



Kilayim in the heart of the kerem

The *Mishnah* in *Kilayim* (5:5) says:

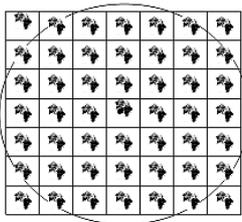
“If someone plants a vegetable in a vineyard or [sees it growing and] leaves it, 45 vines around the vegetable become prohibited. When is this so, if the vines are planted either 4 *amot* (cubits) apart or 5 *amot* apart. However if they were planted 6 *amot* apart or 7 *amot* apart then only the vines that are within a radius of 16 *amot* become prohibited. We consider a circle and we do not square off [the area].”

The reason that we take a radius of 16 *amot* from the vegetable is because 16 *amot* is the maximum amount of space that you can have between vines in a vineyard and still say that the vines form a vineyard. If the space between the vines is greater than this then they are considered as individual vines. As the *Mishnah* (4:9) says:

“If someone plants his vineyard with a spacing of more than 16 *amot* he is allowed to plant other seeds in between.”

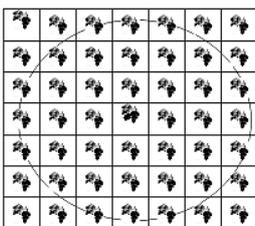
Subsequently any vine that is growing within 16 *amot* of the vegetable is considered to be growing together with the vegetable and is prohibited.

In a case where the vines are planted 4 *amot* apart the *Mishnah* is simple to understand. Consider the following diagram:



You have 49 vines in a grid of 7 × 7. Each vine is four *amot* apart. There is a vegetable growing in the centre of the grid and a circle of 16 *amot* radius is drawn around the vegetable. The circle includes all the vines except the 4 corner ones, 49 – 4 = 45.

The *Mishnah* is more difficult to understand in the case where the vines are planted 5 *amot* apart as in the following diagram:



In this case there are three vines at every corner that are not included in the 16 *amah* line. 49 – (3×4) = 37. Only 37 vines should become prohibited, why does the *Mishnah* say that 45 become *assur*?

The *Rambam* answers this question by explaining that not only do vines that are within the circle become *assur* but also any vine that is within 4 *amot* of the circle becomes *assur*. This is because the area around each vine is cultivated for 4 *amot* in order for the vine to grow properly. If the circle intercepts the 4 *amah* area around the vine then the vine is considered to be growing together with the vegetable and becomes *assur*. Therefore effectively you have to consider a circle with a 20 *amah* radius. This includes all the vines in the grid except for the four corners, giving you 45 vines.

The *Rambam* is difficult to understand. If you always extend the 16 *amah* circle by 4 *amot*, because you are concerned not only about the vines that are within the circle but also about the vines that are within 4 *amot* of the circle, then why does this not also apply in the case of the vineyard that is planted at a spacing of 4 *amot*? Why do you not even consider vines that are exactly on the perimeter of the circle? Because of this question the *Rambam*'s explanation of the *Mishnah* is rejected by the *Kesef Mishnah* and the *Rosh*.

I would like to suggest the following answer:

If a vineyard is planted at a spacing of 4 *amot* then the vines are not considered independently. They do not have individual significance. Each vine is considered only as a part of the overall vineyard. This is for two reasons.

1. Each vine shares its 4 *amot* (*kedei avodat hakerem*) with a number of other vines.
2. 4 *amot* was the typical spacing for a vineyard.

Therefore when you draw the circle around the vegetable that is growing in the centre of the vineyard, the circle is drawn precisely, cutting a swathe through the vineyard. Any vine that falls within the circle is prohibited because this area of the vineyard becomes a prohibited *kilayim* area. Any vine that is outside of the area is not within the problematic area of the vineyard and is permitted.

If, however, the vines are planted at a spacing of 5 *amot*, each vine has its own individual cultivated area surrounding it. Therefore each vine is considered individually to see whether it is within the 16 *amah* proximity of the vegetable. If the vegetable is within 16 *amot* of the vine's individually cultivated space, then the vine is considered to be growing together with the vegetable and is *assur* because of *kilayim*.

Pinchos Chalk

Revision Questions

כלאים ה' ב' - ו' ז'

- What is the minimum spacing between rows of vines such that the area can be defined as a vineyard? (ה' ב')
- Can grain be planted in a hole in the vineyard that is used for pressing wine? (ה' ג')
- When can a watchmen's hut in a vineyard not be used for planting grain? (ה' ג')
- How can one plant a single vine and grain within the same ditch? (ה' ד')
- Can one plant produce inside a house surrounded by vines? (ה' ד')
- How many vines are made *assur* if a vegetable is planted in the centre of vineyard, whose spacing between each of the vines is: (ה' ה')
 - 4 *amot*?
 - 5 *amot*?
 - 6 *amot*?
 - 7 *amot*?
- If someone finds a vegetable growing in his vineyard, does he need to remove it immediately? If not, when does leaving it become problematic? (ה' ו')
- What are the four cases the *Mishnah* lists of unintentional planting and why is this important? (ה' ז')
- Is one allowed to leave thorns growing in his vineyard? (ה' ח')
- Explain what is meant by the term *aris*? How much space must be left from vines planted in this manner, and from where is the spacing measured? (ה' ט')
- If the side of a mountain is divided in to levels (like a staircase) and an *aris* is constructed on one of the levels, how much space must be left between that vine and produce that will be planted on the next level? (ה' י')
- Do two rows of vines planted on bordering levels combined to define the area as a vineyard? (ה' יב')
- If someone is growing vines on a lattice frame, can they plant other produce under the frame that is not yet covered by the vine? What is the law if someone does plant grain that that area? (ה' יג')
- Does that same ruling (as the previous question) apply if the person uses a fruit tree in place of the lattice frame? (ה' יד')
- What is the ruling (with respect to the previous question) if a person used a non-fruit bearing tree in place of the lattice frame? (Explain the debate regarding what is considered an *ilan s'rak* with respect to this law.) (ה' טו')
- How large must a breach be in an *aris* such that grain can be planted in the gap? (ה' טז')
- Explain what is meant by the *mishnah* when it says the following:
 "עריס שהוא יוצא מן הכותל מתוך הקרן וכלה"
 And what is the ruling in such as case? (Note different opinions in the *Rishonim*) (ה' יז')

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/Mishna/

MISSING THE HANDOUTS?

Different **pictorial aids** have been produced and are continually being generated to help with learning the *Mishnahyot*. If you are missing any or would like to receive them in the future send an email to 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
30 th Jan. כ' שבט	31 st Jan. כ"א שבט	1 st Feb. כ"ב שבט	2 nd Feb. כ"ג שבט	3 rd Feb. כ"ד שבט	4 th Feb. כ"ה שבט	5 th Feb. כ"ו שבט
Kilayim 6: 8-9	Kilayim 7: 1-2	Kilayim 7: 3-4	Kilayim 7:5-6	Kilayim 7: 7-8	Kilayim 8: 1-2	Kilayim 8:3-4

