11.1.2

3a (איתמר החורש) $\rightarrow 4b$ (איתמר החורש)

1. שַׁשֶׁת יָמִים תַּעֲבֹד וּבַיּוֹם הַשְּׁבִיעִי תִּשְׁבֹ**ת בֶּחָרִישׁ וּבַקּצִיר תִּשְׁבֹּת:** שְּמוּת לד, כא 2. וּבַשֶּׁנָה הַשְּׁבִיעַת שַׁבָּת שַׁבָּתוֹן יִהְיֶה לָאֶרֶץ שַׁבָּת לַה' שָׁדְּד לֹא **תִּזְרֶע** וְבַרְמְדְּ לֹא **תִּזְמר:** ו*יקרא כה:ג* 3. אֵת סְפִיחַ קְצִירְדְּ לֹא **תִקְצוֹר** וְאֶת עִנְּבֵי וְזִירֶךְ לֹא **תִבְצֹר** שְׁנַת שַׁבְּתוֹן יִהְיֶה לָאֶרֶץ: *ייִקרא כה:ד*

- I. Liability for plowing during שמיטה dispute between ר' יוחנן ור' אלעזר re: receiving מלקות
 - a. Suggestion1: dispute re: accepting ר' אילעא rule about כלל ופרט:
 - 1. When: the כלל ופרט לאו and the (פרט(ים) as a cdt ופרט לאו doesn't apply
 - 2. If: we accept this ruling "plowing" is not included via כלל ופרט וכלל
 - 3. Rejection: no one accepts ר' אילעא's rule
 - b. Suggestion2: dispute as per רבא's suggestion above
 - 1. Explicit: mention of זימור, בצירה exclude all other תולדות
 - 2. Challenge: from ברייתא which includes many other activities
 - i. Defense: as per earlier דרבנן and דרשה is an אסמכתא
 - c. מלקות for neport: "I might have thought that there is חוספת for neport: "I might have thought that there is חוספת and we rule for exemption" (?)
 - 1. בלל ופרט based on יזריעה וקצירה ("addition" to מלקות על חרישה 'סד"א 'ד"א 'ד"א ("
 - i. קמ"ל the תורה explicated 2 תולדות to exclude all others
 - 2. מלקות :סד"א א 'ד' יוחנן for working land during תוספת שביעית (v1)
 - i. קמ"ל no מלקות, following שבת::שבת of שבת::שבת
 - 1. Just as: שבת carries no punishment for work before and after, so too שמיטה
 - d. מה"ת מוספת שביעית is 30 days before ה"ה
 - 1. למ"מ :*ר' ישמעאל* (like ערבה וניסוך המים)
 - 2. **ד"ע** from v1
 - e. Additional שנישו is nearly the same time as ב"ם) orchards from שבועות, fields from פסח
 - 1. Later development: בית דין and his בית דין annulled
 - i. Opinion1: annulled later גזירה and restored to דין תורה
 - 1. Conclusion: ב"ה וב"ש must have enacted decree with "escape clause"
 - ii. Opinion2: annulled **all** of תוספת
 - 1. שבת::שבת fo נז"ש to annul
 - 2. Challenge (ר' אשי): how can they uproot פסוקים or הלמ"מ with גז"ש with הלמ"מ
 - 3. Rather: the הלמ"מ was only in effect during זמן המקדש
- II. Analysis of 2nd clause of משנה prohibition of using rainwater and cistern water
 - a. Cistern water: due to labor-intensivity
 - ס. Rainwater: precaution against cistern water (ר' יוחנן)
 - i. ד' אשי if it runs out, will need (and draw) cistern water
 - ii. Dispute: whether to accept יר' זירא permission to use irrigation trenches running off of pools
 - 1. He explains: that in בבל, such trenches are like running rivers
 - c. Pools: that have filled before יח"ט may only draw water from them on מועד if fed from spring
 - i. ד' פפא as long as the field could be watered at once
 - ii. אשי: even if needs several stages to water
 - d. Pools: that fill from other fields may use, if the inflow is constant
 - i. May not: bring water up (terraced vegetable beds) even within one bed
 - ii. Permitted: to water vegetables in order to eat them on מועד
 - iii. Apparent rejection: of רבה תוספאה's read of "מדלין"