



Volume 1. Issue 15.

Kil'ei HaKerem

The *Mishna* in *Messechet Kilayim* (1:9) states: Planting wheat and barley seeds together (simultaneously) - this (act) constitutes *kilayim*. *Rabbi Yehudah* says - it is not *kilayim*, unless two seeds of wheat are planted together with barley, **or** two seeds of barley planted together with wheat, **or** there is wheat, barley and grapeseed planted simultaneously.

There is an incident that occurs in the *Gemara* (*Kiddushin* 39a) that mentions this law:

Rav Chanan and *Rav Anan* were walking along a road... they saw (another) man sowing wheat and barley among grapevines. *Rav Anan* said to *Rav Chanan*- "Come Master, excommunicate him (for violating the laws of *Kilayim*)¹." *Rav Chanan* replied "You are not enlightened (educated) - do we not hold like *R' Yoshiya* who states (that one is not *chayav*) ...until he plants wheat, barley and grapeseed simultaneously?"

In this *Gemara*, *R' Yoshiya* holds that the biblical prohibition of planting *kilayim* in a vineyard - *kil'ei hakerem* - in *Eretz Yisrael* refers specifically to the simultaneous planting of a grapeseed and two other species of seed in the same place (as in our *Mishna*). Therefore this person described in the *Gemara* who planted wheat and barley seeds near existing grapevines was not in violation of the laws of *kil'ei hakerem*, and this is the reason for *R' Chanan's* harsh answer to *Rav Anan* in the *Gemara*.

The ruling in this case is also brought by the *Rambam*, when he explains that the *Issur* of *kil'ei hakerem* only applies when two seeds are planted simultaneously with grapeseed, whereas planting one seed (of grain)

with a grape seed would be permissible. The *Rambam* in *Hilchot Kilayim* (1:6) states:

"It is permissible to plant a seed (eg. wheat or barley) and a seed of a tree or vine together".

Since the *Rambam* does not distinguish between a seed of a tree and a vine (grapeseed) it appears that it is permissible.

This form of *kilayim* only occurs in a case where two seeds and a grapeseed are planted together- in such a case one would be in violation of the prohibition of *kil'ei hakerem*. However, if only one seed was planted with a grapeseed one would not be in violation of this prohibition.

The reason behind this is because of the *pasuk* in *Devarim* (22:9) which states: "And your vineyard should not be sowed with *kilayim*". Some *Tannaim* interpret this *pasuk* to mean, that there should not be *kilayim* (i.e. two seeds) that are mixed with the vineyard (grapeseed). Therefore, if there was only one seed that was planted with the grapeseed, that would not be *kil'ei hakerem* in accordance with the interpretation of the *pasuk*, and one would not have transgressed the prohibition of *kilayim*.

This explains why one would not be *chayav* in *kil'ei hakerem*, however, there is also a prohibition of *kil'ei zeraim* (mixing of seeds). Why would one not be *chayav* for mixing the seed of a tree or vine (i.e. grapeseed) with a seed of another species?

The *Rambam* answers that it is permitted to mix seeds of different trees together. According to the *Rambam*, a tree is not considered with other grains and does not come under the prohibition of *kil'ei zeraim*, and therefore it is permissible to mix a seed of a tree (seeming to include even a grapeseed) with a grain seed.

Yehuda Gottlieb

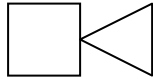
1 Ed. note: This incident occurred outside Israel. One must be aware that in *chutz la'aretz*, there is no prohibition of *kil'ei zeraim* but there is a rabbinic prohibition of *kil'ei hakerem* which mirrors the biblical

prohibition of *kil'ei hakerem* in Israel. Consequently, *kilei hakerem* is the only issue addressed in the story and *Rav Anan* wanted to excommunicate the farmer for transgressing this rabbinic prohibition.

Revision Questions

כלאים ב' א' – ג' :

- At what ratio of two grains that ordinarily cannot be planted together, does the prohibition of kilayim not become an issue? (ב' א')
- Explain the debate regarding what one can do if the above permissible proportion is not met. (ב' א')
- Does the above described measure hold for a mixture of more than two types of grain? (ב' א')
- Does the above described measure hold for a mixture including garden seeds? (ב' ב')
- What should someone do if they have initially planted wheat seeds and wants to now grow barley? What if the wheat had already begun to grow? (ב' ג')
- How does one go about converting a vineyard to a field producing grain? (ב' ד')
- What is different about the way we treat *kanbus* and *lof* with regards to *kilayim*? (ב' ה')
- What distance must a farmer leave between strips of different produce to avoid the problem of *kilayim*? (ב' ו')
- Is it permissible to have the following field formation of two different types of grain? (ב' ז')



- If someone has a wheat field, and his neighbour has a barley field, can he plant a barley field in between their two fields? (ב' ז')
- If both he and his neighbour had wheat fields, can he plant a strip of anything in between the two fields? Why? (ב' ז')
- Is there a difference if both fields contain the same vegetables? (ב' ח')
- What things divide a field such that different seeds can be planted on either side without a concern for *kilayim*? (ב' ח')
- How does one go about planting a field “like patchwork”? Explain the debate regarding planting multiple patches of the same seed. (ב' ט')
- Are the following things included when measuring out the space when creating a patchwork field: Graves? Holes? Rocks? (ב' י')
- How much space must one leave between: (ב' י')

 - Two different fields of grain?
 - Two different vegetable fields?
 - A vegetable and grain field?

- Is it a problem if someone plants two different grains, with the required spacing in between to the different regions, yet the produce grew (bent) and overlapped each other? (ב' י"א)
- What is a maximum number of difference vegetable patches that can be planted in an area: (א' ג')

 - 6 *amot* by 6 *amot*?
 - 8 *amot* by 8 *amot*?

- Does the above ruling also apply for grain? (ב' יב')
- What must someone do if they planted the maximum number for different vegetables in the 8 by 8 area and the patch reduced in size? (ב' יג')
- How much space must be left between two regions of different vegetables? (ב' יד')

Local Shiurim

Sunday -Thursday
Between mincha & ma'ariv
Mizrachi Shul
David Bankier

9:50pm (after ma'ariv)
Beit Midrash -
Naftali Herc
Yehuda Gottlieb

Friday & Shabbat
10 minutes before mincha
Mizrachi Shul

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
16 th Jan. ו' שבט	17 th Jan. ז' שבט	18 th Jan. ח' שבט	19 th Jan. ט' שבט	20 th Jan. י' שבט	21 st Jan. י"א שבט	22 nd Jan. י"ב שבט
Kilayim 3: 4-5	Kilayim 3: 6-7	Kilayim 4: 1-2	Kilayim 4: 3-4	Kilayim 4: 5-6	Kilayim 4: 7-8	Kilayim 4:9-5:1

