mitzvot*. Their argument begins in understanding the *pasuk*:

”והייתה שבת הארץ לכם לאכלה”

Is this *pasuk* a commandment, or does it simply give us the permission to eat *shmittah* fruit? There are two ways to understand the debate between the *Rambam* and *Ramban*.

1. The first two *mitzvot* that the *Ramban* believes that the *Rambam* forgot to include, are the *mitzvot* of eating *bikurim* and *ma'aser sheni* in *Yerushalaim* and eating *trumah* in purity. Perhaps this is merely an extension of that debate. In other words, aside from including negative *mitzvot* that relate to the improper manner of eating something, the *Ramban* also includes the positive *mitzvah* when it is eaten in the proper manner. The *Rambam* on the other hand, only counts the negative *mitzvah*, while the proper manner of eating is implied rather than commanded.
2. The debate is specifically focused on the understanding of *kedushat shvi'it* (see the *Megillat Esther*). One can suggest that the *Ramban* understands that there are two elements to *Shmittah* – the prohibition against work and a special sanctity connected with the fruit. Just as *Shabbat* has both a prohibition against work and the positive *mitzvot* of *kavod ve'oneg*, *Shmittah* also has an extra dimension of *kedushah* on the fruit. The *Rambam* on the other hand, understands that the significance of *shmittah* is the renouncement of ownership of one's possessions. Consequently his fruit becomes ownerless and everyone must eat them simply because the fruit are forbidden for any other use. There is no inherent sanctity in the fruit, rather the *Torah* was concerned that everyone would eat the fruit so that the owners would understand the *Hashem* is the true owner of the land.

Ohad Fixler
[Ed. Trans.]

Revision Questions

שביעית ד' ג' – ה' ר'

- Can a person work on a field (as a *choker*) if the field is owned and was ploughed by a Jew during the *shmittah* year? (ד': ג')
- Does it make a difference if the field was owned and ploughed by a non-Jew? (ד': ג')
- What is the definition of *medel*? What is the definition of *machlik*? According to which opinion is there a halachic difference between *medel* and *machlik*? (ד': ד')
- What are the restrictions placed on the way one treats an olive or sycamore tree that has had some of its branches removed? (ד': ה')
- Explain the debate regarding the manner in which one can trim the branches of a vine. (ד': ו')
- What can one do in a case where a branch is cracked? (ד': ו')
- At what point can one eat the following fruit as a snack in the field and when can he collect them and take them home:
 - Figs? (ד': ז')
 - Grapes? (ד': ח')
 - Olives?
 - Any other fruit? (ד': ט')
- From when is it forbidden to cut down a fruit tree in the *shmittah* year? (Include both opinions.) (ד': י')
- From when is this prohibition lifted? (ד': י')
- Explain the debate regarding cutting down an olive during any other year. (ד': י')
- Which fruit has their *kedushat shvi'it* applying in a year other than the *shmittah* year? (ה': יא')
- *R' Yehudah* includes an additional fruit – what is it? (ה': יא')
- What restrictions are place on one who stores his *lof* underground? (ה': יב')
- Explain the debate regarding *lof* that was planted in the sixth year, and grew throughout the *shmittah* year into the eighth year. What is the point that stands behind this debate? (ה': יג')
- Explain the debate regarding the manner in which one can remove vegetables that were stored in the ground in the sixth year, during the *shmittah* year. (ה': יד')
- Explain the debate regarding when in the eighth year one can remove *lof* that was stored underground. (ה': ה')
- What field tools can be sold during the *shmittah* year and what tools are forbidden to be sold? (ה': ו')

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

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Next Week's Mishnahyot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
6 th Mar. כ"ה אדר א'	7 th Mar. כ"ו אדר א'	8 th Mar. כ"ז אדר א'	9 th Mar. כ"ח אדר א'	10 th Mar. כ"ט אדר א'	11 th Mar. ל' אדר א' ראש חודש	12 th Mar. א' אדר ב' ראש חודש
Shvi'it 5: 7-8	Shvi'it 5:9-6:1	Shvi'it 6: 2-3	Shvi'it 6: 4-5	Shvi'it 6:6-7:1	Shvi'it 7: 2-3	Shvi'it 7: 4-5

