

## One who bends a grapevine

(שייך לע"ב) **המבריק<sup>1</sup> את הגפן -**

### Overview

The גמרא cites a משנה that if one is מבריק a גפן in the ground,<sup>2</sup> one may not plant seeds directly on top of the buried vine unless it is buried three טפחים or more. The ברייתא states that one may plant seeds at the sides of the buried vine. תוספות clarifies and explains these rules.

פירוש<sup>3</sup> גפן יחידי שהוא מושרש בארץ וכופף את הגפן באמצעיתו -

The explanation of המבריק את הגפן is that we are discussing a single grapevine which is rooted in the ground, and he bends one of the vines in the middle -

ומכסהו בקרקע ונושרש שם -

And covers this vine with earth, and it takes root there -

וקאמר מותר לזרוע את הצדדין -

And the ברייתא rules that it is permitted to seed on the sides of this covered vine -

דאף על גב שאינו רחוק שלשה טפחים ויונק עם הגפן מתחת הקרקע<sup>5</sup> -

For even though that it is not distanced three טפחים from the covered vine and so it nourishes together with the vine underneath the ground, nevertheless -

כיון דמעל הקרקע ליכא עירבוביא שרי כדמוכח בעירובין (דף צג,א) ובמסכת כלאים (פרק ד') -

Since aboveground there is no mixing,<sup>6</sup> it is permitted, as is evident from the גמרות in מסכת עירובין and מסכת כלאים, where it states -

דזה סומך לגדר מכאן וזה מכאן<sup>7</sup> -

This one (בעל הגפן) may plant close to the fence from this side, and the other one (בעל הזרעים) may plant close to the fence from his side

תוספות asks:

ואם תאמר והיכי דמי שזרוע לצדדין -

<sup>1</sup> This גמרא references the עמוד ב' on the גמרא.

<sup>2</sup> The process of הברכה is that one takes one of the (attached) vines (from a grapevine) and buries part of it in the ground (enabling it to take root) and allows the other (unattached) end of the vine to remain above ground as a new grapevine.

<sup>3</sup> See also המבריק ד"ה רש"י. See 'Thinking it over'.

<sup>4</sup> The branches (vines) of a grapevine are very pliable and can be bent without breaking them.

<sup>5</sup> Plants can nourish from the same earth if they are within three טפחים of each other. This should seemingly be considered כלאים.

<sup>6</sup> He is not planting within three טפחים of the protruding vines aboveground. We do not see two different species growing next to each other.

<sup>7</sup> They may plant right up to the fence, even though they are within three טפחים of each other and they will be יונק from the same קרקע underground, nevertheless it is permitted since the fence prevents עירבוביא.

**And if you will say; but how is this case where he is seeding on the side -**

**אי כשהרחיק ג' טפחים מן הצדדין אפילו על גביו נמי ואי בלא הרחיק מן הצדדין נמי לא -**

**If he distanced himself three טפחים from the sides of the protruding vine,<sup>8</sup> he should be permitted to seed even on top of the buried vine, and if he did not distance three טפחים from the protruding vine he should not be permitted to seed even on the sides of the buried vine<sup>9</sup> -**

answers: תוספות

**ואומר רבינו יצחק דמייירי כשזרע הצדדין ברחוק ג' טפחים מגפן היוצא מן הקרקע מכל צד -**

**And the ר"י answered that this is a case where he planted on the sides of the buried vine at a distance of three טפחים on all sides<sup>10</sup> from the vine which protrudes from the ground -**

**דליכא ערבוביא למעלה מן הקרקע -**

**So there is no mixture above ground -**

**ומכל מקום אסור לזרוע על גביו מפני שהשרשין נכנסין בתוך הגפן -**

**But nevertheless it is forbidden to plant directly on top of the buried vine because the roots of the plant will enter into the buried vine, and even though it is not כלאים -**

**והוי כמרכיב זרעים באילן דאסור<sup>11</sup> -**

**But it is like grafting plants into a tree which is forbidden.**

asks: תוספות

**ואם תאמר ומאי איריא דנקט גפן אפילו שאר אילן נמי אסור<sup>12</sup> -**

**And if you will say; so why does the משנה mention גפן specifically, since the issue is הרכבה, so even by other trees it is also אסור?!**

answers: תוספות

**ואומר רבינו יצחק דשאר אילנות שהן קשין מותר לזרוע על גביו כנגד השורש -**

**And the ר"י says that other trees which their trunk and roots are hard, it is**

<sup>8</sup> Let us assume that the vine is buried for a length of ten טפחים. The two protruding vines (the one end attached to the original vine and the other unattached vine) are ten טפחים distance from each other. He should then be permitted to seed on top of the middle four טפחים of the buried vine, since he is (at least) three טפחים distance from either protruding vine.

<sup>9</sup> From what was said until now it is apparent that we are not concerned for יניקה underground, only for ערבוביא above ground. Therefore all that matters is that he distance himself three טפחים from the protruding vines and then he should be able to plant even on top of the buried vine, for there is no issue with יניקה.

<sup>10</sup> There is no seeding being done within a radius of three טפחים from the protruding vine on all sides.

<sup>11</sup> See את חקתי תשמרו שדך וגו' (ויקרא [קדושים] יט,ט in) פסוק where שמואל derives it from the קידושין לט,א.

<sup>12</sup> is by כלאים, however the איסור הרכבה is by any tree.

**permitted to plant on top of it even directly on the root -**

**דלא חיישינן שיכנס שורש הזרע בתוך האילן שהוא קשה -**

**For we are not concerned that the root of the plant will enter into the root of the tree and be considered grafting (הרכבה), since it is hard** and it cannot penetrate -

**אבל גפן שהוא רך חיישינן והאי (פירוקא<sup>13</sup>) מצא רבינו יצחק בירושלמי<sup>14</sup> בגמרא דהך משנה:**

**However by a גפן which is soft we are concerned** that the root of the seed will penetrate into the root of the גפן and it will be הרכבה. **And the ר"י found this answer in משנה of this גמרא on תלמוד ירושלמי.**

### **Summary**

By a lone grapevine there is no concern of יניקה, only for ערבוביא. There is a concern for הרכבה from seeds by a גפן since its vines and roots are soft.

### **Thinking it over**

<sup>15</sup>Do תוספות and רש"י agree here, or is there a מחלוקת here between רש"י and תוספות?

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<sup>13</sup> A marginal note indicates that other text read this 'פירכא' (not פירוקא). See footnote # 14.

<sup>14</sup> (משנה ז' ה"א). The ירושלמי there asks basically the same question as תוספות (that will explain the פירכא of גירסא [see footnote # 13]), and gives (somewhat) the same answer (although not that explicitly), עיי"ש.

<sup>15</sup> See מראה עוזר.