

Prune Jews

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Q I own an apartment in Eretz Yisrael. When we visit, I tend to the esrog tree in my garden, clipping off extra branches, which enables the tree to properly nurture the fruit. May I do this during Shmitah?

A The halachos of Shmitah are complex. Here is a basic outline, but specific questions should be presented to a knowledgeable *rav*.



First, know that any fruit that grows during Shmitah is *hefker*. You must openly display this by leaving the gate open, indicating that you're not retaining ownership of the fruit. Only then may you take the fruit for yourself. According to several *Rishonim*, fruits that were guarded by their owner on Shmitah are forbidden to be eaten; the Chazon Ish (Shvi'is 26) rules this way.

Regarding pruning, the Torah (Vayikra 25:4) states, "And in the seventh year...your vineyards you shall not prune." Although the Torah only speaks of vineyards, many authorities maintain that this applies to all trees (see Or Sameiach *Hil. Shmitah* 1:15), but others limit the *de'Oreisa* prohibition to the grapevine (see Chazon Ish *ibid.* 21:15). Still, all authorities agree that there is at least a *deRabanan* prohibition to prune any tree.

Whether the *issur* is *de'Oreisa* or *deRabanan* has halachic implications. The Gemara (Avodah Zarah 6b) offers a general rule for *hilchos shvi'is*, that one may perform work on a tree for the purpose of *ukumei* (preservation or maintenance), but not for the purpose of *avruyei* (improvement).

Accordingly, twigs or branches that hinder the tree's proper development may be pruned to preserve its value—though some authorities advise doing so with a *shinui*—but it is forbidden to prune branches to enhance the fruit

or to boost the tree's growth. But this rule only applies to *melachos deRabanan*; *melachos de'Oreisa* are forbidden even for *ukumei*. So according to the Chazon Ish, one may prune an esrog tree for *ukumei*, because that is not a *melachah de'Oreisa* (see *Derech Emunah Hil. Shmitah 1:10*). But according to those who say the *issur de'Oreisa* of pruning applies to all trees, doing so for any purpose is forbidden.

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