וְלִיטַעְמִיךְ שִׁיתְּסֵרֵי הָוְיִין!

Abaye responded: **According to your reasoning, they are sixteen** actions, as even in the first part of our mishna, the one who receives the object and the one who places the object each participates in the performance of a prohibited action. Therefore, there are a total of sixteen actions.

אָמַר לֵיהּ: הָא לָא קַשְׁיָא; בִּשְׁלָמָא

Rav Mattana **said to** Abaye: **That is not difficult,** as **granted,**

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בָּבָא דְּרֵישָׁא – פָּטוּר וּמוּתָּר לָא קָתָנֵי, אֶלָּא בָּבָא דְּסֵיפָא דְּפָטוּר אֲבָל אָסוּר, קַשְׁיָא!

the first section of the mishna speaks of cases in which the one performing the actions is **exempt** from punishment[N] by Torah law, **and** even by rabbinic law he is *ab initio* **permitted**[H] to perform those actions. When the poor person or homeowner neither lifted nor placed the object, i.e., the object was placed into or removed from their hands by others, their role is insignificant. Therefore, **it was not taught** in the mishna, and those cases were not factored into the total number of acts of carrying from domain to domain. **However,** with regard to **the latter section of the mishna,** where the person performing those actions is **exempt** by Torah law, but his actions are **prohibited** by rabbinic law, it **is difficult.** Since the Sages prohibited those actions, they should be included in the total in the mishna, which should be twelve, not eight.

מִי אִיכָּא בְּכוּלֵּי שַׁבָּת פָּטוּר וּמוּתָּר? וְהָאָמַר שְׁמוּאֵל: כָּל פְּטוּרֵי דְּשַׁבָּת פָּטוּר אֲבָל אָסוּר, בַּר מֵהָנֵי תְּלָת דְּפָטוּר וּמוּתָּר: צְיָדַת צְבִי, וְצִידַת נָחָשׁ, וּמַפִּיס מוּרְסָא!

Incidentally, the Gemara wonders: **Is there, in all** the *halakhot* of **Shabbat,** an act for which the mishna deems one **exempt and** the act is **permitted? Didn't Shmuel say:** With regard to **all exempt** rulings in the *halakhot* **of Shabbat,** although one who performs the action is **exempt** by Torah law, his action is **prohibited** by rabbinic law. This applies to all cases **except for these three** cases for which one is **exempt and** he is **permitted** to perform the action: **Trapping a deer,** where he does not actually trap it, rather he sits in the entrance of a house that a deer had previously entered on its own, preventing its exit; **and trapping a** poisonous **snake** because of the danger that it poses; **and one who drains an abscess,** meaning one who lances the boil of pus and drains the liquid from it. If so, the cases in the first section of our mishna, where the ruling is exempt, must be understood as exempt but prohibited.

כִּי אִיצְטְרִיךְ לֵיהּ לִשְׁמוּאֵל – פְּטוּרֵי דְּקָא עָבֵיד מַעֲשֶׂה, פְּטוּרֵי דְּלָא קָא עָבֵיד מַעֲשֶׂה – אִיכָּא טוּבָא.

The Gemara answers: In these cases, too, the ruling is: Exempt and permitted. **When,** though, **was it necessary for Shmuel** to cite specific cases as exempt and permitted? It was necessary in **exempt** cases **where he performs** a defined **action. However,** there are **many exempt** cases **where he does not perform an action,** which are completely permitted.

מִכָּל מָקוֹם, תַּרְתֵּי סְרֵי הָוְיִין! פְּטוּרֵי דְּאָתֵי בְּהוּ לִידֵי חִיּוּב חַטָּאת – קָא חָשֵׁיב, דְּלָא אָתֵי בְּהוּ לִידֵי חִיּוּב חַטָּאת – לָא קָא חָשֵׁיב.

The Gemara returns to Rav Mattana's question: **In any case, there are twelve** actions that should have been enumerated in the mishna. The Gemara answers: The mishna **took into consideration** cases of **exempt** acts where the one who performed them could **come,** through **their** performance, **to incur liability** to bring **a sin-offering.** The mishna did **not take into consideration** cases of exempt acts where the one who performed them could **not come,** through **their** performance, **to incur liability** to bring **a sin-offering.**[N] Here, only the instances where one lifts an object from its place are taken into consideration. Having lifted an object, if he continued, he could potentially incur liability to bring a sin-offering. Under no circumstances can one who merely places an object come to violate a more serious prohibition.

NOTES

Exempt in the *halakhot* of Shabbat – פְּטוּר בְּדִינֵי שַׁבָּת: The commentaries explain that the general principle which states that all exemptions of Shabbat are exempt from punishment but prohibited does not apply universally. Essentially, it applies specifically to the laws of the prohibited labors of Shabbat, but not to all *halakhot* mentioned in the tractate (Ramban). Not all of the exceptions were enumerated, as in certain cases of full-fledged exemption with regard to several prohibited labors, the ruling is not based on the fundamental definition of that labor but on the overriding principle of saving a life (Ritva).

The tally of prohibited labors in the mishna – חֶשְׁבּוֹן הַמְּלָאכוֹת בַּמִּשְׁנָה: The expression: Exempt acts where one could come through their performance to incur liability to bring a sin-offering, is not unequivocal and has various interpretations. According to Rashi and Rabbeinu Ḥananel, only acts of lifting are enumerated in the mishna. Others explain that the reference is specifically to acts of placing (Ramban). Others hold that it refers to actions in which the object is transferred from one domain to the other, whether by means of placing or by means of carrying out (Rabbeinu Zeraḥya HaLevi; Rashba; *Tosafot*).

HALAKHA

Exempt and permitted – פָּטוּר וּמוּתָּר: One who performs the act is exempt from punishment, as the act is permitted from the perspective of the *halakhot* of Shabbat. However, it is prohibited to do so by the Torah law: "Before a blind person do not place a stumbling block" (Leviticus 19:14). Even if the transgressor could have transgressed without the help of another, it is forbidden by rabbinic law to help him, as it was incumbent upon him to prevent the transgressor from violating the prohibition (Rambam *Sefer Zemanim, Hilkhot Shabbat* 13:7; *Shulḥan Arukh, Oraḥ Ḥayyim* 347:1).

הָתָם – כִּדְבָעֵינַן לְמֵימַר לְקַמָּן, כִּדְאַבַּיֵי. דְּאָמַר אַבַּיֵי: הָכָא בְּאֵילָן הָעוֹמֵד בִּרְשׁוּת הַיָּחִיד וְנוֹפוֹ נוֹטֶה לִרְשׁוּת הָרַבִּים, וְזָרַק וְנָח אֲנוֹפוֹ.

The Gemara rejects this: **There,** the explanation is according to what **we will need to say later in accordance with** the statement of **Abaye,** as **Abaye said: Here,** the *baraita* is not dealing with just any situation. Rather, it is dealing with a special case where there is **a tree standing in the private domain and its boughs**[B] **lean into the public domain, and** one **threw** an object from the public domain **and it rested** upon **the boughs** of the tree.

דְּרַבִּי סָבַר: אָמְרִינַן ״שְׁדִי נוֹפוֹ בָּתַר עִיקָּרוֹ״, וְרַבָּנַן סָבְרִי: לָא אָמְרִינַן ״שְׁדִי נוֹפוֹ בָּתַר עִיקָּרוֹ״.

Rabbi Yehuda HaNasi **holds** that **we say: Cast its boughs after its trunk.** The tree's branches are considered an extension of its trunk. Therefore, the entire tree is considered as a private domain, and one who throws onto it is liable. **And the Rabbis hold** that **we do not say: Cast its boughs after its trunk.** Therefore, the boughs themselves are not considered to be a private domain, and one who throws atop them from the public domain is not liable. Since Rabbi Yehuda HaNasi considers the boughs of the tree like part of the trunk, something thrown atop the tree is considered as if it were placed on the trunk, which is four by four handbreadths. If so, one cannot conclude from here that there is no need for a significant area according to Rabbi Yehuda HaNasi.

אֶלָּא הָא רַבִּי, דְּתַנְיָא: זָרַק מֵרְשׁוּת הָרַבִּים לִרְשׁוּת הָרַבִּים וּרְשׁוּת הַיָּחִיד בָּאֶמְצַע, רַבִּי מְחַיֵּיב וַחֲכָמִים פּוֹטְרִין.

Rather, it is possible that Rav Yosef referred to **this** *halakha* of **Rabbi** Yehuda HaNasi, **as it was taught** in a *baraita*: One who **threw** an object on Shabbat **from the public domain to the public domain and the private domain** was **in the middle, Rabbi** Yehuda HaNasi **deems** him **liable** for carrying out from domain to domain, and **the Rabbis deem** him **exempt.**

וְאָמַר רַב יְהוּדָה אָמַר שְׁמוּאֵל: מְחַיֵּיב הָיָה רַבִּי שְׁתַּיִם, אַחַת מִשּׁוּם הוֹצָאָה וְאַחַת מִשּׁוּם הַכְנָסָה. אַלְמָא: לָא בָּעֵי עֲקִירָה וְלָא הַנָּחָה עַל גַּבֵּי מְקוֹם אַרְבָּעָה עַל אַרְבָּעָה.

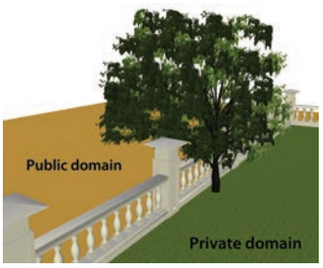
And Rav Yehuda said that **Shmuel said:** In that case, **Rabbi** Yehuda HaNasi **holds** that the one who threw the object is **liable** to bring **two** sin-offerings, as he violated two prohibitions: **One, due to carrying** from the public domain **into** the private domain, when the object passed through the airspace of the private domain; **and one, due to carrying** from the private domain **out** to the public domain. **Apparently, he requires neither lifting** from **nor placing upon an area of four by four** handbreadths, as not only is he liable for carrying the object into a private domain and placing it by means of passing through its airspace, but he is also liable for lifting the object from that private domain and bringing it to the public domain. According to Rabbi Yehuda HaNasi, neither lifting nor placing requires a significant area.

הָא אִיתְּמַר עֲלָהּ, רַב וּשְׁמוּאֵל דְּאָמְרִי תַּרְוַוְיִיהוּ:

The Gemara rejects this proof. **Wasn't it stated with regard to this** dispute **that Rav and Shmuel both said:**

BACKGROUND

Tree and its boughs – אִילָן...וְנוֹפוֹ



Boughs leaning into the public domain

Perek **I**
Daf **5** Amud **a**

לֹא מְחַיֵּיב רַבִּי אֶלָּא בִּרְשׁוּת הַיָּחִיד מְקוֹרָה, דְּאָמְרִינַן: ״בֵּיתָא כְּמָאן דְּמַלְיָא דָּמְיָא״, אֲבָל שֶׁאֵינוֹ מְקוֹרָה – לָא.

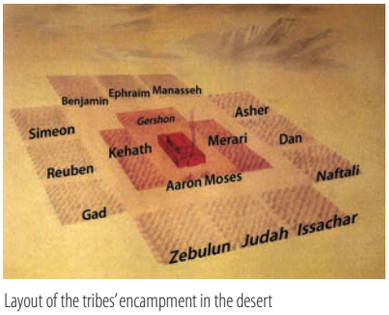
Rabbi Yehuda HaNasi **only deemed** him **liable in the covered private domain,** with a roof, **as we say: The house is considered as one that is full?** The entire house with all its space is considered one unit, and each part of it is considered as if it is filled with actual objects. Therefore, an object passing through the house is considered as if it landed on an actual surface of at least four by four handbreadths. **However,** in a private domain **that is not covered,** Rabbi Yehuda HaNasi does **not** deem him liable.

וְכִי תֵּימָא: הָכָא נַמִּי בִּמְקוֹרָה; הָתְנַן בִּרְשׁוּת הַיָּחִיד מְקוֹרָה, בִּרְשׁוּת הָרַבִּים מְקוֹרָה מִי חַיָּיב? וְהָאָמַר רַב שְׁמוּאֵל בַּר יְהוּדָה אָמַר רַבִּי אַבָּא אָמַר רַב הוּנָא אָמַר רַב: הַמַּעֲבִיר חֵפֶץ אַרְבַּע אַמּוֹת בִּרְשׁוּת הָרַבִּים מְקוֹרָה – פָּטוּר, לְפִי שֶׁאֵינוֹ דּוֹמֶה לְדִגְלֵי מִדְבָּר!

And if you say: Here too our mishna is speaking **about a covered** domain, and therefore the lifting from and the placing on the hand are considered as if they were performed in a place that is four handbreadths; **granted, in a covered private domain** lifting from and placing in a hand are considered as if it were lifted from and placed onto an area of four by four handbreadths, **but in a covered public domain is he liable** at all? **Didn't Rav Shmuel bar Yehuda say** that **Rabbi Abba said** that **Rav Huna said** that **Rav said: One who carries an object four** cubits from place to place **in a covered public domain,** even though transferring an object four cubits in the public domain is like carrying out from one domain to another and prohibited by Torah law, in this case, he **is not liable?** The reason is that **since** the covered public domain **is not similar to the banners in the desert,**[N] i.e., the area in which the banners of the tribes of Israel passed in the desert. The labors prohibited on Shabbat are derived from the labors that were performed in the building of the Tabernacle during the encampment of Israel in the desert, and the desert was most definitely not covered. Consequently, even according to Rabbi Yehuda HaNasi's opinion, it is impossible to explain that our mishna is referring to the case of a covered public domain.

NOTES

The banners of the desert – דִּגְלֵי מִדְבָּר: With regard to the *halakhot* of Shabbat, the encampment of Israel in the desert is the model upon which the definition of a public domain is based. Like the encampment, a public domain is at least sixteen cubits wide. It is an area through which many people pass daily; 600,000 people, according to some authorities.



Layout of the tribes' encampment in the desert

LANGUAGE

Basket [*teraskal*] – טַרְסָקָל: The origin of the word is apparently a reordering of the letters of the Greek word κάρταλλος, *kartallos*, meaning a basket with a pointed bottom.

BACKGROUND

Basket – טַרְסָקָל: The *ge'onim* explained that a *teraskal* is a light, portable table made from braided willow. People ate on it outside the home.

אֶלָּא אָמַר רַבִּי זֵירָא: הָא מַנִּי – אֲחֵרִים הִיא. דְּתַנְיָא, אֲחֵרִים אוֹמְרִים: עָמַד בִּמְקוֹמוֹ וְקִבֵּל – חַיָּיב, עָקַר מִמְּקוֹמוֹ וְקִבֵּל – פָּטוּר. עָמַד בִּמְקוֹמוֹ וְקִבֵּל חַיָּיב? הָא בָּעֵינַן הַנָּחָה עַל גַּבֵּי מְקוֹם אַרְבָּעָה, וְלֵיכָּא! אֶלָּא שְׁמַע מִינָּה: לָא בָּעֵינַן מְקוֹם אַרְבָּעָה.

Rather, Rabbi Zeira said: There must be a different source for our mishna. **Whose** opinion **is it** in our mishna? It is the opinion of ***Aḥerim*, as it was taught** in a *baraita*: ***Aḥerim* say:** One who **stood in his place** on Shabbat **and received** an object thrown to him from another domain, the one who threw the object **is liable** for the prohibited labor of carrying out, as he both lifted and placed the object. However, if the one who received the object **moved from his place,** ran toward the object, **and** then **received** it in his hand, he, the one who threw it, **is exempt.** That is because, even though he performed an act of lifting, the placing of the object was facilitated by the action of the one who received it, and therefore the one who threw it did not perform the act of placing. In any case, according to the opinion of *Aḥerim*, if **he stood in his place and received** the object, the one who threw it **is liable. Don't we require placing upon an area of four** by four handbreadths **and there is none** in this case? **Rather,** certainly **conclude from this** that according to *Aḥerim* **we do not require** an area of four by four.

וְדִילְמָא הַנָּחָה הוּא דְּלָא בָּעֵינַן, הָא עֲקִירָה בָּעֵינַן! וְהַנָּחָה נַמִּי, דִּילְמָא דְּפָשֵׁיט כַּנְפֵּיהּ וְקִיבְּלָהּ; דְּאִיכָּא נַמִּי הַנָּחָה!

The Gemara rejects this: This is not a proof, **and** one could say: **Perhaps it is** specifically **for placing** that **we do not require** an area of four by four; **however, for lifting we require** an area of four by four in order to consider it significant. **And** with regard to **placing as well,** one could say: **Perhaps** it was performed in a manner in which **he extended the corners** of his coat **and received it, so** in that case **there is also placing** upon an area of four by four. Therefore, there is no proof from here.

אָמַר רַבִּי אַבָּא: מַתְנִיתִין כְּגוֹן (שֶׁקִּבֵּל בְּטַרְסְקָל), וְהִנִּיחַ עַל גַּבֵּי טַרְסְקָל, דְּאִיכָּא נַמִּי הַנָּחָה. וְהָא ״יָדוֹ״ קָתָנֵי! תְּנִי: טַרְסְקָל שֶׁבְּיָדוֹ.

Rabbi Abba said: Our mishna is speaking about **a** special **case where he received,** i.e., lifted, the object that was **in a basket** [***teraskal***][L8] **and he placed it atop a basket.** In that case, **there is also placing** performed upon an area of four by four handbreadths. The Gemara asks: **Wasn't it taught** in the mishna: **His hand?** So how can you say that he received it in a basket? The Gemara answers: Emend the text of the mishna and **teach: The basket in his hand.**

הָתִינַח טַרְסְקָל בִּרְשׁוּת הַיָּחִיד, אֶלָּא טַרְסְקָל שֶׁבִּרְשׁוּת הָרַבִּים רְשׁוּת הַיָּחִיד הוּא!

The Gemara asks about this matter: **Granted,** when the **basket was in the private domain, but** if it was **a basket that was** placed **in the public domain,** doesn't it immediately become **the private domain?** Presumably, the basket is ten handbreadths above the ground, and its surface is the requisite size for creating a private domain.

לֵימָא דְּלָא כְּרַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה. דְּתַנְיָא, רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה אוֹמֵר: נָעַץ קָנֶה בִּרְשׁוּת הָרַבִּים וּבִרְאשׁוֹ טַרְסְקָל, זָרַק וְנָח עַל גַּבָּיו – חַיָּיב.

Since that is not the explanation given, **let us say** that this is a proof that our mishna is **not in accordance with** the opinion of **Rabbi Yosei, son of Rabbi Yehuda. As it was taught** in a *baraita*: **Rabbi Yosei, son of Rabbi Yehuda, says: One who stuck a stick** into the ground **in the public domain, and** hung **a basket atop it,** and **threw** an object from the public domain, **and it landed upon it, he is liable,** because he threw it from the public domain into the private domain. Since the surface of the basket is four by four handbreadths and it is ten handbreadths above the ground, it is considered a private domain. Even though the stick, which is serving as the base for this basket, is not four handbreadths wide, since the basket is that wide, we consider it as if the sides of the basket descend in a straight line. Consequently, a type of pillar of a private domain is formed in the public domain.

דְּאִי כְּרַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה, פָּשַׁט בַּעַל הַבַּיִת אֶת יָדוֹ לַחוּץ וְנָתַן לְתוֹךְ יָדוֹ שֶׁל עָנִי, אַמַּאי חַיָּיב? מֵרְשׁוּת הַיָּחִיד לִרְשׁוּת הַיָּחִיד קָא מַפֵּיק!

Our mishna is not in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, **as if** it were **in accordance with** the opinion of **Rabbi Yosei, son of Rabbi Yehuda,** in a case where **the owner of the house extended his hand outside and placed** an object **in** the basket in **the hand of the poor person** in the public domain, **why is he liable?** According to his opinion, the basket is considered a private domain and **he,** the owner of the house, **is** merely **carrying out from private domain to private domain.** This proves that the opinion of our mishna is not in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda.

אֲפִילּוּ תֵּימָא רַבִּי יוֹסֵי בְּרַבִּי יְהוּדָה, הָתָם – לְמַעְלָה מֵעֲשָׂרָה, הָכָא לְמַטָּה מֵעֲשָׂרָה.

The Gemara answers: **Even if you say** that our mishna is in accordance with the opinion of **Rabbi Yosei, son of Rabbi Yehuda, there,** where we learned that a basket is considered like a private domain, was in a case in which the basket was **above ten** handbreadths off the ground. **Here,** in our mishna, the basket was **below ten** handbreadths off the ground. Even according to the opinion of Rabbi Yosei, son of Rabbi Yehuda, in a case where it is below ten handbreadths it is not considered a private domain, rather it is part of the public domain. Therefore, it is considered carrying out and he is liable.

קַשְׁיָא לֵיהּ לְרַבִּי אַבָּהוּ: מִי קָתָנֵי ״טַרְסְקָל שֶׁבְּיָדוֹ״? וְהָא ״יָדוֹ״ קָתָנֵי! אֶלָּא אָמַר רַבִּי אַבָּהוּ: כְּגוֹן שֶׁשִּׁלְשֵׁל יָדוֹ לְמַטָּה מִשְּׁלֹשָׁה וְקִבְּלָה.

The Gemara comments: Nevertheless, this explanation **is difficult for Rabbi Abbahu: Was** the language **taught** in the mishna: **A basket in his hand? His hand,** was **taught.** There is no reason to emend the mishna in that way. **Rather, Rabbi Abbahu said:** The mishna here is referring **to a case where** the poor person **lowered his hand below three** handbreadths off the ground **and received** that object in his hand. Below three handbreadths is considered, in all respects, to be appended to the ground and, therefore, a place of four by four handbreadths.

וְהָא ״עוֹמֵד״ קָתָנֵי! בְּשׁוּחָה. וְאִיבָּעֵית אֵימָא: בְּגוּמָּא. וְאִיבָּעֵית אֵימָא: בְּנַנָּס.

The Gemara asks: **Didn't** the mishna **teach:** The poor person **stands** outside? If he is standing, how is it possible that his hand is within three handbreadths of the ground? Rabbi Abbahu answered: It is describing a case where he is **bending down.** In that case, his hand could be adjacent to the ground even though he is standing. **And if you wish, say** instead that it is possible in a case where the poor person is standing **in a hole** and his hand is adjacent to the ground. **And if you wish, say** instead a different depiction of the situation: The mishna is speaking about a case **involving a midget** [***nanas***],[L] whose hands, even when standing, are within three handbreadths of the ground.

אָמַר רָבָא: אִיכְּפַל תַּנָּא לְאַשְׁמְעִינַן כָּל הָנֵי?! אֶלָּא אָמַר רָבָא: יָדוֹ שֶׁל אָדָם חֲשׁוּבָה לוֹ כְּאַרְבָּעָה עַל אַרְבָּעָה. וְכֵן, כִּי אֲתָא רָבִין אָמַר רַבִּי יוֹחָנָן: יָדוֹ שֶׁל אָדָם חֲשׁוּבָה לוֹ כְּאַרְבָּעָה עַל אַרְבָּעָה.

About all of these **Rava said: Did the *tanna* go to** all that trouble **in an effort to teach us all of these** cases?[B] It is difficult to accept that the *tanna* could not find a more conventional manner to explain the *halakha*. **Rather, Rava said:** The problem must be resolved by establishing the principle: **A person's hand is considered like four by four**[HN] handbreadths **for him.** It is true that lifting and placing upon a significant place are required. However, even though a significant place is normally no less than four handbreadths, the hand of a person is significant enough for it to be considered a significant place as far as the *halakhot* of Shabbat are concerned. **And, so too, when Ravin**[P] **came** from Eretz Yisrael to Babylonia, he said that **Rabbi Yoḥanan said: A person's hand is considered four by four** handbreadths **for him.**

LANGUAGE

Midget [*nanas*] – נַנָּס: From the Greek νᾶνος, *nanos*, meaning midget.

BACKGROUND

Did the *tanna* go to all that trouble in an effort to teach us all of these cases – אִיכְּפַל תַּנָּא לְאַשְׁמְעִינַן כָּל הָנֵי: Although the Gemara at times explains the mishna by depicting special and rare cases, a fundamental principle or a description with wide-ranging application is not usually articulated by means of extraordinary situations. In situations of that sort, the Gemara asks: Did the *tanna* go to all that trouble…?

HALAKHA

A person's hand is considered like four by four – יָדוֹ שֶׁל אָדָם חֲשׁוּבָה לוֹ כְּאַרְבָּעָה עַל אַרְבָּעָה: In the *halakhot* of Shabbat, the hand of a person is considered as if it were an area of four by four handbreadths. Therefore, one who lifts an object on Shabbat from one domain and places it in the hand of a person standing in another domain, or one who lifts it from the hand of a person who is in one domain and places it in a different domain, is liable (Rambam *Sefer Zemanim, Hilkhot Shabbat* 13:2; *Shulḥan Arukh, Oraḥ Ḥayyim* 347:1).

NOTES

A person's hand is considered like four by four – יָדוֹ שֶׁל אָדָם חֲשׁוּבָה לוֹ כְּאַרְבָּעָה עַל אַרְבָּעָה: Apparently, this is because a hand is the standard conduit for placing and lifting objects in a specific place. The hand does not have the requisite area of a significant place, the measure of a significant area for placing being four by four handbreadths. However, the hand, regardless of its size, is also a significant area in the sense of carrying and has the legal status of an area of four by four handbreadths.

PERSONALITIES

Ravin – רָבִין: An abbreviation of Rabbi Avin, who is called Rabbi Bon in the Jerusalem Talmud.

He was the most important of "those who descended to," i.e., who went from Eretz Yisrael to Babylonia, in the third to fourth generation of the Babylonian *amoraʾim*.

Rabbi Avin was born in Babylonia and emigrated to Eretz Yisrael at an early age. There he was able to study Torah from Rabbi Yoḥanan, who lived to a very old age. After Rabbi Yoḥanan's death, Ravin studied from his many students. Rabbi Avin was appointed to be one of "those who descended," namely, those Sages who were sent to Babylonia to disseminate innovative Torah insights from Eretz Yisrael, as well as various Eretz Yisrael traditions that were unknown in other lands. Rav Dimi was the emissary from Eretz Yisrael before Ravin. However, Ravin transmitted new and revised formulations of the *halakhot*. Therefore, Ravin is considered an authority and, as a rule, the *halakha* was decided in accordance with his opinion.

Ravin returned to Eretz Yisrael several times. There he served as the transmitter of the Torah studied in Babylonia. His statements are often cited in the Jerusalem Talmud. We know little about his family and the rest of his life. It is known that his father died even before he was born, and that his mother died when he was born. Some say that his father's name was also Rabbi Avin and that he was named after him. Some believe that the Eretz Yisrael *amora* Rabbi Yosei bar Bon was his son.

HALAKHA

One who stood in his place…he moved from his place, etc. – עָמַד בִּמְקוֹמוֹ...עָקַר מִמְּקוֹמוֹ וכו׳: If one throws an object from one domain to another domain, and the object is caught by a person who remained in his place in the second domain, the one who threw it is liable because he placed the object in another domain. However, if the second person moved from his place and caught the object in his hand, the one who threw it is exempt. This is in accordance with the statement of Rabbi Yoḥanan, with regard to which there is no dispute (Rambam *Sefer Zemanim, Hilkhot Shabbat* 13:15).

BACKGROUND

What is his dilemma – מַאי קָמַבָּעֲיָא לֵיהּ: This expression in the Gemara is a question that comes to clarify the essence of a certain dilemma. Frequently, the problem is, in and of itself, clear. Nevertheless, it is necessary to explain the context of the dilemma and the broader issue that it comes to clarify.

NOTES

Two forces in one person – שְׁנֵי כֹּחוֹת בְּאָדָם אֶחָד: According to Rabbeinu Ḥananel's variant text, some explain: Are two forces in one person considered like two people, in the sense that it is considered as if one threw it so the other would catch it, and he is liable? Or, perhaps it is considered like one person performed each half of the prohibited labor independent of the other half and he would be exempt (Ramban).

אָמַר רַבִּי אָבִין אָמַר רַבִּי אֶילְעַאי אָמַר רַבִּי יוֹחָנָן: זָרַק חֵפֶץ וְנָח בְּתוֹךְ יָדוֹ שֶׁל חֲבֵירוֹ – חַיָּיב. מַאי קָא מַשְׁמַע לָן – יָדוֹ שֶׁל אָדָם חֲשׁוּבָה לוֹ כְּאַרְבָּעָה עַל אַרְבָּעָה. וְהָא אֲמַרָהּ רַבִּי יוֹחָנָן חֲדָא זִימְנָא! מַהוּ דְּתֵימָא: הָנֵי מִילֵּי – הֵיכָא דְּאַחְשְׁבָהּ הוּא לִידֵיהּ, אֲבָל הֵיכָא דְּלָא אַחְשְׁבָהּ הוּא לִידֵיהּ, אֵימָא לָא, קָא מַשְׁמַע לָן.

Rabbi Avin said that **Rabbi Elai said** that **Rabbi Yoḥanan said:** One who **threw an object and it landed in the hand of another** who is in a different domain **is liable.** The Gemara asks: **What is he teaching us?** What halakhic principle is conveyed through this statement? Is it that **a person's hand is considered four by four for him? Didn't Rabbi Yoḥanan** already **say that one time?** Why was it necessary to repeat it, albeit in a different context? The Gemara answers: It was necessary to teach the *halakha* cited by Rabbi Elai as well, **lest you say** that **this,** the principle that a person's hand is significant, **applies only where he** himself **deemed his hand significant** by lifting or receiving an object with his hand. **However, where he did not deem his hand significant,** rather the object fell into another's hand without his intention, perhaps the hand is **not** considered a significant place and he would not be liable. Therefore, **he teaches us** that the hand's significance is absolute and not dependent upon the intention of the one initiating the action.

אָמַר רַבִּי אָבִין אָמַר רַבִּי אֶילְעַאי אָמַר רַבִּי יוֹחָנָן: עָמַד בִּמְקוֹמוֹ וְקִיבֵּל – חַיָּיב, עָקַר מִמְּקוֹמוֹ וְקִיבֵּל – פָּטוּר. תַּנְיָא נָמֵי הָכִי, אֲחֵרִים אוֹמְרִים: עָמַד בִּמְקוֹמוֹ וְקִיבֵּל – חַיָּיב, עָקַר מִמְּקוֹמוֹ וְקִיבֵּל – פָּטוּר.

Rabbi Avin said that **Rabbi Elai said** that **Rabbi Yoḥanan said** additionally: One who **stood in his place and received** an object that was thrown to him from another domain, the one who threw it **is liable.** However, if **he moved from his place**[H] **and** then **received** the object, the one who threw it **is exempt. That was also taught** in a *baraita*. ***Aḥerim* say:** If **he stood in his place and received** in his hand the object that was thrown from another domain, the one who threw it **is liable.** And if **he moved from his place and received** it, **he is exempt.**

בָּעֵי רַבִּי יוֹחָנָן: זָרַק חֵפֶץ וְנֶעֱקַר הוּא מִמְּקוֹמוֹ, וְחָזַר וְקִיבְּלוֹ, מַהוּ?

Rabbi Yoḥanan raised a related **dilemma:** One who **threw an object** from one domain **and moved from his place** and ran to another domain **and then received** the same object in his hand in the second domain, **what is** his legal status?

מַאי קָמַבָּעֲיָא לֵיהּ? אָמַר רַב אַדָּא בַּר אַהֲבָה: שְׁנֵי כֹּחוֹת בְּאָדָם אֶחָד קָא מְבָּעֲיָא לֵיהּ. שְׁנֵי כֹּחוֹת בְּאָדָם אֶחָד – כְּאָדָם אֶחָד דָּמֵי, וְחַיָּיב, אוֹ דִילְמָא כִּשְׁנֵי בְּנֵי אָדָם דָּמֵי, וּפָטוּר? תֵּיקוּ.

To clarify the matter, the Gemara asks: **What is his dilemma?**[B] Didn't one person perform a complete act of lifting and placing? **Rav Adda bar Ahava said: His dilemma was** with regard to **two forces in one person.**[N] Rabbi Yoḥanan raised a dilemma with regard to one who performs two separate actions rather than one continuous action. Are **two forces in one person considered like one person, and he is liable? Or, perhaps they are considered like two people, and he is exempt?** This dilemma remains unresolved and therefore, **let it stand.**

אָמַר רַבִּי אָבִין אָמַר רַבִּי יוֹחָנָן: הִכְנִיס יָדוֹ לְתוֹךְ חֲצַר חֲבֵירוֹ, וְקִיבֵּל מֵי גְּשָׁמִים וְהוֹצִיא – חַיָּיב. מַתְקִיף לָהּ רַבִּי זֵירָא: מַה לִּי הִטְעִינוֹ חֲבֵירוֹ, מַה לִּי הִטְעִינוֹ שָׁמַיִם, אֵיהוּ לָא עֲבִיד עֲקִירָה! לָא תֵּימָא ״קִיבֵּל״ אֶלָּא ״קָלַט״. וְהָא בָּעֵינַן עֲקִירָה מֵעַל גַּבֵּי מְקוֹם אַרְבָּעָה, וְלֵיכָּא!

Rabbi Avin said that **Rabbi Yoḥanan said:** If he **brought his hand into the courtyard of another and received rainwater** that fell at that time into his hand **and carried** it **out** to another domain, **he is liable. Rabbi Zeira objects** to this: **What is** the difference **to me** if **his friend loaded him** with an object, i.e., his friend placed an object in his hand, **and what is** the difference **to me** if **Heaven loaded him** with rainwater? In **neither** case **did he perform an** act of **lifting.** Why then should he be liable for carrying out from domain to domain? The Gemara answers: **Do not say: He received** rainwater, indicating that he passively received the rainwater in his hand. **Rather**, read: **He** actively **gathered** rainwater in his hand from the air, which is tantamount to lifting. The Gemara asks: In order to become liable, **don't we require lifting from atop an area of four** handbreadths, **and** in this case **there is none?** How, therefore, would he be liable?

אָמַר רַבִּי חִיָּיא בְּרֵיהּ דְּרַב הוּנָא: כְּגוֹן שֶׁקָּלַט מֵעַל גַּבֵּי הַכּוֹתֶל. עַל גַּבֵּי כּוֹתֶל נַמִּי, וְהָא לָא נָח! כִּדְאָמַר רָבָא: בְּכוֹתֶל מְשׁוּפָּע, הָכָא נַמִּי – בְּכוֹתֶל מְשׁוּפָּע. וְהֵיכָא אִיתְּמַר דְּרָבָא? אַהָא, דְּתָנַן:

Rabbi Ḥiyya, son of Rav Huna, said: It is **a case where he gathered** the rainwater **from atop** and on the side of **the wall,** so he lifted it from a significant place. Therefore, it is considered an act of lifting, and he is liable. The Gemara questions: **Atop a wall, too,** the rain **did not** come to **rest.** Rather, it immediately and continuously flowed. If so, the lifting was not from the wall at all. The Gemara answers: **As Rava said** in another context that the case involves **an inclined wall, here too** the case involves **an inclined wall.** The Gemara asks: **And where was** this statement of **Rava stated?** It was stated **with regard to that which we learned in a mishna:**

הָיָה קוֹרֵא בְּסֵפֶר עַל הָאֵיסְקוּפָּה וְנִתְגַּלְגֵּל הַסֵּפֶר מִיָּדוֹ – גּוֹלְלוֹ אֶצְלוֹ. הָיָה קוֹרֵא בְּרֹאשׁ הַגַּג וְנִתְגַּלְגֵּל הַסֵּפֶר מִיָּדוֹ, עַד שֶׁלֹּא הִגִּיעַ לְעֶשָׂרָה טְפָחִים – גּוֹלְלוֹ אֶצְלוֹ, מֵשֶׁהִגִּיעַ לְעֶשָׂרָה טְפָחִים – הוֹפְכוֹ עַל הַכְּתָב, וְהָווינַן בָּהּ: אַמַּאי הוֹפְכוֹ עַל הַכְּתָב? הָא לֹא נָח!

One who **was reading** a sacred **book** in scroll form on Shabbat **on** an elevated, wide **threshold and the book rolled from his hand**[H] outside and into the public domain, **he** may **roll it** back **to himself,** since one of its ends is still in his hand. However, if **he was reading on top the roof,**[B] which is a full-fledged private domain, **and the book rolled from his hand,**[H] **as long as** the edge of the book **did not reach ten handbreadths** above the public domain, the book is still in its own area, and he may **roll it** back **to himself.** However, **once the book has reached** within **ten handbreadths** above the public domain, he is prohibited to roll it back to himself. In that case, **he** may only **turn it** over **onto the** side with **writing,**[N] so that the writing of the book should face down and should not be exposed and degraded. **And we discussed this** *halakha*: **Why** must he **turn it** over **onto the** side with **writing,** and he is prohibited to bring the book back to himself? **Didn't** the book **not** yet **come to rest** upon a defined area in the public domain? Even if he brought it back it would not constitute lifting.

וְאָמַר רָבָא: בְּכוֹתֶל מְשׁוּפָּע. אֵימוֹר דְּאָמַר רָבָא בְּסֵפֶר – דַּעֲבִיד דְּנָיֵיחַ, מַיִם מִי עֲבִידִי דְּנָיְחִי?!

And Rava said: It is referring to the case **of an inclined wall.** Because it is inclined, the scroll is resting upon it to some degree. However, that answer is not effective in explaining the case of gathering water. **Say** that **Rava said** that the legal status of the slanted wall is different, specifically **with regard to a book, as it is wont to** come to **rest** upon an inclined wall. In contrast, **is water wont to** come to **rest** upon an inclined wall? It continues flowing. Consequently, the question with regard to water remains.

אֶלָּא אָמַר רָבָא: כְּגוֹן שֶׁקָּלַט מֵעַל גַּבֵּי גּוּמָּא. גּוּמָּא, פְּשִׁיטָא! מַהוּ דְּתֵימָא: מַיִם עַל גַּבֵּי מַיִם – לָאו הַנָּחָה הוּא, קָא מַשְׁמַע לָן.

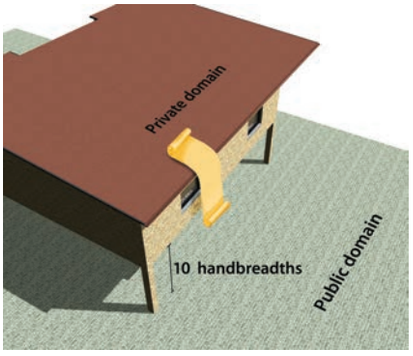
Rather, Rava said: Here, it is referring to **a case where he gathered** the rainwater **from on top of a hole**[H] filled with water. The Gemara asks: If he gathered it from on top of **a hole, it is obvious** that it is considered like lifting from a significant place. The Gemara answers: **Lest you say** that since the water that comes down from the roof into the hole it is **water on top of water** and, perhaps, **it is not** considered **placing.** Therefore, **he taught us** that collecting water from on top of a hole filled with water is considered an act of lifting an object from its placement.

וְאָזְדָא רָבָא לְטַעֲמֵיהּ, דְּאָמַר רָבָא: מַיִם עַל גַּבֵּי מַיִם – הַיְינוּ הַנָּחָתָן, אֱגוֹז עַל גַּבֵּי מַיִם – לָאו הַיְינוּ הַנָּחָתוֹ. בָּעֵי רָבָא: אֱגוֹז בִּכְלִי, וּכְלִי צָף עַל גַּבֵּי מַיִם, בָּתַר אֱגוֹז אָזְלִינַן – וְהָא נָיֵיחַ, אוֹ דִילְמָא בָּתַר כְּלִי אָזְלִינַן – וְהָא לָא נָיֵיחַ, דְּנָיֵיד? תֵּיקוּ.

The Gemara comments: **And Rava follows his** standard line of **reasoning,** as **Rava** already **said:** It is obvious to me that **water on top of water, that is its placement,** and lifting the water from there is an act of lifting in every sense. It is also obvious that if **a nut** is floating **on top of water, that is not** considered **its placement,** and therefore lifting it from there is not considered an act of lifting. However, **Rava raised a dilemma:** In a case where **a nut** is **in a vessel, and** that **vessel is floating on top of water,**[H] and one lifted the nut from the vessel, is that considered an act of lifting? The sides of the dilemma are: Do **we go according to the nut** and the *halakha* is decided exclusively based on its status, **and it is at rest** in the vessel? **Or perhaps, we go according to the vessel and it is not at rest, as it is moving** from place to place on the surface of the water. This dilemma remained unresolved, and therefore **let it stand.**

BACKGROUND

Book on top of the roof – סֵפֶר בְּרֹאשׁ הַגַּג:



Book that rolled when read on top of a roof

NOTES

He may only turn it over onto the side with writing – הוֹפְכוֹ עַל הַכְּתָב: One reason given is that this prevents dust from accumulating on the uncovered letters. Another is that when the writing is exposed, there is an element of disrespect for the sacred text (Rashi).

HALAKHA

One who was reading a sacred book on a threshold and the book rolled from his hand – הָיָה קוֹרֵא בְּסֵפֶר עַל הָאֵיסְקוּפָּה וְנִתְגַּלְגֵּל הַסֵּפֶר מִיָּדוֹ: In the case of a person on a threshold who was reading a sacred text written on a scroll and that scroll unrolled and landed on a *karmelit* (*Mishna Berura*), if one end of the scroll remained in his hand, he may roll it back to him. That is the ruling even if the threshold was a private domain, i.e., four by four handbreadths and ten handbreadths high, and the scroll unrolled into a public domain. This was permitted in order to prevent disrespect for the sacred text, as explained in tractate *Eiruvin*. However, if the book fell from his hand completely, he is permitted to roll it back only if it rolled into a *karmelit* (Rambam *Sefer Zemanim, Hilkhot Shabbat* 15:21; *Shulḥan Arukh, Oraḥ Ḥayyim* 352:1).

And the book rolled from his hand – וְנִתְגַּלְגֵּל הַסֵּפֶר מִיָּדוֹ: One who was reading a book on Shabbat on top of the roof of a private domain, and the book rolled from his hand into the public domain, if one end of the scroll did not yet reach within ten handbreadths of the ground of the public domain and the other edge of the scroll is still in his hand, he is permitted to roll it back to where he is sitting. However, if it reached within ten handbreadths of the ground of the public domain, if the wall was slanted and the scroll was somewhat resting upon it, and it was a place frequented by the general public (*Magen Avraham*), it is prohibited to roll the book back to where he is sitting. This is in accordance with the explanation of Rava and according to *Tosafot* (Rambam *Sefer Zemanim, Hilkhot Shabbat* 15:21; *Shulḥan Arukh, Oraḥ Ḥayyim* 352:2).

He gathered from on top of a hole – שֶׁקָּלַט מֵעַל גַּבֵּי גּוּמָּא: One who is standing in one domain and extends his hand into another domain and takes water from on top of a hole filled with water and brings it back to him, is liable, since all of the water is considered as if it were placed on the ground. Therefore, it conforms to the typical manner of lifting and placing, as per the conclusion of Rava (Rambam *Sefer Zemanim, Hilkhot Shabbat* 13:4).

A nut in a vessel and that vessel is floating on top of water – אֱגוֹז בִּכְלִי, וּכְלִי צָף עַל גַּבֵּי מַיִם וכו': One who lifts a fruit that was placed in a vessel floating on water is exempt because a floating object is not considered to be at rest and picking it up does not constitute halakhic lifting. This is all the more true if he lifted the vessel which itself was floating on the water. Although the matter remained unresolved, in a situation of uncertainty like this one, the practical ruling is that he is exempt (Rambam *Sefer Zemanim, Hilkhot Shabbat* 13:4).

אֲמַר לֵיהּ אַבַּיֵי לְרַב יוֹסֵף: גּוּמָּא מַאי? אֲמַר לֵיהּ: וְכֵן בְּגוּמָּא. רָבָא אָמַר: בְּגוּמָּא לָא. מַאי טַעְמָא? תַּשְׁמִישׁ עַל יְדֵי הַדְחָק לָא שְׁמֵיהּ תַּשְׁמִישׁ.

Based on Ulla's statement, **Abaye said to Rav Yosef: A hole** in the ground of the public domain, which is several handbreadths deep, **what is** its legal status? Is it also considered, in accordance with Ulla's principle, part of the public domain? In general, with regard to the *halakhot* of Shabbat, there is no distinction between an area elevated above its surroundings and an area depressed below its surroundings. Rav Yosef **said to him: And the same** is true **in a hole;**[NH] these *halakhot* apply. **Rava said: In a hole,** these *halakhot* do **not** apply. **What is the reason** for this? Since **use under duress is not considered use,** and the use of a pit even if it is nine handbreadths deep is inconvenient, and it is not comparable to a pillar of the same height.

אֵיתִיבֵיהּ רַב אַדָּא בַּר מַתָּנָא לְרָבָא: הָיְתָה קוּפָּתוֹ מוּנַּחַת בִּרְשׁוּת הָרַבִּים גְּבוֹהָה עֲשָׂרָה וּרְחָבָה אַרְבָּעָה – אֵין מְטַלְטְלִין לֹא מִתּוֹכָהּ לִרְשׁוּת הָרַבִּים וְלֹא מֵרְשׁוּת הָרַבִּים לְתוֹכָהּ, פָּחוֹת מִכֵּן – מְטַלְטְלִין. וְכֵן בְּגוּמָּא. מַאי לָאו אַסֵּיפָא? לָא, אַרֵישָׁא.

Rav Adda bar Mattana raised an objection to Rava's opinion from that which was taught in a *baraita*: **One whose basket was placed in the public domain** and it was **ten** handbreadths **high and four wide, one may neither move** an object **from it to the public domain nor from the public domain to it,** since its legal status is that of a private domain. If it were **less than that** height, **one may carry** from it to the public domain and vice versa. The *baraita* adds: **And the same** is true **for a hole. Is this** statement **not** referring **to the latter** clause of the *baraita*: One may carry from a pit which is less than ten handbreadths deep to the public domain? This supports the opinion of Rav Yosef, that a hole is subsumed within the public domain. Rava rejected this: This statement is **not** referring to the latter clause of the *baraita*, but rather **to the first** clause of the *baraita*: It is like a basket in that one may not carry from a hole ten handbreadths deep to the public domain because it is a full-fledged private domain. However, no conclusion may be drawn with regard to a hole less than ten handbreadths deep.

אֵיתִיבֵיהּ:

Rav Adda bar Mattana **raised** another **objection** to Rava's opinion from what was taught in a different *baraita*, which deals with the laws of joining of borders:

NOTES

In a hole – בְּגוּמָּא: In addition to the practical similarity between a pit and a pillar, some explain the use of a pit in other ways. Some say that it is common for the multitudes to utilize a pit in the public domain to conceal their belongings. Since they utilize it, its legal status is like that of the public domain (Rashba; see Rashi). Others explain that the reference is to a pit which is easily accessible; if the pit is nine handbreadths deep, people enter it and adjust the burdens on their shoulders on the ground of the public domain.

HALAKHA

In a hole – בְּגוּמָּא: A pit in the public domain that is less than three handbreadths deep is part of the public domain. A hole between three and nine handbreadths deep with an area of four by four handbreadths is a *karmelit*. If it is not four by four handbreadths, it is an exempt domain. If it is ten or more handbreadths deep and four by four handbreadths, it is a private domain. In that case as well, if it is less than four by four, it is an exempt domain, as per the statement of Rava (*Shulḥan Arukh, Oraḥ Ḥayyim* 345:11).

Perek **I**
Daf **8** Amud **b**

נִתְכַּוֵּון לִשְׁבּוֹת בִּרְשׁוּת הָרַבִּים וְהִנִּיחַ עֵירוּבוֹ בַּבּוֹר, לְמַעְלָה מֵעֲשָׂרָה טְפָחִים – עֵירוּבוֹ עֵירוּב, לְמַטָּה מֵעֲשָׂרָה טְפָחִים – אֵין עֵירוּבוֹ עֵירוּב.

One who **intended to establish his Shabbat** abode **in the public domain** at a specific site must place food sufficient for two meals for that site to be considered his legal residence. **And** if **he placed** the food used for **his *eiruv***[N] **in a pit above ten handbreadths,** i.e., less than ten handbreadths below ground level, **his *eiruv* is an *eiruv*.** If he placed the *eiruv* **below ten**[B] **handbreadths** from ground level**, his *eiruv* is not an *eiruv*.** Because the pit is a private domain and he may not carry the *eiruv* from that private domain to a public domain, where he has established his residence, the *eiruv* is invalid.

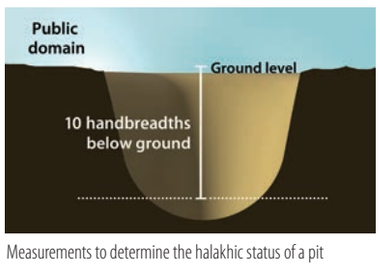
הֵיכִי דָּמֵי? אִילֵימָא בְּבוֹר דְּאִית בֵּיהּ עֲשָׂרָה, וּלְמַעְלָה – דְּדַלַּאי וְאוֹתְבֵיהּ, וּלְמַטָּה – דְּתַתַּאי וְאוֹתְבֵיהּ, מַה לִּי לְמַעְלָה וּמַה לִּי לְמַטָּה? הוּא בְּמָקוֹם אֶחָד וְעֵירוּבוֹ בְּמָקוֹם אַחֵר הוּא!

The Gemara seeks to clarify the details of this case. **What are the** exact **circumstances? If you say** that the *baraita* is referring **to a pit that has ten** handbreadths in depth and the phrase: And he placed it **above** ten handbreadths, means **that he raised** the *eiruv* **and placed it** within ten handbreadths of ground level, and the phrase: **Below** ten handbreadths, means **that he lowered** the *eiruv* **and placed it** ten handbreadths or more below ground level, **what** difference does it make **to me** if the *eiruv* is **above** ten handbreadths **and what** difference does it make **to me** if it is **below** ten handbreadths? In any case, the pit is a private domain, and the principle states that the private domain extends from its lowest point to the sky. There is no difference whether the *eiruv* was placed higher or lower. In any case, **he is in one place,** in the public domain, **and his *eiruv* is in another place,** in the private domain. Since he cannot take the *eiruv* out of the pit, his *eiruv* is not an *eiruv*.

BACKGROUND

Above and below ten – לְמַעְלָה וּלְמַטָּה מֵעֲשָׂרָה: In order to determine the halakhic status of the pit, draw an imaginary line which is ten handbreadths below ground level.

Consequently, the expression above ten handbreadths refers to a case where the bottom of the pit is above that line, and therefore it is a *karmelit*. Below ten handbreadths is referring to a case where the bottom of the pit is below that line, and therefore it is a private domain.



Measurements to determine the halakhic status of a pit

NOTES

He intended to establish his Shabbat…and placed his *eiruv*, etc. – נִתְכַּוֵּון לִשְׁבּוֹת...וְהִנִּיחַ עֵירוּבוֹ וכו': The *eiruv* mentioned here is the joining of borders [*eiruv teḥumin*]. The Sages decreed that one may not go more than two thousand cubits beyond the limits of the city in which one is located on Shabbat. However, in special circumstances, primarily for the sake of a mitzva, they allowed one to place food sufficient for two meals within two thousand cubits of the city limits during the day, before Shabbat. One thereby establishes that place as his residence and, consequently, is permitted to walk within a 2,000 cubit radius of that place. Although there is no obligation to eat the *eiruv*, the food set aside for the *eiruv* must be fit for consumption when Shabbat begins because that is the moment when one's place of residence is determined. It is then that he must have the possibility to take it and eat it if he so desires.

לֹא, לְעוֹלָם סָמוּךְ לְמִנְחָה גְּדוֹלָה, וּבְתִסְפּוֹרֶת בֶּן אֶלְעָשָׂה. ״וְלֹא לַמֻּרְחָץ״ – לְכוֹלָּא מִילְּתָא דְּמֻרְחָץ. ״וְלֹא לַבּוּרְסְקִי״ – לְבוּרְסְקֵי גְּדוֹלָה. ״וְלֹא לֶאֱכוֹל״ – בִּסְעוּדָּה גְּדוֹלָה. ״וְלֹא לָדִין״ – בִּתְחִלַּת דִּין.

Rather, that explanation is rejected and the Gemara says: **Actually** the mishna is referring to **adjacent to *minḥa gedola*,** and the statement of Rabbi Yehoshua ben Levi is dealing with adjacent to *minḥa ketana*. In response to the question: If the mishna means adjacent to *minḥa gedola* isn't there significant time remaining in the day? The Gemara explains that each of the activities enumerated in the mishna is performed in an especially time-consuming manner. When the mishna said: A person may not sit before the barber, it was referring **to a haircut of ben Elasa,**[B] whose haircut was very complicated and required several hours to complete. When the mishna said: A person may **not** go **into the bathhouse** adjacent to *minḥa*, it was referring **to all matters** involved in a visit to **the bathhouse;** not only washing, but also washing one's hair, rinsing, and sweating. **And** he may **not** enter **the tannery** adjacent to *minḥa*, the reference is to **a large tannery** where there are many hides that require tanning and he must initiate the tanning process from the beginning. **And** he may **not** enter **to eat,** the reference is **to a big meal,**[N] which lasts a long time. **And** he may **not** enter **to** sit in **judgment,** refers to a judge who enters at **the beginning of** the **trial,** and, generally, it will take a long time until a verdict is reached.

רַב אַחָא בַּר יַעֲקֹב אָמַר: לְעוֹלָם בִּתְסִפּוֹרֶת דִּידַן, לְכַתְּחִילָּה אַמַּאי לֹא יֵשֵׁב – גְּזֵירָה שֶׁמָּא יִשְׁבֵּר הַזּוֹג. ״וְלֹא לַמֻּרְחָץ״ – לְהָזִיעַ בְּעָלְמָא, לְכַתְּחִלָּה אַמַּאי לֹא – גְּזֵירָה שֶׁמָּא יִתְעַלְּפֶה. ״וְלֹא לַבּוּרְסְקִי״ – לְעַיּוֹנֵי בְּעָלְמָא. לְכַתְּחִלָּה אַמַּאי לֹא – דִּילְמָא חָזֵי פְּסֵידָא בְּזִבְינֵיהּ וּמְטָרִיד. ״וְלֹא לֶאֱכוֹל״ – בִּסְעוּדָּה קְטַנָּה. לְכַתְּחִלָּה אַמַּאי לֹא – דִּילְמָא אָתֵי לְאַמְשׁוֹכֵי. ״וְלֹא לָדִין״ – בִּגְמַר הַדִּין, לְכַתְּחִלָּה אַמַּאי לֹא – דִּילְמָא חָזֵי טַעְמָא וְסָתַר דִּינָא.

Rav Aḥa bar Ya'akov said: Indeed the mishna can be explained as referring to *minḥa gedola* and **actually,** even **our** ordinary **haircut** is prohibited. ***Ab initio*, why may he not sit** before the barber adjacent to the time of *minḥa*? Due to **a decree lest the scissors break,** and considerable time pass until they repair the scissors or obtain others. When the mishna said: A person may **not** enter **the bathhouse** adjacent to *minḥa*, it is prohibited even if he is entering **just to sweat.** ***Ab initio*, why** may he **not** enter? Due to **a decree** issued by the Sages **lest he faint** in the bathhouse and considerable time elapse until he recovers. **And** he may **not** enter **the tannery** adjacent to *minḥa*, even if he intends **just to examine** the skins. ***Ab initio*, why** may he **not** enter? Due to the concern that **perhaps he will notice damage to his merchandise and become anxious** and come to restore what was ruined. **And** he may not enter **to eat a meal** adjacent to the time of *minḥa* is referring even **to a small meal.** ***Ab initio*, why** may he **not** enter? There is concern that **perhaps he will come to extend** his meal for a long time. **And** he may **not** enter **to** sit in **judgment** adjacent to the time of *minḥa*, the mishna is referring even **at the conclusion of** the **trial.** ***Ab initio*, why** may he **not** enter? Due to concern that **perhaps he will find a reason,** contrary to what he originally thought, **and will overturn the verdict** completely, necessitating the restart of the trial from the beginning.

מֵאֵימָתַי הַתְּחָלַת תִּסְפּוֹרֶת? אָמַר רַב אָבִין: מְשֶׁמַּנִּיחַ מַצְעוֹרֶת שֶׁל סַפָּרִין עַל בִּרְכָּיו. וּמֵאֵימָתַי הַתְּחָלַת מֻרְחָץ? אָמַר רַב אָבִין: מְשֶׁיַּעֲרֶה מַעֲפָרְתּוֹ הֵימֶנּוּ. וּמֵאֵימָתַי הַתְּחָלַת בּוּרְסְקִי? מְשֶׁיְּקַשֵּׁר בֵּין כְּתֵיפָיו. וּמֵאֵימָתַי הַתְּחָלַת אֲכִילָה? רַב אָמַר: מְשֶׁיִּטּוֹל יָדָיו. וְרַבִּי חֲנִינָא אָמַר: מְשֶׁיַּתִּיר חֲגוֹרָה.

We learned in the mishna that if he began one of the aforementioned activities, haircut, bath, tannery, meal, and judgment, he is not required to stop. The Gemara asked: **From when is** it considered **the beginning of the haircut?**[H] **Rav Avin said: From when he places the barber's wrap over his knees. And from when** is it considered **the beginning of the bath? Rav Avin said: From when** the one entering the bathhouse to bathe **removes his** outer **wrap,** his cloak. **And from when** is it considered **the beginning of** his visit to **the tannery? From when he ties** the leather apron **between his shoulders** (*Me'iri*). **And from when** is it considered **the beginning of eating? Rav said: From when he** ritually **washes his hands** for the meal. **And Rabbi Ḥanina said: From when he loosens his belt.**

וְלָא פְּלִיגִי. הָא – לָן, וְהָא – לְהוּ.

The Gemara comments: **And they do not disagree.** Rather **this,** the statement of Rabbi Ḥanina, who said that the beginning of the meal is considered from when he loosens his belt, **is for us,** for the people of Babylonia, who are accustomed to close their belts tightly, and therefore the beginning of the meal is when one loosens his belt. **And that,** the statement of Rav, who said that the beginning of the meal is considered from when he ritually washes his hands, **is for them,**[N] the people of Eretz Yisrael who did not close their belts tightly, and therefore only when one washes his hands does the meal begin.

BACKGROUND

Haircut of ben Elasa – תִּסְפּוֹרֶת בֶּן אֶלְעָשָׂה: According to the Gemara in tractate *Nedarim*, the haircut of ben Elasa was similar to the one depicted in this photograph of a Roman statue.

Roman statue

NOTES

The reference is to a big meal – בִּסְעוּדָּה גְּדוֹלָה: Some explain that the Gemara is referring to a celebratory banquet, e.g., a wedding feast, but an individual's meal is always considered a small meal (*Tosafot*). Others say that in certain circumstances a private meal has the legal status of a big meal (Ran).

This is for us and that is for them – הָא לָן, וְהָא לְהוּ: Some explain that the residents of Eretz Yisrael would close their belts tightly, and the residents of Babylonia would eat without loosening their belts (Rabbeinu Ḥananel). The rationale for that explanation is that Rabbi Ḥanina, who mentioned loosening the belt, lived in Eretz Yisrael and Rav lived in Babylonia.

HALAKHA

From when is it considered the beginning of the haircut – מֵאֵימָתַי הַתְּחָלַת תִּסְפּוֹרֶת: The beginning of the haircut is when he places the barber's cloth on his knees. The beginning of the bath is when he removes his outer garment. The beginning of the visit to the tannery is when he ties an apron between his shoulders as the tanners do. The beginning of the meal is when he washes his hands for the meal. For one who generally loosens his belt prior to the meal, it is when he loosens his belt, even if he has yet to wash his hands (Rambam *Sefer Ahava, Hilkhot Tefilla* 6:6; *Shulḥan Arukh, Oraḥ Ḥayyim* 232:2).