



Unwanted Mixtures

The *Mishnah* (2:5) lists three cases where there are mixtures of different species growing together, yet one is not obligated to weed out the foreign species. The first case is where the after growth of woad presents itself in a field of produce. The second is where there are many different species growing in the area used for threshing. The final case is where *tzemachim* (several species) begin to grow amongst *tiltan* (fenugreek). We shall try to understand the leniency in these cases.

The *Bartunera* explains that the *Chachamim* did not require their removal since ultimately they will be removed anyway. The woad and *tzemachim* are damaging and the threshing floor will need to be cleared to create a hard surface. The *Tosfot Yom Tov* notes that this is also the opinion of *Rashi* (*Bava Kama* 81a).

The *Tosfot Yom Tov* however cites the *Tosfot* who find this explanation difficult. Firstly, when the *Mishnah* states that we do not obligate the farmer to uproot the other species, it implies that if it is left there indefinitely, there is no *issur hana'ah*¹. Furthermore, we will learn (5:6) that if one sees a vegetable that has grown in his vineyard without his knowledge, he can say, when I reach that point I will remove it. Since he has not delayed unnecessarily and expressed his intent to removed it, even if it grows a further two-hundredth in size, it is permitted. If however he says that he will come back to it later, if it grows that small amount it is prohibited. He has expressed a level of *yiush* and has therefore maintained *kilayim* in his field – the issue of *makayem kilayim*. The *Tosfot* therefore asks that in this case as well, if the owner neglected cleaning the area it should surely become *assur* as he has maintained *kilayim*.

Citing the *Ri*, the *Tosfot* explains that he is not obligated to intervene since even if the other species were left, there would be no issue of *kilayim*. Firstly, he did not plant them these other species. Secondly, even though there is a prohibition of maintaining *kilayim* in one's field, it would not apply since the secondary species are detrimental.

The *Chazon Ish* explains that the *Tosfot* does not mean that since it is detrimental it is not considered *mekayem kilayim*. Yet, if he did an overt action, like watering the mixture then it would be a problem. Instead, the *Ri* means that since the mixture is detrimental, it is not considered *kilayim* at all. Consequently, one would even be allowed to water the area.²

Perhaps this distinction helps us then to understand the position of *Rashi*. We may suggest that from *Rashi's* perspective, this issue is being *mekayem kilayim*. In the later *Mishnah*, when the mixed area was not detrimental, a deliberate delay was tantamount to being *mekayem*. In this case however, according to *Rashi*, since it is clear the owner wants to remove it, there is no urgency in forcing him to do so as any delay will not be perceived as being *mekayem*. Indeed, in defending this position against the question of the *Tosfot*, the *Rashba* also differentiates between the two *Mishnayot*. He explains that in the later *Mishnah*, if the owner delays, there is a real concern the he will be lazy and neglect in doing so. In our case however, the owner would be eager to remove *tzemachim* in order that it not damage his *tiltan*. Again, it appears that he understands that the issue is being *mekayem kilayim*. Following the explanation of the *Chazon Ish*, according to this line of reasoning, an overt action to maintain the mixture (e.g. watering the area) would be prohibited.

Yisrael Bankier

¹ *Issur hana'ah* means that the mixture become prohibited and one may not gain any benefit from the mixture.

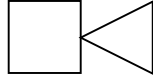
The *Tosfot Yom Tov* explains that the *Tosfot* must be holding like the position of the *Rashbam* since according to other opinions, it only *kilei kerem* (in a vineyard) and not *kilei zera'im* that become *assur be'hana'ah*. The *Rashash* argues that the *Tosfot* rejects the *Rashbam's* position and there is no *issur hana'ah* on *kilei zera'im*. Therefore, the *Rashash* explains that the *Tosfot* should not be read as “*ein issur be'hanaato*”, but rather “*ein issur be'hanachto*”. In other words, *Tosfot's* question is that the *Mishnah* implies that there is no prohibition in leaving the mixture there indefinitely, while *Rashi* understands that there is.

² The *Chazon Ish* then addresses the cases where one planted *kilayim* but then regretted doing so. He asks whether it is still considered *kilayim*, impacting on the question of whether the area can be watered. He answers that since it was intentionally planted as *kilayim* its status as *kilayim* persists.

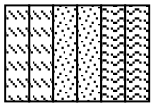
Revision Questions

כלאים ב' ג' – ג' ה'

- 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? (ד')
- What is different about the way we treat *kanbus* and *lof* with regards to *kilayim*? (ה' ב')
- What distance must a farmer leave between strips of different produce to avoid the problem of *kilayim*? (ו' ב')
- Is it permissible to have the following field formation of two different types of grain? (ז' ב')



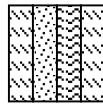
- If someone has a wheat field, and his neighbour has a barley field, can he plant a barley field in between their two fields? (ז' ב')
- If both he and his neighbour had wheat fields, can he plant a strip of anything in between the two fields? Why? (ח' ב')
- Is there a difference if both fields contain the same vegetables? (ח' ב')
- What things divide a field such that different seeds can be planted on either side without a concern for *kilayim*? (ח' ב')
- How does one go about planting a field “like patchwork”? Explain the debate regarding planting multiple patches of the same seed. (ט' ב')
- Are the following things included when measuring out the space when creating a patchwork field: Graves? Holes? Rocks? (י' ב')
- How much space must one leave between: (י' ב')
 - 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? (יא' ב')
- What is a maximum number of difference vegetable patches that can be planted in an area: (יא' ב')
 - 6 *amot* by 6 *amot*?
 - 8 *amot* by 8 *amot*?
- Does the above ruling also apply for grain? (יב' ג')
- 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? (יב' ב')
- How much space must be left between two regions of different vegetables? (יג' ג')
- Which of the following field structures is permissible/forbidden? (יד' ג')



(a)



(b)



(c)

- In what situation can two different species be planted in the same hole without any space separating them? (יד' ה')

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SHIUR

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
10 July ד' תמוז	11 July ה' תמוז	12 July ו' תמוז	13 July ז' תמוז	14 July ח' תמוז	15 July ט' תמוז	16 July י' תמוז
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	Kilayim 5:2-3

