



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Moed Katan Daf Gimmel

- **Q:** Is it accurate that one is not chayuv for doing one of the toldos on shmitta (as the Gemara had just suggested)? We have a Braisa that darshens the pesukim to teach that all toldos that can be done to a vineyard and to a field are assur to do during shmitta!? **A:** They are only assur D'Rabanan, and the drasha of the pasuk is an "asmachta", but not a true drasha.
 - **Q:** The Braisa said that hoeing under an olive tree is mutar in shmitta. However, we have a drasha on the pasuk of "v'hashvi'is tishmitena u'nitashta" that teaches that such hoeing is assur!? **A: R' Ukva bar Chama** said, there are 2 types of hoeing: one removes earth from around the tree (which is assur on shmitta), and the other fills the holes around the tree with dirt (that is mutar).
- Regarding one who plows during shmitta, there is a machlokes between **R' Yochanan** and **R' Elazar**: one says he would get malkus, and the other says that he would not get malkus.
 - **Q:** Maybe we can say that they argue regarding the statement of **R' Avin in the name of R' Illa**, who said that when we have a "klal uprat uklal" (which we normally say comes to include anything similar to the generalization, into the generalization) where the klal is an "assei" and the prat is a "lo saasei" (like by shmitta where the pasuk first generalizes that the land should be left to rest (an assei) and then specifies that sowing and pruning may not be done (a lo saasei) and then again generalizes with an assei that the land should be left to rest) is not to be darshened as a klal uprat uklal, and should instead be darshened as a klal uprat, which is darshened to only include the items specified into the overall generalization (which would mean that on shmitta the land must only rest from sowing and pruning, but all else would be mutar). Maybe the one who says that there is malkus argues and says that we would darshen a klal uprat uklal, and therefore all melachos are included in the malkus penalty, whereas the one who says there is no malkus holds that we only darshen the klal uprat, and therefore only sowing and pruning are included in the malkus penalty? **A:** It may be that they all don't hold of the statement of **R' Illa**. The one who says that only these toldos get malkus is because the pasuk makes unnecessary mention of the toldos of pruning and picking to teach that those are the only toldos for which one would receive malkus.
 - **Q:** We find a Braisa that says that one is chayuv for all melachos that can be done to a vineyard and a field!? **A:** That is only D'Rabanan.
 - When **R' Dimi** came from Eretz Yisrael, he said that he heard a Braisa that said, "One might think that one would be chayuv malkus for the extension...", and the Braisa then went on to say that we learn that there is no malkus liability there. However, **R' Dimi** did not remember what the teaching was, or what the "extension" meant.
 - **R' Elazar** said, that the "extension" refers to plowing on shmitta, and the teaching that taught that there is no malkus was the fact that if all toldos carry the malkus penalty, there would be no need for the pasuk to have specified a number of them as carrying the malkus penalty.
 - **R' Yochanan** said, that the "extension" refers to the days that the **Chachomim** added on to the work prohibition before the shmitta year begins, and the teaching that taught that there is no malkus, is based on the Gemara that follows.
 - **Q:** Where do we find that there is a prohibition of work on the days before Rosh Hashanah of shmitta? **A:** A Mishna says that there is a machlokes between **B"S**

and **B”H** with regard to how long before Rosh Hashanah the work prohibition applies for work for the trees (but all agree that there is some time before Rosh Hashanah where the prohibition does apply). The Mishna then brings a machlokes between the **T”K** and **R’ Shimon** with regard to how long before Rosh Hashanah the work prohibition applies for work on the grain fields.

- It was said in the name of **Bar Kappara** that **R’ Gamliel** and his Beis Din nullified these 2 work prohibitions prior to Rosh Hashanah (the one for the trees and the one for the grain fields).
- **Q: R’ Zeira** asked **R’ Avahu**, how could **R’ Gamliel** nullify a Halacha put in place by **B”S** and **B”H**? We have learned that a later Beis Din may not nullify the decision of an earlier Beis Din unless they are greater in wisdom and in number!? **A:** He was first quiet, and then said, we must say that **B”S** and **B”H** initially instituted that their decision may be overturned by a later Beis Din.
- **Q:** We find that this Halacha is a Halacha L’Moshe MiSinai, and *not* from **B”S** and **B”H**, so how could it be nullified!? **A: R’ Yitzchak** said, the Halacha L’Moshe MiSinai only prohibited the work for 30 days before Rosh Hashanah, and **B”S** and **B”H** came along and added time before that as well, and they immediately stipulated that their enactment may be nullified (and only their added time was nullified by **R’ Gamliel**).
- **Q: R’ Akiva** in a Mishna learns the 30 day prohibition based on pesukim, which would mean that the time before that is the Halacha L’Moshe MiSinai, and not from **B”S** and **B”H**!? **A: R’ Nachman bar Yitzchak** said, the Halacha L’Moshe MiSinai allowed the plowing around a young tree in the period before shmitta, whereas the pasuk was stated to prohibit the plowing of a mature tree during that 30 day period. **B”S** and **B”H** then added to that time, but allowed for their enactment to be annulled.
 - **Q:** If the Halacha L’Moshe MiSinai permits the plowing for young trees, wouldn’t that automatically teach that plowing for older trees is prohibited? If so, why is the pasuk needed!? **A:** We must say that **R’ Akiva** learns the 30 day prohibition from the pasuk, and **R’ Yishmael** (who argues on **R’ Akiva**) learns it from the Halacha L’Moshe MiSinai. The added time before that was enacted by **B”S** and **B”H**, and they allowed for their enactment to be nullified.
- **R’ Yochanan** said that **R’ Gamliel** nullified even the D’Oraisa Halacha, based on a gezeirah shava of shmitta to Shabbos, which teaches that just as Shabbos is only assur on the day itself, shmitta is also only assur during the year itself.
 - **Q: R’ Ashi** asked, how could we say that a gezeirah shava could override a pasuk, or even a Halacha L’Moshe MiSinai!? **A:** We must say that **R’ Gamliel** held that the prohibition is based on a Halacha L’Moshe MiSinai, but that only applies while the Beis Hamikdash is in existence. That was the reason that he said that it no longer applies today.