

TALMUDIC METHODOLOGY
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Shiur #25: Defining the *Melakha* of *Zorei'a*

The first of the 39 *melakhot* of Shabbat is the act of planting/sowing, *zorei'a*. The *gemara* in *Shabbat* (73b) lists several derivatives of planting and catalogues them as part of this prohibition. Rashi claims that planting seeds of trees (*notei'a*) is equivalent to seeding vegetables; each is considered an *av melakha*. In contrast, Rabbeinu Chananel claims that planting a tree is considerably different than sowing vegetables; the former is considered an *av melakha*, while the latter is only considered a *tolada*.

Why should planting a tree be deemed less of a Shabbat violation than seeding vegetables? Indeed, some maintain that Rabbeinu Chananel was referring to planting **saplings**. That type of tree planting would clearly be less creative than – and therefore inferior to – actual seeding of vegetables. In the latter instance, the seed dissolves and a completely new product emerges – the growing vegetable. By contrast, when a sapling is planted, no (entirely) new object emerges; the original sapling simply grows larger. This augmentation is not completely creative, and therefore might not be sufficient to qualify as classic *zorei'a*, as Shabbat prohibitions are typically measured by their degree of creativity.

However, many claim that Rabbeinu Chananel should be read literally. His distinction between planting trees and seeding vegetables applies even to actual planting of seeds for trees. What possible difference between the two would explain the inferiority of planting trees?

This question may reflect a broader and essential question about the nature of the prohibition of *zorei'a*. We typically associate this activity with embedding a seed in the ground and enabling that seed to take root and sprout produce. From this perspective, there indeed appears to be little difference between the rooting process of a tree and the rooting process of a vegetable. However, this definition raises an interesting conundrum. Even if one were to plant a seed on Shabbat, the rooting process would not occur on Shabbat itself; the actual rooting would take place only after several days have elapsed. Shabbat activities with time-delayed results are usually only forbidden if the **results** also occur on Shabbat. For example, baking is only forbidden if the baked item reaches minimal baking levels on Shabbat proper. If, after placing food in an oven, one were to remove the food, no prohibition would entail (see *Shabbat* 4a). Since the rooting of seeds is delayed until after Shabbat, it is difficult to envision rooting per se as the essence of the prohibition.

Several *Acharonim* (Minchat Chinukh, Iglei Tal, and Ohr Samei'ach) debate this issue. Many concur that planting is different from other prohibitions, and the prohibition is violated even without ultimate rooting. Once the process is launched, the prohibition is violated even if rooting never occurs! Even if the seed were subsequently removed, the prohibition has been committed. The very act of placing a seed in a location that typically allows germination violates the *issur*. This renders the *melakha* of *zorei'a* unique; even though no transformation has occurred, the *melakha* has been violated. This would distinguish *zorei'a* from typical violations of Shabbat, which normally exhibit some transformation (such as cooked or baked food).

Alternatively, some suggest a completely different definition for *zorei'a*. In this view, rooting the seed and launching germination is not the essence of the prohibition. Instead, the prohibition consists of "nutrifying" the emerging plant. By placing a seed in a ground in contact with nutrients, a *melakha* has been violated. Since the nutrition begins **immediately** on Shabbat, *zorei'a* takes place completely on Shabbat and follows normal *melakha* parameters.

Thus, *zorei'a* can be defined in two distinct fashions. It may entail embedding a seed in the ground and causing it to be rooted and connected to the ground. Even if that rooting doesn't ultimately occur on Shabbat, the activity that typically causes that rooting is **inherently** forbidden. Alternatively, the embedding is not as significant as the provision of nutrients, which inevitably begins immediately.

This question about the nature of *zorei'a* may be the basis for an interesting *machloket* about relocating a potted plant on Shabbat. The *gemara* (*Shabbat* 81) discusses a pot originally positioned on stilts that is currently relocated to the ground. The simple reading of the *gemara* indicates that *zorei'a* is violated on a *de-oraita* level. This appears to be the reading of the Rambam. Rashi and Tosafot, however, disagree, claiming that Biblical *zorei'a* has not been violated. Perhaps they disagree about the nature of *zorei'a*. In this instance, the potted plant has not been embedded or inserted into the land in this case, but the nutrition factor has been augmented by situating the plant closer to the ground. If *zorei'a* **demands** bonding with land, no Biblical violation has occurred; if it is defined as enabling **nutrition**, perhaps the *issur* has been violated.

This scenario invites a broader question. Would planting in an *atzitz nakuv* (a potted urn with a hole in the underbelly) constitute a violation of *zeria*? This type of vessel enables nutrition through the bottom hole. If *zorei'a* is defined as provision of nutrition, this type of planting should be forbidden. However, the seed has not been embedded in the land. Thus, if attachment to land is the core of *zorei'a*, no violation entails.

Returning to the original question of whether planting seeds of trees should be considered an *av melakha* alongside *zorei'a*, perhaps the question about the essence of *zorei'a* influences this categorization scheme. If *zorei'a* is defined as provision of nutrition, there is little reason to differentiate

between planting seeds of vegetables and those of trees. In each instance, the produce will be nourished by the ground, and planting the seed initiates this process. However, if the *melakha* is defined as creating attachment between produce and land, a tree may yield a very different and looser form of attachment. By planting a vegetable seed, a person embeds a seed, which yields produce attached to the ground. By contrast, planting a seed of a tree yields a tree upon which produce is attached. Since the attachment is not directly to land but to tree, it cannot be qualified as a parallel *av* to the prototype of *zorei'a*.