

**The Soncino Babylonian Talmud**



**ERUVIN**

**Book I**

**Folios 2a-26b**

**TRANSLATED INTO ENGLISH**

**WITH NOTES**

**CHAPTERS I - II**

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# ERUVIN – 2a-26b

## Eruvin 2a

### CHAPTER I

**MISHNAH.** [A CROSS-BEAM SPANNING] THE ENTRANCE<sup>1</sup> [TO A BLIND ALLEY]<sup>2</sup> AT A HEIGHT OF MORE THAN TWENTY CUBITS SHOULD BE LOWERED.<sup>3</sup> R. JUDAH RULED: THIS IS UNNECESSARY. AND [ANY ENTRANCE] THAT IS WIDER THAN TEN CUBITS<sup>4</sup> SHOULD BE REDUCED [IN WIDTH]; BUT IF IT HAS THE SHAPE OF A DOORWAY<sup>5</sup> THERE IS NO NEED TO REDUCE IT EVEN THOUGH IT IS WIDER THAN TEN CUBITS.

**GEMARA.** Elsewhere we have learnt: A sukkah<sup>6</sup> which [in its interior] is more than twenty cubits high is unfit, but R. Judah regards it as fit.<sup>7</sup> Now wherein lies the difference [between the two cases that] in respect of the sukkah it was ruled: ‘unfit’, while in respect of the ENTRANCE [TO A BLIND ALLEY],<sup>1</sup> a remedy<sup>8</sup> was indicated?<sup>9</sup>—

[In respect of a] sukkah, since it is a Pentateuchal ordinance,<sup>10</sup> it [was proper categorically to] rule, ‘unfit’;<sup>11</sup> in respect of the ENTRANCE, however, since [the prohibition against moving objects about in the alley is only] Rabbinical,<sup>12</sup> a remedy could well be indicated.<sup>13</sup> If you prefer I might reply: A remedy may properly be indicated in the case of a Pentateuchal law also, but as the ordinances of a sukkah are many it was briefly stated: ‘unfit’,<sup>14</sup> [while in the case of] an ENTRANCE [TO A BLIND ALLEY], since the regulations governing it are not many, a remedy could be indicated.<sup>15</sup>

Rab Judah stated in the name of Rab: The Sages<sup>16</sup> could have deduced it<sup>17</sup> only from the [dimensions of] the entrance to the Hekal<sup>18</sup> and R. Judah could only have deduced it<sup>17</sup> from the [dimensions of] the entrance to the Ulam.<sup>19</sup> For we have learnt: The entrance to the Hekal<sup>19</sup> was twenty cubits high and ten cubits wide,<sup>20</sup> and that to the Ulam was forty

cubits high and twenty cubits wide.<sup>21</sup> And both based their expositions on the same text: And kill it at the entrance of the tent of meeting;<sup>22</sup> the Rabbis<sup>23</sup> being of the opinion that the sanctity of the Hekal is distinct<sup>24</sup> [from that of the Ulam]<sup>25</sup> and that of the Ulam is distinct<sup>24</sup> from [that of the Hekal],<sup>26</sup> so that<sup>27</sup> the mention of<sup>28</sup> ‘the entrance of the tent of meeting’ must refer<sup>29</sup> to the Hekal only.<sup>30</sup> R. Judah, however, is of the opinion that the Hekal and the Ulam have the same degree of sanctity so that the mention<sup>29</sup> of ‘the entrance of the tent of meeting’<sup>31</sup> refers to both of them.<sup>32</sup>

If you prefer I might say: According to R. Judah's view also the sanctity of the Hekal is distinct from that of the Ulam,<sup>33</sup> but the reason for R. Judah's ruling here is because it is written: To the entrance of the Ulam of the house.<sup>34</sup> And the Rabbis?<sup>35</sup> If it has been written: ‘To the entrance of the Ulam’ [the implication would indeed have been] as you suggested; now, however, that the text reads, ‘To the entrance of the Ulam of the house’,<sup>34</sup> [the meaning is the entrance of] the house<sup>36</sup> that opens into the Ulam. But is not this text<sup>37</sup> written in connection with the Tabernacle?<sup>38</sup>—

We find that the Tabernacle was called Sanctuary and that the Sanctuary was called Tabernacle.<sup>39</sup> For, should you not concede this,<sup>40</sup> [consider] the statement which Rab Judah made in the name of Samuel: ‘Peace-offerings that were slain prior to the opening<sup>41</sup> of the doors of the Hekal are disqualified because it is said in Scripture: And kill it at the entrance<sup>42</sup> of the tent of meeting<sup>43</sup> [which<sup>42</sup> implies only] when it<sup>44</sup> is open but not when it is closed’.<sup>45</sup>

Now surely [it might be objected] is not this Scriptural text written in connection with the Tabernacle?<sup>46</sup> The fact, then, [must be conceded that an analogy may be drawn between the two, since] we find that the Sanctuary was called Tabernacle and that the

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Tabernacle was called Sanctuary. One may well agree that the Sanctuary was called Tabernacle since it is written in Scripture: **And I will set my Tabernacle among you.**<sup>47</sup> Whence, however, do we infer that the Tabernacle was called Sanctuary? If it be suggested: From the Scriptural text: **And the Kohathites the bearers of the sanctuary set forward**<sup>48</sup> that the tabernacle might be set up against their coming,<sup>49</sup>

- (1) מְבוּי (rt. בוא 'to come') signifying either (a) a way of entry or (b) an alley which forms the entry or gives access to courtyards that open out into it.
- (2) Having courtyards on three sides of it, the fourth side opening into a public domain (v. infra p. 2, n. 1).
- (3) Lit., 'reduced', the cross-beam thereby forming a kind of gateway into the alley. In the absence of a cross-beam, or in case it is raised too high (for the reason explained in the Gemara), the alley, in accordance with Rabbinic law, cannot be regarded as a private domain and no object may be moved in it during the Sabbath.
- (4) In consequence of which it cannot be regarded as a gateway but merely as a breach.
- (5) צורת הפתח, the simplest form of which is all horizontal pole or rod supported at each end by a stake or vertically placed reed.
- (6) סוכה or סוכה, the festive booth (v. Lev. XXIII, 42f and cf. Neh. VIII, 17).
- (7) Suk. 2a.
- (8) 'SHOULD BE' LOWERED'.
- (9) Lit., 'he taught'.
- (10) Cf. supra N. 6.
- (11) The suggestion of a remedy might have been misunderstood as being mere advice the neglect of which did not vitally affect the performance of the precept, and so it would be concluded that ex post facto the sukkah may be deemed fit. (So according to Tosaf. s.v. סוכה a.l. contra Rashi).
- (12) Pentateuchally such a prohibition applies only to a public domain which is sixteen cubits in width (v. Shab. 6b and 99a) and open on at least two sides. The ALLEY spoken of in our Mishnah is less than sixteen cubits in width and is open on one side only (cf. Supra p. 1, n. 2).
- (13) Cf. supra p. 1, n. 9. There is no need for so much precaution in the case of a Rabbinical as in that of a Pentateuchal law.
- (14) Thus presenting a succinct ruling covering all disqualifications. Were remedies for each disqualification to be indicated the ruling would have extended to undue lengths, contrary to the principle of brevity in teaching (v. Pes. 3b).
- (15) Lit., 'he taught'.
- (16) Sc. the first Tanna of our Mishnah.

- (17) The ruling as to the proper measurements of an entrance.
- (18) היכל or 'Holy', was situated between the Ulam, the hall leading to the interior of the Temple, and the Debir or the Holy of Holies, and contained the golden altar, the table for the shewbread and the candlestick.
- (19) V. previous note.
- (20) Mid. IV, I.
- (21) Ibid. III, 7.
- (22) Lev. III, 2. אהל מועד sc. the Hekal.
- (23) Sc. the first Tanna of our Mishnah.
- (24) Lit., 'alone'.
- (25) That of the latter being of a minor degree.
- (26) Cf. previous note mutatis mutandis.
- (27) Since the services that may be performed within the more sacred place of the Hekal cannot be performed in the less sacred one of the Ulam.
- (28) Lit., 'when it is written.'
- (29) Lit., 'when it is written'.
- (30) The dimensions of whose entrance were only 20 X 10 cubits.
- (31) v. Supra p. 2, n. 11 mut. mut.
- (32) To the Ulam also whose entrance was 40 X 20 cubits.
- (33) Cf. Supra p. 2, nn. 13 and 14.
- (34) No such verse has been preserved in M.T. Tosaf. (s.v. דְּבַרֵּי א.ל.) suggests that this quotation is a composite text based on Ezek. XL, 48, 'To the Ulam of the house and Ezek. XLVII, 1, 'The door of the house'.
- (35) How, in view of the specific description of the entrance to the Ulam as 'an entrance', could they refuse to recognize similar measurements in the case of an entrance to an alley?
- (36) Sc. the Hekal.
- (37) 'The entrance of the tent of meeting' (v. Supra p. 2, n. 11).
- (38) מִשְׁכַּן, made by Moses in the wilderness the height of the door of which could not possibly be more than ten cubits since the height of its walls was only ten cubits (v. Ex. XXVI, 16). How then could our Mishnah allow a height of twenty cubits?
- (39) Hence the permissibility of drawing an analogy between the two. Cf. Shebu. 16b.
- (40) Lit., 'say so'.
- (41) In the morning.
- (42) פתח, lit., 'the opening', emphasis on the last word.
- (43) V. supra p. 2, n. 11.
- (44) So MS.M. בסמן שהוא נעול ולא בסמן שהוא נעול Cur. edd. have the plural, פתוחים and נעולים referring to the doors.
- (45) Zeb. 55b, Yoma 29a, 62b.
- (46) How then could it be applied to the Temple?
- (47) Lev. XXVI, 11. As this was said after the Tabernacle in the wilderness has already been erected, 'tabernacle' in the text must obviously

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refer to the promised sanctuary or Hekal that would be built later in Jerusalem. For another interpretation cf. Rashi Shebu. 16b (Sonc. ed., p. 82, n. 5.)

(48) ויגזרו. Vilna and other edd. ויגזרו is obviously a printer's error.

(49) Num. X, 21.

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that<sup>1</sup> [surely] was written in respect of the [holy] ark.<sup>2</sup> —

Rather it is from the following text<sup>3</sup> [that the inference was made:] And let them make Me a sanctuary,<sup>4</sup> that I may dwell<sup>5</sup> among them.<sup>6</sup> Whether [according to the ruling] of the Rabbis or [according to that] of R. Judah might not the deduction<sup>7</sup> be made from the entrance of the court [of the Tabernacle], since it is written in Scripture: The length of the court shall be a hundred cubits and the breadth fifty everywhere, and the height five cubits,<sup>8</sup> and it is also written: The hangings for the one side [of the gate] shall be fifteen cubits,<sup>9</sup> and again it is written: And so for the other side; on this hand and that hand by the gate of court were hangings of fifteen cubits,<sup>10</sup> as there [the entrance was] five [cubits in height] by twenty cubits in width so here also<sup>11</sup> [the dimensions allowed should be no less<sup>12</sup> than] five [cubits in height but as many as] twenty cubits in width?<sup>13</sup> [Such an entrance]<sup>14</sup> may well be described<sup>15</sup> as the entrance of the gate of the court; but it cannot be regarded<sup>15</sup> as an ordinary ENTRANCE.<sup>16</sup> If you prefer I might reply: The Scriptural instruction<sup>17</sup> that the hangings for the one side shall be fifteen cubits<sup>18</sup> applies<sup>19</sup> to its height.<sup>20</sup> [You say], 'Its height'! Is it not in fact written: And the height five cubits?<sup>21</sup> That [refers only to a part of their height] above the edge of the altar.<sup>22</sup>

As to R. Judah, [how could it be said that] he inferred [the measurements of a gateway] 'from the door of the Ulam'<sup>23</sup> when in fact we have learnt: AND [ANY ENTRANCE] THAT IS WIDER THAN TEN CUBITS

SHOULD BE REDUCED, and R. Judah did not dispute [the ruling]?<sup>24</sup> —

Abaye replied: He does dispute [this ruling] in the Baraitha. For it was taught: And [any entrance] that is wider than ten cubits should be reduced, but R. Judah ruled that is was not necessary to reduce it.<sup>25</sup> Then why does he not express his disagreement in our Mishnah? —

He expressed it<sup>26</sup> in respect of the height of the gateway<sup>27</sup> and the same disagreement applies to the width. Can it, however, still [be maintained that] R. Judah inferred [the measurements of a gateway] 'from the entrance of the Ulam'<sup>28</sup> when it was in fact taught: [A cross-beam spanning the] entrance [to a blind alley] at a height of more than twenty cubits should be lowered,<sup>29</sup> but R. Judah regards [the entrance] as a proper [gateway even if the beam is] as high as<sup>30</sup> forty or fifty<sup>31</sup> cubits; and Bar Kappara taught:<sup>32</sup> Even a hundred? [The high figure] of Bar Kappara might quite well [be regarded as] a hyperbole;<sup>33</sup> but in respect of [the figures] of R.<sup>34</sup> Judah,<sup>35</sup> what hyperbole [could be postulated]? [As regards that of] forty<sup>36</sup> one might well explain that he derives it from [the height of] the door of the Ulam;<sup>37</sup> whence, however, does he derive that of fifty?

R. Hisda replied: The following Baraitha must have misled Rab.<sup>38</sup> For it was taught: [A cross-beam, spanning the] entrance [to a blind alley] at a height of more than twenty cubits, [and thus forming a gateway] higher than the doorway of the Hekal, should be lowered.<sup>39</sup> He consequently thought: Since the Rabbis<sup>40</sup> derived [their figure] from [that of the height of] the doorway of the Hekal, R. Judah must have derived [his figure] from [that of the height of] the doorway of the Ulam. [In fact,] however, this is not [the case]; R. Judah derived his figure from [that of the height of] the doorways of kings.<sup>41</sup> As to the Rabbis, however, if they derive their figure from [that of the height of] the doorway of the Hekal, should they not also

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require [a gateway<sup>42</sup> to have] doors like the Hekal?<sup>43</sup>

Why then did we learn: The rendering of an alley fit [for carrying objects within it,]<sup>44</sup> Beth Shammai ruled, requires a side-post and a beam,<sup>45</sup> and Beth Hillel ruled: Either a side-post or a beam?<sup>46</sup> The doors of the Hekal were made merely for the purpose of privacy.<sup>47</sup> If that is the case<sup>48</sup> THE SHAPE OF A DOORWAY should be of no avail,<sup>49</sup> since the [entrance to the] Hekal had the shape of a doorway and yet was only ten cubits wide; why then did we learn: IF IT HAS THE SHAPE OF A DOORWAY THERE IS NO NEED TO REDUCE IT EVEN THOUGH IT IS WIDER THAN TEN CUBITS? —

Does not that reason<sup>50</sup> originate but from Rab?<sup>51</sup> Well, when Rab Judah taught Hiyya b. Rab in the presence of Rab, ‘It is not necessary to reduce [its width]’, the latter told them, ‘Teach him: It is necessary to reduce it’. [Still] if that is so<sup>52</sup>

(1) ‘The Sanctuary’, המקדש.

(2) Which was the charge of the Kohathites and might well be described as sanctuary.

(3) Lit., ‘from here’.

(4) מקדש.

(5) ושכנתי of the same rt. As משכן (‘tabernacle’) Cf., however, infra n. 10.

(6) Ex. XXV, 8. In Shebu. 16b the following addition occurs: ‘And it is written in Scripture: According to all that I show thee, the patten, of the tabernacle’ (Ex. XXV, ); sanctuary’ in v. 8 is thus described as tabernacle in v. 9.

(7) As to the maximum width of an entrance. The maximum height laid down above cannot be called in question by what follows, since evidence that an entrance of a lesser height is regarded as a proper doorway cannot alter the fact that one of a bigger size (as has been proved supra from that of the doors of the Hekal or Ulam) is also regarded as a proper entrance, or gateway (cf. Rashi s.v. לילפני and Tosaf. s.v. בנין),

(8) Ex. XXVII, 18

(9) Ibid. v. 14.

(10) Ex. XXXVIII, 15. From the three texts it follows that the width of the court was fifty cubits (Ex. XXVII, 18) and that it had hangings of fifteen cubits in width at each end (ibid. 14 and XXXVIII,

15), thus leaving an opening of  $(50 - 2 \times 15 =) 20$  cubits for an entrance.

(11) In the case of an ENTRANCE TO A BLIND ALLEY.

(12) Cf. supra p. 4, n. 11.

(13) Cf. supra n. 1.

(14) One of twenty cubits in width.

(15) Lit., ‘called’.

(16) Hence the limit of TEN CUBITS indicated in our Mishnah.

(17) Lit., ‘when it is written’.

(18) Ex. XXVII, 14.

(19) Lit., ‘that (it is about) which it is written.’

(20) Sc. the height of all the hangings (not their width on either side of the gate) and consequently the height of each side of the court was fifteen cubits. The width of the gate cannot, therefore, be deduced from this text (cf. second interpretation; Rashi, s.v. משפט)

(21) Ex. XXVII, 18.

(22) Which was ten cubits high (cf. Zeb. 59b). By deducting this height from the height of the hangings, the figure five is obtained  $(15 - 10 = 5)$ . The reading משפת קלעים ולמטה substituted by Bah for משפת מסבה ולמעלה occurs also in MS.M. but is rejected by Rashi (l.c. q.v.).

(23) Supra 2a.

(24) If the inference is made from the measurements of the door of the Ulam, a maximum width of twenty cubits should be allowed.

(25) Cf. infra 10a.

(26) Lit., ‘he differed or disputed’.

(27) Lit., ‘its height’.

(28) Supra 2a.

(29) Cf. supra p. 1, n. 3.

(30) Lit., ‘makes it fit until’.

(31) I.e., ten cubits higher than that of the Ulam.

(32) In explanation of R. Judah's ruling.

(33) But is not to be taken literally. It merely implies a figure much higher than that of twenty given by the Rabbis but not above that of forty.

(34) לרוב is obviously to be read as לרבי.

(35) Who mentions the lower figures of forty and fifty only.

(36) לרוב יהודה of cur. edd. is to be deleted with MS.M. and Bah.

(37) Which was forty cubits high.

(38) In whose name Rab Judah made his statement, supra 2a, as to the source of the derivation of It. Judah's measurements.

(39) Tosef. ‘Er. I.

(40) Sc. the Tanna just cited.

(41) Which are higher than twenty cubits.

(42) Such as the one spoken of in our Mishnah.

(43) Of course they should, since the comparison must be complete.

(44) On the Sabbath.

(45) At the entrance to the alley.



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(46) Infra 11b; but no doors. How then could it be said that the Rabbis derived their measurements from the door of the Hekal?

(47) They were not essential to the structure of the entrance.

(48) Lit., 'but from now', sc. if it is still maintained that the inference is from the door of the Hekal.

(49) "Where the gateway IS WIDER THAN TEN CUBITS.

(50) That the measurements were derived from those of the door of the Hekal.

(51) Of course it does. V. Supra 2a.

(52) Cf. Supra n. 5 mut. mut.

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a cornice<sup>1</sup> should be of no avail,<sup>2</sup> since [the entrance to the] Hekal had a cornice and yet was only twenty cubits high? For have we not learnt: Five cornices of oak<sup>3</sup> were above it, one higher than the other? (What<sup>4</sup> an objection, however, is this? Is it not possible that the statement about the cornices was made in respect of the Ulam?<sup>5</sup> —

And what difficulty is this! It is quite possible that the build of [the entrance to] the Hekal was like that of the Ulam). Then<sup>6</sup> why did R. Il'a state in the name of Rab [that if a cross-beam was] four [handbreadths] wide [it constitutes a proper gateway] even though it is not strong enough,<sup>7</sup> and if it had a cornice there is no need to lower it even if it was higher than twenty cubits? —

R. Joseph replied: [The ruling about] the cornice is that of a Baraitha.<sup>8</sup> (Who learned it?<sup>9</sup> —

Abaye replied: Hama<sup>10</sup> the son of Rabbah b. Abbuha learned it.) But even if [the ruling about] the cornice is a Baraitha, does it<sup>11</sup> not present an objection against Rab?<sup>12</sup> —

Rab can answer you: Even if I am removed from here,<sup>13</sup> are not the two Baraithas<sup>14</sup> mutually contradictory? All you can reply,<sup>15</sup> [however, is that they represent the views of different] Tannas;<sup>16</sup> so also [the reply to the contradiction] against me may be [that our respective statements are the views of different] Tannas.

R. Nahman b. Isaac said: In the absence of [the statement of] Rab<sup>17</sup> there is no contradiction between the [two] Baraithas, since the reason of the Rabbis [for limiting the height of] the beam, [may be] that there should be a distinguishing mark<sup>18</sup> and that the use of the expression,<sup>19</sup> 'higher than the doorway of the Hekal'<sup>20</sup> is a mere mnemonic. As to R. Nahman b. Isaac, [his explanation may be accepted as] satisfactory if he does not adopt the view of Rabbah; but if he does adopt the view of Rabbah<sup>21</sup> who stated: 'It is written in Scripture: That your generations may know that I made the children of Israel dwell in booths,<sup>22</sup> [if the roof of the booth is] not higher than<sup>23</sup> twenty cubits, one knows that one is living in a booth but if it is higher than twenty cubits one would not know it, since [the roof] does not catch the eye',<sup>24</sup> from which it is clear that in respect of sukkah also they<sup>25</sup> differ on the question of distinction, why [it may be asked] should they<sup>26</sup> express the [same] difference<sup>27</sup> in two [rulings]?<sup>28</sup> —

[Both are] required. For if we had been informed [of their dispute] in respect of sukkah only, it might have been assumed that only in this case does R. Judah maintain his view, [because a sukkah], since it is made for the purpose of sitting in, the eye would well observe<sup>29</sup> [the roof], but [that in the case of] an alley, since it is used for walking<sup>30</sup> he agrees with the Rabbis. And if we had been informed of the other<sup>31</sup> [ruling only], it might have been assumed that only in this case did the Rabbis maintain their view, but that in the other case they agree with R. Judah. [Hence the] necessity [for both rulings]. What [is the meaning of] amaltera?<sup>32</sup> —

R. Hama son of Rabbah b. Abbuha replied: Pigeon holes.<sup>33</sup> When R. Dimi came<sup>34</sup> he stated that in the West<sup>35</sup> it was explained as cedar poles.<sup>36</sup> He who said that cedar poles<sup>36</sup> [constitute a proper entrance would] with even more reason [admit that] pigeon holes [constitute a proper entrance].<sup>37</sup> He, however,

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who said that pigeon holes [constitute a proper entrance recognizes only these] but not cedar poles.<sup>38</sup> As to him, however, who recognized<sup>39</sup> cedar poles, is not his reason because their length is considerable?<sup>40</sup> But [if so, it may be objected]: Is not the extent [of the roof] of a sukkah considerable<sup>41</sup> and the Rabbis nevertheless ruled that it is not [valid]?<sup>42</sup> —

The fact, however, is that since [they are] valuable people talk about them.<sup>43</sup> If part of [the thickness of] the cross-beam<sup>44</sup> was within twenty cubits<sup>45</sup> and part of it above twenty cubits,<sup>45</sup> or if part of [the depth of] the covering<sup>46</sup> [of a sukkah] was within twenty cubits<sup>45</sup> and part of it above twenty cubits, [such an altitude] said Rabbah, is admissible<sup>47</sup> in the case of an entrance but inadmissible<sup>48</sup> in that of a sukkah. Why is this<sup>49</sup> admissible in the case of an entrance? Obviously because we say, [Regard the beam as] planed;<sup>50</sup> but, then, [why should it not] be said in respect of a sukkah also, [Regard the roof as] thinned?<sup>50</sup> —

If you [assume the roof to be] thinned, the sunshine in the sukkah [would have to be assumed to be] more than the shade.<sup>51</sup> But here also,<sup>52</sup> if you [regard it as] planed, would not the beam be like one that can be carried away by the wind?<sup>53</sup> Consequently you must [assume that beams in the conditions mentioned]<sup>54</sup> are regarded as metal spits;<sup>55</sup> [may it not then], here also [be said], that whatever the assumption<sup>56</sup> the extent of the shade is actually more than that of the sunshine?<sup>57</sup> —

Raba of Parazika<sup>58</sup> replied: In the case of a sukkah, since [it is usually intended] for the use of an individual, one might not remember [the altitude of the roof].<sup>59</sup> In the case of an entrance however, since [it is made] for the use of many, [the people concerned] would remind one another.<sup>60</sup>

Rabina replied:<sup>61</sup> The Rabbis made the law stricter in respect of a sukkah because [the

commandment is] Pentateuchal, but in respect of an entrance [to an alley the prescribed construction of] which is only Rabbinical, the Rabbis did not impose such restrictions.

R. Adda b. Mattenah taught the statement of Rabbah just cited in the reverse order: Rabbah said: It is inadmissible in the case of an entrance but admissible in that of a sukkah. Why is this<sup>62</sup> admissible in the case of a sukkah? Obviously because we say: [Regard the roof as] thinned out;<sup>63</sup> but, then, [why should it not] be said in respect of an entrance also: [Regard the beam as] planed?<sup>63</sup> —

If you [regard it as] planed, the beam would be like one that can be carried away by a wind.<sup>64</sup> But here also<sup>65</sup> if you [regard the roof as] thinned out [would not also] the sunshine in the sukkah [have to be regarded as] larger in extent than its shade? Consequently you must maintain that whatever the assumption,<sup>66</sup> the actual extent of the shadow is larger than that of the sunshine, [may it not then] here also [be said] that whatever the assumption [beams in the condition mentioned] are regarded as metal spits?<sup>67</sup> —

Raba of Parazika replied: In the case of a sukkah, since [it is usually made] for one individual, that person realizes his responsibility<sup>68</sup> and makes a point of remembering [the conditions of the roof].<sup>69</sup> In the case of an entrance, however, since [it is made] for the use of many, [the people affected might] rely upon one another and so overlook<sup>70</sup> [any defects in the cross-beam]; for do not people say: ‘a pot in charge of two cooks<sup>71</sup> is neither hot nor cold’. Rabina replied:<sup>72</sup> [the law of] sukkah, since it is Pentateuchal, requires no buttressing<sup>73</sup> but that of an entrance, since it is only Rabbinical, does require buttressing.<sup>74</sup> What is the ultimate decision?<sup>75</sup> —

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**Rabbah b. R. Ulla replied: The one as well as the other<sup>76</sup> is inadmissible. Raba replied: The one as well as the other<sup>76</sup> is admissible,**

- (1) מלתרא or מלתרא cf. Gr. \*\*.
- (2) Where the gateway is higher than twenty cubits.
- (3) מילה cf. Gr. \*\* quercus infectoria.
- (4) The argument is interrupted by the discussion within the brackets and is then resumed.
- (5) While the entrance to the Hekal may have had no cornice at all?
- (6) Supra n. 13.
- (7) To carry the weight of an ariah (a small brick hall' the size of an ordinary one), v. infra 13b.
- (8) Not that of Rab himself. Hence there is no contradiction between Rab's own statements.
- (9) I.e., who reported (or recited) it?
- (10) Delete ויהי with MS.M. and Bah. Emden reads: 'R. Hama'.
- (11) This Baraitha from which it is obvious that the inference is not made from the door of the Hekal.
- (12) Who stated (supra 2a) that the inference is made from the door of the Hekal; whereas from this Baraitha it is evident that such an inference is not drawn.
- (13) Sc. even if his opinion had never been expressed.
- (14) The one just cited and that quoted supra 2b where the inference from the door of the Hekal is specifically mentioned.
- (15) Lit., 'what have you to say'.
- (16) The Tanna supra 2b infers from the Hekal and consequently limits the height of a gateway to twenty cubits irrespective of the presence or absence of a cornice, while the Tanna of the last cited Baraitha draws no such inference.
- (17) Sc. if Rab had not suggested that the Rabbis in the first Baraitha derived their measurement from the door of the Hekal.
- (18) Between the alley and the public domain into which it opens. At a height of more than twenty cubits the beam would not be noticed and people might mistake the alley for a public domain. As a cornice can be noticed even at a higher altitude the limit of twenty cubits, as stated in the second Baraitha, was in its case removed.
- (19) Lit., 'and that which he taught'.
- (20) In the first Baraitha.
- (21) V. Suk. 2a.
- (22) Lev. XXIII, 43, emphasis on 'know'.
- (23) Lit., 'until'.
- (24) Lit., 'the eye does not rule over it'. Suk. 2a'
- (25) The Rabbis and R. Judah, who declare such a booth valid.
- (26) For לִי (sing.) read with Bah לְהוּ (plur.).
- (27) The Rabbis insisting on, and R. Judah dispensing with the necessity for a distinction.

- (28) Those of (a) sukkah and (b) the cross-beam of an alley.
- (29) Cf. Supra n. 4.
- (30) It is not usual to sit down in an open alley and in passing one would not see a beam lying too high.
- (31) Lit., 'of that', the entrance to an alley.
- (32) The Heb. for 'cornice', v. supra p. 7.
- (33) קיני 'nests', sc. ornamental carvings in the shape of birds' nests.
- (34) From Palestine to Babylon.
- (35) Palestine.
- (36) Fixed to the walls on the sides of the entrance.
- (37) Since the latter are more likely to be noticed by the public.
- (38) Which are not so striking and may, in consequence, remain unnoticed.
- (39) Lit., 'said', sc. regarded them as constituting a proper gateway even when higher than twenty cubits.
- (40) In consequence of which they would be easily observed even at a considerable height.
- (41) Cf. supra n. 2.
- (42) If it is more than twenty cubits high.
- (43) Lit., 'it has a voice', and the public are consequently aware of their existence, a reason which is inapplicable, of course, to a sukkah.
- (44) At the entrance of an alley.
- (45) From the ground.
- (46) סכך, consisting of branches, twigs or straw.
- (47) Lit., 'fit', 'proper', sc. the entrance to the alley is deemed to constitute a proper gateway.
- (48) Lit., 'unfit', cf. supra n. 9 mutatis mutandis.
- (49) A cross-beam of which only a portion is below the height of twenty cubits.
- (50) And only that portion remained that lay within the twenty cubits. קלוש, particip. pass. Of קלש 'to weaken', 'to thin out'.
- (51) And this would render the sukkah invalid. The roof of a proper Sukkah must be thick enough to enable the shadows in the interior to predominate over the sunshine.
- (52) In the case of a cross-beam over an entrance.
- (53) In consequence of which it could not be regarded as a proper beam conforming to the prescribed thickness and strength, V. Supra p. 7, n. 16.
- (54) In view of their general thickness and strength.
- (55) A thin one of which can carry as heavy a weight as a thicker one of wood.
- (56) Lit., 'against your will'.
- (57) Why then, it may again be asked, did Rabbah rule that a Sukkah in such a condition is invalid?
- (58) Farusag, a district near Bagdad (Obermeyer, p. 269), or Porsica, a town in Mesopotamia (v. Golds.).
- (59) Should, therefore, the section below the altitude of twenty cubits dry up or fall down it



# ERUVIN – 2a-26b

might never occur to the individual that his Sukkah, the roof of which was now completely higher than twenty cubits, was no longer valid. He would thus unconsciously live in an invalid Sukkah and so transgress a Pentateuchal precept.

(60) Cf. Supra n. 4 mutatis mutandis.

(61) v. Supra note 2.

(62) A roof of a sukkah of which only a portion is below the height of twenty cubits.

(63) v. Supra p. 10, n. 12.

(64) v. Supra p. 10, n. 15.

(65) In the case of the roof of a sukkah.

(66) Lit., 'against your will'.

(67) Cf. supra p. 10, n. 17. Why then did Rabbah rule that a cross-beam in such a condition is admissible?

(68) Lit., 'throws upon himself'.

(69) V. supra p. 11, n. 2.

(70) Lit., 'and would not remember'.

(71) Lit., 'of partners'.

(72) V. supra p. 11, n. 2.

(73) People would in any case be careful properly to observe it.

(74) Otherwise it might be entirely disregarded.

(75) Lit., 'what is (the decision) about it'.

(76) Lit., 'this and this', the roof of a sukkah and a cross-beam if either is even only partially higher than twenty cubits from the ground.

## Eruvin 3b

for what we learned [in respect of height<sup>1</sup> refers to the] interior<sup>2</sup> of the sukkah and to the empty space<sup>2</sup> of the entrance.<sup>3</sup>

Said R. Papa to Raba: A Baraita was taught which provides support for your view: '[A cross-beam over] an entrance [to a blind alley] that is higher than twenty cubits [and is thus] higher than the entrance to the Hekal<sup>4</sup> should be lowered'. Now in the Hekal itself<sup>5</sup> the [height of the] hollow space of [the entrance thereto] was twenty cubits.

R. Shimi b. Ashi raised an objection against R. Papa: 'How does one construct [the prescribed entrance]? One places the cross-beam, below the limit of twenty [cubits of its altitude]'.<sup>6</sup> Read: 'Above'.<sup>7</sup> But surely it is stated: 'below'? — It was this that we are informed:<sup>8</sup> That the lowest<sup>9</sup> [permitted altitude is to be measured on the same principle] as the highest. As in the case of the highest [altitude permitted] the hollow space

[of the entrance must not exceed] twenty cubits, so also in the case of the lowest [altitude permitted], the hollow space [of the entrance must not be lower than] ten cubits.<sup>10</sup>

Abaye stated in the name of R. Nahman: The cubit [applicable to the measurements] of a sukkah and that applicable to<sup>11</sup> an 'entrance' is one of five [handbreadths]. The cubit [applicable to the laws] of kil'ayim<sup>12</sup> is one of six [handbreadths].<sup>13</sup> In respect of what legal [restriction has it been ruled that] the cubit [applicable to the measurements] of an entrance is [only] one of five?<sup>14</sup> [If it be suggested] in respect of its height<sup>15</sup> and [of the size of] a breach in the alley,<sup>16</sup> surely [it could be retorted] is there [not also the law on] the depth of an alley, that<sup>17</sup> [must be no less than] four cubits,<sup>18</sup> in which case [the adoption of the smaller cubit results in] a relaxation [of the law]?<sup>19</sup> —

[He<sup>20</sup> holds the same view] as does he<sup>21</sup> who limits the depth<sup>22</sup> to four handbreadths.<sup>23</sup> If you prefer<sup>24</sup> I might reply [that the depth of an alley must indeed be] four cubits, but he<sup>25</sup> spoke of the majority of cubit measurements.<sup>26</sup> In respect of what legal [restriction has R. Nahman ruled that] the cubit [applicable to the measurements] of a sukkah is one of five?<sup>27</sup> [If it be suggested,] in respect of its height<sup>28</sup> and [the permitted size of] a crooked wall,<sup>29</sup> surely [it might be objected is there [not also the law requiring] the area of the sukkah [to be four cubits] by four cubits, in which case [the adoption of the smaller cubit results in] a relaxation [of the law]?<sup>30</sup> For was it not taught: Rabbi<sup>31</sup> said: 'I maintain that any sukkah which does not contain [an area of] four cubits by four cubits is legally unfit'?<sup>32</sup>

[R. Nahman is of the same opinion] as the Rabbis who ruled [that a sukkah is valid] even if it accommodates no more than one's head, the greater part of one's body and a table.<sup>33</sup> And if you prefer I might reply: It<sup>34</sup> may, in fact, [be in agreement with the view

# ERUVIN – 2a-26b

of] Rabbi,<sup>31</sup> but he<sup>35</sup> spoke of the majority of cubit measurements.<sup>36</sup> In respect of what legal [restrictions has R. Nahman ruled that] ‘the cubit [applicable to the laws] of kil'ayim is one of six’? —

In respect of a patch<sup>37</sup> in a vineyard and the [uncultivated] border<sup>38</sup> of a vineyard; for we have learnt: [Each side of] a patch<sup>39</sup> in a vineyard, Beth Shammai ruled, must measure no less than twenty-four cubits,<sup>40</sup> and Beth Hillel ruled: Sixteen cubits; and [the width of] an [uncultivated] border<sup>38</sup> of a vineyard, Beth Shammai ruled, [must] measure no less than sixteen cubits,<sup>40</sup> and Beth Hillel ruled: Twelve cubits. What is meant by a patch in a vineyard? The barren portion of the interior of the vineyard.<sup>41</sup> [If its sides] do not measure<sup>42</sup> sixteen cubits, no seed may be sown<sup>43</sup> there, but if they do measure<sup>44</sup> sixteen cubits, sufficient space for the tillage of the vineyard<sup>45</sup> is allowed and the remaining space may be sown. And what is meant by the border of a vineyard?

[The space] between the [actual] vineyard<sup>46</sup> and the surrounding fence. [If the width] is less than<sup>42</sup> twelve cubits no seed may be sown<sup>43</sup> there, but if it measures<sup>44</sup> twelve cubits, sufficient space for the tillage of the vineyard<sup>45</sup> is allowed and the remaining area may be sown.<sup>47</sup> But, surely, there is [the case of vines planted] closely within four cubits [distance from one another] where [the adoption of the higher standard<sup>48</sup> would result] in a relaxation [of the law]?<sup>49</sup> For have we not learnt:<sup>50</sup> A vineyard [the rows of which are] planted at [distances of] less than four cubits [from one another] is not regarded, R. Simeon ruled, as a proper vineyard,<sup>51</sup> and the Sages ruled, [It is regarded as] a proper vineyard, the intervening vines<sup>52</sup> being treated as if they were non-existent?<sup>53</sup> —

[R. Nahman is of the same opinion] as the Rabbis who ruled that [whatever the distances the plantation] constitutes a proper vineyard.<sup>54</sup> If you prefer I might reply: [He<sup>55</sup>

may,] in fact, [hold the view of] R. Simeon, but<sup>56</sup> he was referring to the majority of cubit measurements.<sup>57</sup> Raba, however,<sup>58</sup> stated in the name of R. Nahman: All cubits [prescribed for legal measurements are] of<sup>59</sup> the size of six [handbreadths], but the latter<sup>60</sup> are expanded<sup>61</sup> while the former<sup>62</sup> are compact.<sup>63</sup>

An objection was raised: All cubits of which the Sages spoke are of the standard<sup>64</sup> of six [handbreadths] except

- (1) Suk. 2a and supra 2a.
- (2) Lit., ‘hollow’.
- (3) But does not include the roof of the former or the cross-beam of the latter.
- (4) V. supra p. 2, n. 7.
- (5) From which the law relating to the entrance to a blind alley is derived.
- (6) Tosef. ‘Er. 1; from which it follows, contrary to the view of R. Papa, that the prescribed altitude of twenty cubits for an entrance includes also the cross-beam.
- (7) Instead of ‘below’, the cross-beam being excluded from the prescribed altitude.
- (8) By the mention of ‘below’.
- (9) דלמטה, lit., ‘that which is below’.
- (10) The expression למטה (‘below’) in the Baraita does not at all refer to a crossbeam that lies over an entrance twenty cubits in height, but to one of ten cubits only, the entire passage being in the nature of an elliptical note.
- (11) Lit., ‘and the cubit of’.
- (12) V. Glos.
- (13) Adopting in each case the standard which makes for the more rigorous application of the law.
- (14) And not six as is the case with that of kil'ayim.
- (15) Sc. that the cross-beam must not be higher than twenty cubits of the lower standard on the side of rigor.
- (16) If the breach in one of the walls of the alley is wider than ten cubits, the arrangements in connection with the Sabbath are invalid on the side of rigor; v. infra 5a.
- (17) In order to render the Sabbath arrangements valid.
- (18) V. infra 5a.
- (19) Since a depth of four cubits of the lower standard would be sufficient to render the arrangements valid.
- (20) R. Nahman in whose name Abaye laid down the respective standards of the cubit.
- (21) R. Joseph (v. infra 5a).
- (22) Lit., ‘who said’.

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- (23) The question of the size of the respective cubits does not, therefore, arise.
- (24) The answer just given is not very satisfactory since Abaye himself who reported R. Nahman's ruling differs from R. Joseph's view (cf. Supra n. 15).
- (25) V. p. 13, n. 14.
- (26) In connection with an 'entrance'. In respect of depth, however, he may well hold the size of the cubit to be six handbreadths.
- (27) And not six as is the case with that of kil'ayim.
- (28) That its interior must not be higher than twenty of the smaller cubits.
- (29) דופן עקומה; if a portion of the roof of a sukkah consists of materials that are legally unfit for the purpose, the sukkah may nevertheless be valid if that portion is adjacent to any of its walls and terminates within a distance of four cubits from that wall. That portion of the roof together with the wall it adjoins are regarded as one crooked wall; and the space under the remainder of the roof, consisting of suitable materials, may be used as a proper sukkah. (V. Suk. 17a). In both suggested cases, the cubit of the lower standard is on the side of rigor.
- (30) Since even all area measured by the smaller cubit would render the sukkah valid.
- (31) R. Judah I, the Patriarch, compiler of the Mishnah.
- (32) Suk. 3a.
- (33) Cf. Supra p. 13, n. 17.
- (34) The ruling reported in R. Nahman's name.
- (35) R. Nahman in whose name Abaye laid down the respective standards of the cubit.
- (36) In connection with the sukkah, which belong to the lower standard. In the case of the area of a sukkah, however, he may well maintain, the cubit applicable is the one of the higher standard on the side of rigor.
- (37) קרחת, 'baldness'. This is further explained infra.
- (38) מחול (rt. חול 'to go round') a circle, circumference.
- (39) V. p. 14, n. 13.
- (40) If it is desired to grow in it wheat or other kinds of grain which under the laws of kil'ayim are forbidden to be grown among vines.
- (41) Lit., 'a vineyard the middle of which was destroyed'.
- (42) Lit., 'there is not there'.
- (43) Lit., 'he shall not bring'.
- (44) Lit., 'they were there'.
- (45) Four cubits on each side.
- (46) Sc. the vines.
- (47) Kil. IV, 1; infra 93a. These regulations — by adopting the cubit of the higher standard, are on the side of rigor.
- (48) Six handbreadths per cubit.

- (49) V. infra note 16, second clause.
- (50) Kil. V, 2.
- (51) And wheat or other corn may be sown there.
- (52) Those planted in the space of the four cubits that should intervene between each two rows.
- (53) So that the prescribed space between the remaining vines is obtained and the plantation constitutes a proper vineyard in which, in accordance with the laws of kil'ayim, no kind of grain may be sown. Now, since it is the existence of distances of four cubits between the rows of vines that determines whether a group of vines may be regarded as a vineyard in the legal sense, it follows that if the lower standard of the cubit is adopted distances of no more than (5 X 4) twenty handbreadths between the rows would subject the vineyard to the laws of kil'ayim, while if the higher standard is adopted, so that distances of (6 X 4 =) twenty-four handbreadths are required, the same plantation would constitute no proper vineyard and the plantation would thus be exempt from the laws of kil'ayim.
- (54) The standard of the cubit does not consequently affect the prohibition to sow any kinds of grain between the vines.
- (55) R. Nahman.
- (56) In adopting the higher standard of the cubit.
- (57) In connection with kil'ayim, while in respect of distances between vines he also adopts the lower standard, on the side of rigor.
- (58) Contrary to Abaye's statement supra.
- (59) Lit., 'by a cubit'.
- (60) Lit., 'those (relating to kil'ayim).'
- (61) שוחקות (rt. שחק 'to laugh'). In measuring the cubit in handbreadths, the fingers are kept apart as are the lips of a laughing person (Aruk); 'wide spread' (Jast.).
- (62) Those of sukkah and 'entrance'.
- (63) עצבות (rt. עצב 'to be sad'), the fingers are kept close to one another as are the lips of a man in sadness (Aruk); 'pressed together' (Jast.).
- (64) Lit., 'in a cubit'.

## Eruvin 4a

that [their measurements must] not be exactly alike.<sup>1</sup> Now according to Raba this<sup>2</sup> is intelligible [since the measuring must be done in such a manner] as to have [the handbreadths] in the latter case expanded and the former case compact; but according to Abaye<sup>3</sup> [does not this<sup>4</sup> present] a difficulty?—

Abaye can answer you: 'The cubit [spoken of in respect] of kil'ayim is of the length of six

## ERUVIN – 2a-26b

[handbreadths].<sup>5</sup> But since it was stated in the final clause, ‘R. Simeon b. Gamaliel ruled: All cubits of which the Sages spoke in relation to kil'ayim are of the standard of six [handbreadths] except that these must not be compact’, does it not follow that the first Tanna<sup>6</sup> referred to all cubits?<sup>7</sup> —

Abaye can answer you: Is there not R. Simeon b. Gamaliel who maintains the same standpoint as I! I uphold the same ruling as R. Simeon b. Gamaliel. According to Abaye's view [the standard of the respective cubits] is undoubtedly [a question in dispute between] Tannas;<sup>9</sup> must it, however, be said that according to Raba's view also [the standard of the cubit is a question in dispute between] Tannas?<sup>10</sup> —

Raba can tell you, ‘It is this that R. Simeon b. Gamaliel desired<sup>11</sup> to inform us: [That the handbreadths of] the cubit applicable to kil'ayim must not be compact’.<sup>12</sup> [If that is the case]<sup>13</sup> he should have said,<sup>14</sup> ‘[The handbreadths of] the cubit applicable to kil'ayim must not be compact’; what, [however, could he have meant] to exclude [by his addition,] ‘of the standard of six [handbreadths]’? [Did he] not [obviously mean] to exclude the cubit of the sukkah and the cubit of the ‘entrance’?<sup>15</sup> No; to exclude the cubit [by which the] base,<sup>16</sup> and the one [by which the] surrounding ledge<sup>17</sup> [of the altar were measured]<sup>18</sup> for it is written in Scripture: And these are the measures of the altar by cubits — the cubit<sup>19</sup> is a cubit and a handbreadth,<sup>20</sup> the bottom shall be a cubit, and the breadth a cubit, and the border thereof by the edge thereof round about a span,’ and this shall be the base of the altar;<sup>21</sup> ‘The bottom shall be a cubit’<sup>21</sup> refers to the foundation [of the altar];<sup>21</sup> ‘And the breadth a cubit’<sup>21</sup> refers to its surrounding ledge;<sup>17</sup> ‘And the border thereof by the edge thereof round about a span refers to the horns;<sup>22</sup> ‘And this shall be the base of the altar’ refers to the golden altar.<sup>23</sup>

R. Hiyya b. Ashi stated in the name of Rab: [The laws relating to] standards,<sup>24</sup> interpositions<sup>25</sup> and partitions<sup>26</sup> [are a part of] the halachic code [that was entrusted] to Moses at Sinai. Are [not the laws relating to] standards<sup>24</sup> Pentateuchal, since it is written in Scripture: A land of wheat and barley, etc.<sup>27</sup> and R. Hanan stated that all this verse was said [with reference to the laws] of standards? ‘Wheat’<sup>27</sup> [namely was mentioned] as [an allusion to what] we have learnt: ‘If a man entered a leprous<sup>28</sup> house, [carrying] his clothes upon his shoulders and his sandals and rings in his hand<sup>29</sup> both he and they become levitically unclean forthwith.<sup>30</sup> If, however, he was wearing his clothes, had his sandals on his feet and his rings on his fingers, he becomes unclean forthwith but they<sup>31</sup> remain clean<sup>32</sup> unless he stayed there<sup>33</sup> [as much time] as is required for the eating<sup>34</sup> of half a loaf<sup>35</sup> of wheaten bread, but not of barley bread,<sup>36</sup> while in a reclining posture<sup>37</sup> and eating with some condiment’.<sup>38</sup> ‘Barley’<sup>39</sup> [is an allusion to the following]. For we have learnt: ‘A bone of the size of a barley grain causes defilement by contact and carrying, but not by cover’.<sup>40</sup> ‘Vines’<sup>39</sup> [are an allusion to] the quantity of a quarter [of a log]<sup>41</sup> of wine [the drinking of which constitutes an offence]<sup>42</sup> of a nazirite.

- (1) מכוונות, this is explained anon.
- (2) The statement that the measurements must not be ‘exactly alike’.
- (3) Who maintains that not all cubits consisted of six handbreadths.
- (4) The ruling that ‘all cubits... are of the standard of six (handbreadths)’.
- (5) מכוונות (v. Supra note 12) need not necessarily mean ‘exactly alike’. It may be rendered ‘pressed together’, ‘compact’. שלא יהיו מכוונות ‘that the handbreadths shall be expanded’.
- (6) Whose ruling is quoted in the objection supra 3b ad fin.
- (7) Not only, as suggested in the reply, to those relating to kil'ayim.
- (8) Of course there is.
- (9) R. Simeon b. Gamaliel and the Sages, since the latter who ruled that ‘all cubits ... are of the standard of six (handbreadths)’ obviously differ from Abaye who holds that only those of kil'ayim conformed to that standard.



# ERUVIN – 2a-26b

(10) Sc. must R. Simeon b. Gamaliel, in his specific mention of the cubit of six handbreadths in connection with kil'ayim, (a) be assumed to exclude the cubit of sukkah and entrance which, according to his opinion, must measure no more than five handbreadths, and his view consequently differs from that of the Sages; or (b) is his statement a commentary on the vague ruling of the Sages, that 'the measurements are not alike', its object being to explain that the cubit of six handbreadths of which they spoke must in the case of kil'ayim measure not six compact, but six expanded handbreadths, and thereby he only implied that the cubit of sukkah and entrance must be one of six compact ones, so that his views are in every way in complete agreement with that of the Sages?

(11) Lit., 'came'.

(12) V. Supra note 5b.

(13) That R. Simeon b. Gamaliel merely wished to explain the ruling of the Sages.

(14) Lit., 'and let him say'.

(15) Which in his opinion must be no longer than five handbreadths. How then could Raba maintain that no dispute existed between R. Simeon b. Gamaliel and the Sages?

(16) יסוד, lit., 'foundation'.

(17) סובב (rt. סבב, 'to go round').

(18) These cubits were of the standard of five handbreadths.

(19) Spoken of elsewhere, sc. the one measuring six handbreadths.

(20) Of those spoken of here.

(21) Ezek. XLIII, 13.

(22) קרנות, (cf. Ex. XXVII 2) projections of the altar.

(23) V. Ex. XXX, 1ff and Men. 97b.

(24) The minimum quantities, e.g., of forbidden foodstuffs the consumption of which constitutes the offence. V. infra for other examples.

(25) That cause, e.g., the invalidity of ritual bathing if they intervene between the body of the bather and the water of the bath.

(26) Required, e.g., in connection with the arrangements for carrying burdens on the Sabbath.

(27) Deut. VIII, 8.

(28) V. Lev. XIV, 34ff.

(29) Sc. if he did not wear them.

(30) Since the clothes, sandals and rings were only carried by the man but not worn they, like himself, come under the Pentateuchal law, of 'he that goeth into the house . . . shall be unclean' (Lev. XIV 46).

(31) Since they were worn in the usual manner.

(32) They are included in the category of 'clothes' which have only to be washed (cf. Lev. XIV, 47 and the definition of 'eateth' infra n. 4).

(33) Lit., 'until he will delay'.

(34) This is the definition of 'eateth' (v. Supra n. 2).

(35) פרס, lit., 'a half', the whole loaf being equal to the size of eight eggs (cf. infra 82b).

(36) The former is eaten much quicker than the latter which is not so tasteful.

(37) In such a position, one eats quicker than when walking about.

(38) Neg. XIII, 9, Hul. 71b; cf. Supra n. 7 mutatis mutandis.

(39) Deut. VIII, 8.

(40) Lit., 'in the tent'; only a backbone, a skull and the like cause the defilement of a person in the same tent or under the same roof or cover. V. Oh. II, 3.

(41) V. Glos.

(42) Punishable by flogging.

## Eruvin 4b

'Fig-trees' [allude to] the size of a dried fig in respect of carrying out [from one domain into another] on the Sabbath. 'Pomegranates' [are an allusion] as we learned: 'All [defiled wooden]<sup>1</sup> utensils of householders<sup>2</sup> [become clean if they contain holes] of the size of pomegranates.<sup>3</sup> "A land of olive-trees" [is<sup>4</sup> an allusion to the] land all the legal standards of which are of the size of olives'. [You say], 'All the legal standards of which [etc.]!' Is this conceivable? Surely there are those that have just been enumerated? Rather read: 'A land, most<sup>5</sup> of the legal standards of which are of the size of olives'. 'Honey' [is an allusion to the eating of food of] the size of a big dates [that constitutes an offence]<sup>7</sup> on the Day of Atonement!<sup>8</sup> —

Do you then imagine that the standards were actually prescribed [in the Pentateuch]? [The fact is that] they are but traditional<sup>9</sup> laws for which the Rabbis have found allusions in<sup>10</sup> Scripture. But [the laws relating to] interpositions are Pentateuchal. [For was it not taught:]<sup>11</sup> Since it is written in Scripture: Then he shall bathe all his flesh<sup>12</sup> [it follows] that there must be no interposition between his flesh and the water; In water<sup>13</sup> implies, in water that is gathered together;<sup>14</sup> all his flesh<sup>13</sup> implies, water in which all his body can be immersed;<sup>15</sup> and how much is this? [A volume of the size of] a cubit by a cubit by a



## ERUVIN – 2a-26b

height of three cubits; and the Sages accordingly estimated that the waters of a ritual bath<sup>16</sup> must measure forty se'ah?<sup>17</sup> —

Where a traditional law is required<sup>18</sup> [it is in respect of] one's hair; and [it is to be understood] in accordance with [a statement of] Rabbah son of R. Huna,<sup>19</sup> for Rabbah son of R. Huna said: 'One knotted hair constitutes an interposition,<sup>20</sup> three [hairs] constitute no interposition,<sup>21</sup> but I do not know [the ruling in the case of] two'.<sup>22</sup> [But are not the laws relating to] one's hair also Pentateuchal? For was it not taught: Then shall he bathe all his flesh<sup>23</sup> [implies, even] that which is attached to his flesh, and by this was meant<sup>24</sup> hair?<sup>25</sup> —

Where traditional law is required<sup>26</sup> [it is the case of hair], and it is for [the purpose of distinguishing<sup>27</sup> between an interposition] on its major, and one on its minor [portion] and between one to which the bather objects and one which he does not mind; this being understood on the lines of R. Isaac who said: [According to] traditional law<sup>28</sup> [an interposition on] its<sup>29</sup> major part to which a man objects constitutes an interposition but one which he does not mind constitutes no interposition;<sup>30</sup> the Rabbis, however, ruled that [an interposition on] its<sup>29</sup> greater part [shall constitute an interposition] even when the man does not mind it, as a preventive measure [against the possibility of allowing an interposition on] its major part to which the man does object, and that [an interposition on] its<sup>29</sup> minor portion to which a man objects [shall constitute an interposition] on account [of the possibility of allowing an interposition over] its<sup>29</sup> major portion to which a man objects.<sup>31</sup> But [why should no prohibition be enacted] also [against an interposition over] its minor portion to which one does not object, as a preventive measure against [the possibility of allowing an interposition over] its minor portion to which one does object<sup>32</sup> or its major portion to which one does not object?<sup>33</sup> This ruling<sup>34</sup> itself is merely a

preventive measure, — shall we go as far<sup>35</sup> as to institute a preventive measure against another preventive measure?<sup>36</sup> But [the laws defining] partitions are Pentateuchal. For did not a Master state:<sup>37</sup> [The height of] the ark was nine [handbreadths]<sup>38</sup> and [the thickness of] the ark-cover was one handbreadth, so that we have here<sup>39</sup> [a total height of] ten [handbreadths]?<sup>40</sup> —

[The traditional law] is required [in respect of the views] of R. Judah who holds that the cubit used for the structure [of the Temple] was of the standard of six [handbreadths] while that for the furniture<sup>41</sup> was only one of five handbreadths.<sup>42</sup> According to R. Meir, however, who holds<sup>43</sup> that all cubit measurements<sup>44</sup> were of the medium size,<sup>45</sup> what can be said in reply?<sup>46</sup> —

According to R. Meir [it may be replied] the traditional law refers<sup>47</sup> to [the legal fictions of] extension,<sup>48</sup> junction<sup>49</sup> and the crooked wall.<sup>50</sup> [If the cross-beam]<sup>51</sup> was higher than twenty cubits and it is desired to reduce the height,<sup>52</sup> how much is one to reduce it?<sup>53</sup> How much is one to reduce it, [you ask]? As much [obviously] as one requires!<sup>54</sup> But [it is this that is asked]: How much [must the raised ground<sup>55</sup> be in] width?<sup>56</sup> —

R. Joseph replied: A handbreadth.<sup>57</sup> Abaye replied: Four [handbreadths].<sup>58</sup> May it be suggested that they<sup>59</sup> differ on the following principles — he<sup>60</sup> who said 'a handbreadth' being of the opinion that it is permissible to make use [of the floor space] under the beam<sup>61</sup>

(1) V. Tosaf. a.l. s.v. כל

(2) As opposed to those of craftsmen.

(3) Sc. through which pomegranates would fall out. No householder would continue the use of utensils broken to such an extent. Losing the status of utensils the objects become levitically clean. In the case of a craftsman's utensils, even holes as small as the size of an olive, since they render the utensils unfit for sale, are sufficient to deprive them of the legal status of utensils, and they consequently become clean. V. Kel. XVII, 1.

## ERUVIN – 2a-26b

- (4) וּדְבַשׁ ('and honey') in cur. edd. is enclosed within parentheses and is wanting from the parallel passages in Ber. 41b and Yalkut.
- (5) E.g., those applicable to the consumption of forbidden fat, blood or levitically unclean food.
- (6) Honey' in Scripture, unless otherwise stated, is assumed to be that of dates. Cf. Bik. I, 3.
- (7) Since the consumption of food is forbidden.
- (8) Thus it follows that the legal standards mentioned are Pentateuchal. How then could Rab maintain (supra 4a) that they formed part of the traditional code given orally to Moses at Sinai?
- (9) Variant, 'Rabbinical' (cf. Suk. 6a, Ber. 41b).
- (10) Lit., 'and supported them on'.
- (11) This is in fact the reading of some ed. but is wanting in MS.M. and cur. edd.
- (12) Lev. XV, 16. 'In water' appearing in cur. edd. in parenthesis is here omitted.
- (13) Ibid.
- (14) Sc. even if it is not spring water.
- (15) Lit., 'goes up in them'.
- (16) מִקְוֵה, lit., 'a gathering together'.
- (17) V. Glos. and Pes. 109a (Sonc. ed., p. 564, n. 7.)
- (18) Regarding the rule of 'interposition' in addition to the one just deduced from Scripture.
- (19) Who applies the law of interposition to hair.
- (20) Because it is possible to tie it so closely that no water could penetrate to all its parts.
- (21) Since it is impossible to tie them so tightly as to prevent the water from penetrating.
- (22) Suk. 6a, Nid. 6a.
- (23) Lev. XV, 16 emphasis on 'all'.
- (24) Lit., 'and this is'.
- (25) Suk. 6a. Old ed. read: 'to include his hair'.
- (26) So MS.M. Cur. edd., 'came'.
- (27) This is explained anon.
- (28) דְּבַר תּוֹרָה, lit., 'the word of the (oral) law'.
- (29) One's hair.
- (30) It is for the purpose of this distinction that the traditional law was required in addition to the Biblical law relating to interposition.
- (31) While traditional law restricts a disqualifying interposition to (a) its extension over the major part of the hair and (b) the man's objection to it, the Rabbis regard even (a) without (b) or (b) without (a) as a disqualifying interposition.
- (32) Since in both cases a 'minor portion' is involved.
- (33) The clement of non objection being common to both.
- (34) Lit., 'it', the ruling that an interposition (a) over a minor portion to which one objects or (b) over a major portion to which one does not object.
- (35) Lit., 'shall we rise'.
- (36) Of course not. Hence the permissibility of an interposition over a minor portion which one does not mind.
- (37) Shab. 92a, Suk. 4a.
- (38) V. Ex. XXV, 10, 'A cubit and a half the height thereof', a cubit consisting of six handbreadths.
- (39) Lit., 'behold'.
- (40) This height of ten handbreadths from which God spoke to Moses (cf. Ex. XXV, 22, And I will speak with thee from above the ark-cover) is, according to R. Jose who stated (Suk. 5a) that the Deity never descended to a lower level than ten handbreadths from the earth, for 'the heavens are the heavens of the Lord but the earth hath he given to the children of men' (Ps. CXV, 16), the boundary line or 'partition', so to speak, between heaven and earth. How then could it be said here that the laws defining partitions are only traditional?
- (41) כְּלִיִּים, lit., 'vessels'.
- (42) Kel. XII, 10. The total height of the ark and cover was consequently eight and a half handbreadths only, and R. Jose's boundary line between heaven and earth consequently receives no Pentateuchal support.
- (43) Kel. XVII, 10.
- (44) In the Temple.
- (45) Six handbreadths. (V. Pes. 86a).
- (46) Lit., 'what is there to say', in reply to the difficulty pointed out (v. supra note 3).
- (47) Lit., 'when it came'.
- (48) גִּיד (rt. נָגַד 'to stretch'), a partition that does not reach (a) the ground or (b) the ceiling may in certain conditions be regarded as virtually touching the ground and the ceiling respectively.
- (49) לְבוּד (rt. לָבַד 'to join') a gap of less than three handbreadths between two partitions may be disregarded and the edges of the partitions are deemed to be joined into one complete partition.
- (50) V. supra p. 14, n. 5.
- (51) Spanning the entrance to a blind alley (v. our Mishnah).
- (52) Lit., 'and he came to reduce it'.
- (53) The term 'reducing' implies that the ground is raised to such a level as to reduce the distance between it and the beam, otherwise 'lowering' (sc. the beam) would be the more appropriate term.
- (54) Sc. the ground must obviously be raised to such a level as would reduce the distance between it and the beam to twenty cubits.
- (55) V. previous note.
- (56) I.e., the width as extending into the alley. Lit., 'its width by how much'.
- (57) Corresponding to the prescribed width of the cross-beam.
- (58) This is discussed infra.
- (59) Abaye and R. Joseph.
- (60) R. Joseph.
- (61) The outer edge of the beam being regarded as the end of the alley. Since people would consequently linger on the higher ground level the beam would well be noticed by them.

# ERUVIN – 2a-26b

## Eruvin 5a

while he<sup>1</sup> who said ‘four handbreadths’, is of the opinion that it is forbidden to make use [of the floor space] under the beam?<sup>2</sup> — No; all may agree<sup>3</sup> that it is permissible to make use [of floor space] under the cross-beam,<sup>4</sup> but here they<sup>5</sup> differ on the following principles:

One Master holds the opinion that a cross-beam [is required] on account [of the necessity for] a distinguishing mark;<sup>6</sup> while the other Master<sup>1</sup> holds that a cross-beam [is required] on account [of the necessity for] a partition.<sup>7</sup> If you prefer I might reply that all agree<sup>3</sup> that a cross-beam [is required] on account [of the necessity for] a distinguishing mark; but here they<sup>5</sup> differ on [the question whether] the distinguishing mark below [must be of the same dimensions as] the one above.

One Master is of the opinion that we say that a distinguishing mark below<sup>8</sup> [is provided by the same width] as the one above,<sup>9</sup> and the other Master<sup>10</sup> holds that we do not say that a distinguishing mark below [is provided by the same dimensions] as the one above.<sup>11</sup> And if you prefer I might reply that all agree that a distinguishing mark below [is provided by the same width] as the one above,<sup>12</sup> but their<sup>13</sup> point of difference here is [the question whether a wider space was ordered] as a preventive measure against the possibility of its being trodden down.<sup>14</sup> [If an entrance to an alley] was less than ten handbreadths [in height] and it was desired to dig up the ground<sup>15</sup> so as to bring up the altitude<sup>16</sup> to ten [handbreadths] how much must one excavate? — [You ask] , ‘How much must one excavate?’ As much [of course] as one requires!<sup>17</sup> — Rather [this is the question:] To what extent in width<sup>18</sup> [must one excavate]? —

R. Joseph replied: To<sup>19</sup> four [handbreadths]. Abaye replied: To four cubits. Might it be suggested that they<sup>20</sup> differ on the principle

laid down by R. Ammi and R. Assi? For it was stated: If a breach was made in a side-wall of<sup>21</sup> an alley close to its entrance,<sup>22</sup> it was ruled in the name of R. Ammi and R. Assi, if a strip<sup>23</sup> of [the width of] four [handbreadths] was there<sup>24</sup> it is permissible<sup>25</sup> [to regard the alley as ritually fit],<sup>26</sup> provided the breach is not wider than<sup>27</sup> ten [cubits].<sup>28</sup> If, however, [there was] no [such strip<sup>29</sup> there] it is permissible [to regard the alley as ritually fit, if the breach was] less than three [handbreadths wide],<sup>30</sup> [but if it was] three [handbreadths wide]<sup>31</sup> this is not permissible.<sup>32</sup> [Might it then be suggested that] R. Joseph<sup>33</sup> adopts the principle of R. Ammi<sup>34</sup> and that Abaye<sup>35</sup> does not hold the principle of R. Ammi?<sup>36</sup>

Abaye can answer you: There<sup>37</sup> [it is a question of] destroying the ritual fitness<sup>38</sup> of an alley,<sup>39</sup> but here<sup>40</sup> [it is a case of] creating one.<sup>41</sup> [Consequently] if the excavation extends<sup>42</sup> [to a width of] four cubits [the entrance becomes] ritually fit,<sup>43</sup> but if not, it is not [fit].

Said Abaye: Whence do I derive my ruling?<sup>44</sup> From what was taught:<sup>45</sup> ‘[The movement of objects in] an alley cannot be permitted [on the Sabbath] by means of a sidepost<sup>46</sup> and a crossbeam<sup>47</sup> unless houses and courtyards open out into it’.<sup>48</sup> Now if [a strip of the width] of four [handbreadths were to constitute a proper alley wall] how could this<sup>49</sup> be possible?<sup>50</sup> And should you reply that the doors might open<sup>51</sup> in the middle wall,<sup>52</sup> the fact is [it could be retorted] that R. Nahman stated: We have a tradition that if [the movement of objects in] an alley is to be<sup>53</sup> permitted [on the Sabbath] by means of a side-post and a crossbeam, its length<sup>54</sup> must be<sup>55</sup> more than its width<sup>56</sup> and houses and courtyards must open out into it.<sup>57</sup> And R. Joseph?<sup>58</sup> — Each door might open<sup>59</sup> in a corner.<sup>60</sup>

Abaye further<sup>61</sup> stated: Whence do I derive my ruling? From what Rami b. Hama<sup>62</sup> said in the name of R. Huna: If a projection from

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[the end of a side] wall of an alley<sup>63</sup> is less than four cubits [in width] it may be regarded as a side-post and no other post is required to effect the ritual fitness of the alley,<sup>64</sup> [but if it is] four cubits [wide] it is deemed to be [a part of the structure of the] alley, and another post is required to effect its ritual fitness.<sup>64</sup> And R. Joseph?<sup>65</sup> — To deprive [a projection] of its status as a post there must be<sup>66</sup> [a width of] four cubits but as regards constituting [a wall in] an alley, even [a width] of four handbreadths is also [enough] to constitute an alley.

[Reverting to] the above text, ‘Rami b. Hama said in the name of R. Huna: If a projection from [the end of a side] wall of an alley

- (1) Abaye.
- (2) The inner edge of the beam forming the boundary line of the alley, while all the space under the beam itself is regarded as outside the alley. Since no one would consequently use that space no one would notice the beam which, from the level of the general floor of the alley, would be higher than twenty cubits. The raised ground must, therefore, be extended into the alley to form a substantial area; and the minimum of such an area is four handbreadths.
- (3) Lit., ‘for all the world hold the opinion’.
- (4) Cf. Supra n. 7 first clause.
- (5) Abaye and R. Joseph.
- (6) That people might distinguish between the alley and the public domain into which it opens out, and would thus remember that what is permitted in the former is not permitted in the latter. A level of the width of one handbreadth which the residents must pass on their way from and into the alley is, therefore, quite sufficient for the purpose.
- (7) Between the alley and the public domain. No partition is valid unless it is made for a floor space of no less than four handbreadths (v. infra 86b and cf. supra n. 9 final clause).
- (8) Sc. the raised ground under the cross-beam.
- (9) So that a raised level of only one handbreadth in width suffices.
- (10) Abaye.
- (11) Below a mark of wider width is required, viz., of four handbreadths.
- (12) Only one handbreadth.
- (13) Abaye's and R. Joseph's.
- (14) Lit., ‘he or it will diminish’, sc. the raised ground, if it were to be allowed to consist of the minimum width of one handbreadth only, might in the course of time be worn down to less than a

handbreadth. R. Joseph holds that this possibility was not provided against while Abaye holds that it was. Hence, according to Abaye, the necessity for a width of more than a handbreadth. And since a width above the minimum was required, it was fixed at four handbreadths. (cf. supra p. 23, n. 9 final clause).

- (15) Lit., ‘and he engraved in it’.
- (16) Lit., ‘to complete it’.
- (17) To raise the altitude to ten handbreadths.
- (18) Lit., ‘its drawing (from the entrance into the interior) by how much’.
- (19) Lit., ‘in’, ‘by’.
- (20) R. Joseph and Abaye.
- (21) Lit., ‘from its side’.
- (22) Lit., ‘toward its head or top’.
- (23) Of wood, especially put up for the purpose, or a remnant of the original wall.
- (24) At the original termination of the wall, adjoining the cross-beam.
- (25) Lit., ‘it (sc. the strip) permits’.
- (26) In respect of the movement of objects on the Sabbath. The breach is treated as an additional entrance to the alley and does not, therefore, affect its ritual fitness, while the validity of the main entrance is retained owing to the strip of wood or building structure which, complying with the prescribed size, serves the purpose of the original wall and, together with the wall opposite and the cross-beam above them, constitutes a valid alley to which the main entrance serves as doorway.
- (27) Lit., ‘in the breach until’.
- (28) A gap wider than ten cubits cannot be regarded as a doorway and destroys, therefore, the Sabbatic ritual validity of the alley.
- (29) Sc. if it was either wanting altogether or of less than four handbreadths in width.
- (30) Such a narrow breach may be regarded as non-existent (v. Glos. s.v. labud) and the wall is deemed to be virtually intact.
- (31) And people are consequently likely to use the gap as a short cut thus neglecting the use of the main entrance.
- (32) Lit., ‘it does not permit’, since (v. previous note) the ritual validity of the main entrance has thereby been destroyed.
- (33) Who ruled supra, in the case of an excavation at the foot of an entrance, that a width of four handbreadths is sufficient.
- (34) Who regards a strip of four handbreadths in width to be sufficient to constitute a wall as a support for a cross-beam. MS.M. adds: ‘and R. Assi’.
- (35) Who required for the excavation a width of four cubits.
- (36) MS.M. adds: ‘and of R. Assi’. This is also the reading of Rashi.
- (37) The case dealt with by R. Ammi and R. Assi.



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(38) Lit., 'end'. Before the breach occurred the alley was in a condition that was ritually fit.

(39) Hence it is sufficient for a width of four handbreadths to retain its ritual fitness.

(40) In the matter of the excavation.

(41) Lit., 'the beginning of an alley'. Owing to the low altitude of the entrance, the alley was never before ritually fit.

(42) Lit., 'there is'.

(43) Lit., 'yes'.

(44) Lit., 'I say it'.

(45) Shab. 130b, infra 73b.

(46) 'lit., 'cheek', 'jaw'.

(47) Cf. Mishnah infra 11b.

(48) Sc. the houses open out into the courtyards and the latter into the alley (Rashi).

(49) That 'courtyards' should open out into it'?

(50) The prescribed minimum width of a door being four handbreadths, the doorway of one courtyard alone would cover the full width of the alley wall.

(51) Lit., 'that he opens it'.

(52) The back wall of the alley which is enclosed by the two side walls. While the latter might be as narrow as four handbreadths the former might be long enough to admit of more than one courtyard door.

(53) Lit., 'which is an alley that is'.

(54) Sc. the length of the side walls.

(55) Lit., 'all of which its length is'.

(56) The length of the middle, or back wall.

(57) Infra 12b (cf. Shab. 131a). If courtyards (i.e., a minimum of two) were to open out from the middle wall, its width would be (cf. supra note 8) no less than eight handbreadths exclusive of the doorposts; and it would thus be twice as big as either of the side walls.

(58) How, in view of Abaye's quotation and inference, could he maintain that four handbreadths are sufficient for the width of an alley wall?

(59) Lit., 'that he opens it'.

(60) Though the back wall is less than four handbreadths in length it is possible, where the side walls are four handbreadths in length, to open a door that is four handbreadths wide in each corner where the two side walls respectively meet the back wall.

(61) So MS.M. reading ראמר.

(62) Var. lec., Abba (Asheri).

(63) Into the alley.

(64) Lit., 'to permit it'.

(65) Cf. supra p. 26, n. 16.

(66) Lit., 'until there is'.

## Eruvin 5b

is less than four cubits [in width] it may be regarded as a side-post<sup>1</sup> and no other post is required to effect the ritual fitness of the alley, [but if it is] four cubits [wide] it is deemed to be [a part of the structure of the] alley, and<sup>2</sup> another post is required to effect its ritual fitness'.<sup>3</sup> Where, however, does one put up that '[other] post'? If it be attached to the projection,<sup>4</sup> would not one be merely adding to it?<sup>5</sup> —

R. Papa replied: One puts it upon the other side.<sup>6</sup>

R. Huna son of R. Joshua said: It may even be maintained that it<sup>7</sup> is attached to the projection<sup>4</sup> but it is made bigger<sup>8</sup> or smaller.<sup>9</sup>

R. Huna son of R. Joshua stated: This<sup>10</sup> has been said only in respect of [an entrance to] an alley [that was no less than] eight [cubits in width],<sup>11</sup> but where [the entrance to] an alley is seven [cubits wide],<sup>12</sup> Sabbath ritual fitness is effected<sup>13</sup> because<sup>14</sup> the portion built-up<sup>15</sup> is longer than the breach. [This ruling is inferred] a minori ad majus from [the law relating to] a courtyard: If a courtyard<sup>16</sup> [the movement of objects in which on the Sabbath] cannot be rendered permissible<sup>17</sup> by means of a side-post and a cross-beam<sup>18</sup> is nevertheless deemed fit<sup>13</sup> [for such movements] where its built-up portions<sup>15</sup> are larger than its broken [parts],<sup>19</sup> how much more then should an alley, where [such movements] may be rendered permissible by means of a side-post and a crossbeam,<sup>20</sup> be deemed fit<sup>13</sup> when<sup>21</sup> the built-up portion<sup>15</sup> [across its entrance] is larger than its open [part]. But is not a courtyard, however, different<sup>22</sup> [from an alley]<sup>23</sup> since a gap of ten cubits<sup>24</sup> [was also allowed in it]?<sup>25</sup> Then how can one apply<sup>26</sup> [the same ruling] to an alley where only a gap of four cubits<sup>27</sup> [was allowed]?<sup>28</sup> —

R. Huna son of R. Joshua holds the opinion that in an alley also a gap of ten cubits is



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allowed.<sup>24</sup> But whose view has been under discussion?<sup>29</sup> [Obviously that] of R. Huna;<sup>30</sup> and R. Huna, surely, is of the opinion, [is he not,] that only a gap of four cubits [is allowed in an alley]?<sup>31</sup> R. Huna son of R. Joshua only stated his own view.<sup>32</sup>

**R. Ashi said:** It may be maintained that even [where the entrance to] an alley was eight [cubits wide] no side-post is required,<sup>33</sup> since, whatever your assumption [might be, the ritual fitness of the alley cannot be affected]. For if the built portion is bigger<sup>34</sup> [the movement of objects in the alley would] be permitted by [reason of the fact that] the built portion [across the entrance] is larger than the opening; and if the open section is bigger<sup>35</sup> [the projection]<sup>36</sup> might be regarded as a side-post.<sup>37</sup> What [other possible objection can] you submit? That both<sup>38</sup> might be exactly alike?<sup>39</sup> [But such an assumption] would amount to an uncertainty in respect of a Rabbinical enactment,<sup>40</sup> and in any uncertainty appertaining to a Rabbinical enactment the more lenient course is followed.<sup>41</sup>

**R. Hanin b. Raba stated in the name of Rab:**  
As to a breach that was made in an alley

- (1) Even if originally it was put there for some other purpose.
- (2) Unless that projection was especially constructed to serve as a side-post to the entrance.
- (3) v. supra 5a for notes.
- (4) Lit., 'put up with it'.
- (5) Thus merely extending the projection further along the width of the alley and giving it a much greater resemblance to a proper wall.
- (6) The side wall opposite.
- (7) The side-post.
- (8) Longer or wider than the front of the projection, so that its nature cannot be mistaken and no one could regard it as an extension of the projection.
- (9) Shorter or narrower (cf. previous note).
- (10) The ruling of Rami b. Hama in the name of R. Huna, supra 5a ad fin.
- (11) In which case a projection of the width of four cubits would cover no more than half of its width.
- (12) So that a projection of the size mentioned (v. previous note) would cover its greater part.
- (13) Lit., 'is permitted'.

- (14) Though the projection cannot be regarded as a side-post.
- (15) Lit., '(which) stands'.
- (16) Sc. a square enclosure into which houses open out (v. Tosaf. s.v. , and cf. Rashi).
- (17) Where its wall that faced a public domain collapsed completely.
- (18) Though these means are effective in the case of an alley.
- (19) Even though the gaps are many and distributed among all its walls, the court remains ritually fit if the total length of the unbroken parts exceeds that of the gaps.
- (20) If placed at the entrance that faced a public domain (cf. supra n. 8).
- (21) In the absence of a side-post and cross-beam.
- (22) Lit., 'what of the courtyard'.
- (23) Sc. some of the laws relating to the former are much less restrictive than those of the latter.
- (24) Lit., 'its breach by ten'.
- (25) Of course it is; the freedom of movement in the courtyard is not affected by such a gap.
- (26) Lit., 'wilt thou say'.
- (27) Lit., 'whose breach by four'.
- (28) As in the case of an alley, the law was restricted in respect of the size of a gap so it might also have been restricted as regards permissibility of movement where the built portion is larger than the gap. How then (cf. supra note 14) could a law relating to an alley be inferred from one relating to a courtyard?
- (29) Lit., 'according to whom do we say', sc. to whose ruling was the argument, a *minori ad majus*, applied?
- (30) A disciple of Rab and teacher of R. Huna son of R. Joshua who (supra 5a) quoted his master.
- (31) *Infra*. How then could this view be reconciled with the inference of R. Huna son of R. Joshua?
- (32) Sc. while accepting R. Huna's ruling in the case of an entrance that was no less than eight cubits in width he disagreed with it on the strength of the argument he advanced in the case of one of the width of seven.
- (33) Where there was a projection of four cubits in width from one of the side walls across a part of the entrance.
- (34) I.e., if the measurement of the projection was on a generous scale so that the so-called 'four cubits' really represented a higher figure, and the remaining space was in fact less than four cubits in width.
- (35) Cf. previous note *mutatis mutandis*.
- (36) Since it is in reality less than four cubits.
- (37) And the movement of objects would again be permitted.
- (38) The width of the projection and that of the opening.
- (39) So that (a) the projection is four cubits wide and, therefore, unsuitable as a side-post and (b)

# ERUVIN – 2a-26b

the built section is not larger than the gap which is also four cubits wide.

(40) The prohibition to move objects in an alley on the Sabbath day is not Pentateuchal but Rabbinical.

(41) Consequently, ‘no side-post is required’.

## Eruvin 6a

[if it was made] in a side [wall, a gap] of ten cubits is permissible,<sup>1</sup> [but if it was] in the front [wall,<sup>2</sup> only a gap] of four cubits is allowed.<sup>3</sup> Wherein, however, does a side wall differ [from the front wall] that [in the case of the former] a gap of ten cubits is allowed?<sup>1</sup> [Presumably] because one can say<sup>4</sup> [that the gap] is an entrance, [but then] could not one say also [when it is made] in the front wall that it is an entrance?

R. Huna son of R. Joshua replied: [The rulings applies to a case,] for instance, where the breach was made in a corner, since people do not make an entrance in a corner.

R. Huna, however, ruled: The one as well as the others<sup>6</sup> [is subject to the limit] of four cubits. And so, in fact, did R. Huna say to R. Hanan b. Raba:<sup>7</sup> ‘Do not dispute with me, for Rab once happened to visit Damharias and actually gave a decision in accordance with my view’.<sup>5</sup> ‘Rab’, the other replied, ‘found an open field and put a fence round it’.<sup>9</sup>

R. Nahman b. Isaac remarked: Reason is on the side of R. Huna.<sup>10</sup> For it was stated: ‘A crooked alley,<sup>11</sup> Rab ruled, is subject to the same law as one that is open on both sides,<sup>12</sup> but Samuel ruled: ‘It is subject to the law of a closed one’.<sup>13</sup> Now with what case are we dealing here? If it be suggested: with [one where the passage through the bend is] wider than ten cubits, would Samuel in such circumstances [it may be retorted] rule that ‘it is subject to the law of a closed one’?<sup>14</sup> Consequently<sup>15</sup> [it must be conceded that the width of the communication passage is] within [the limit of] ten cubits, and yet Rab ruled that it ‘is subject to the same laws as one that is open on both sides’ — From

which<sup>16</sup> it definitely follows that [the permissibility of] a breach in a side [wall] of an alley is limited to four cubits.<sup>17</sup> And R. Hamn<sup>18</sup> b. Raba?<sup>19</sup> —

There<sup>20</sup> it is different,<sup>21</sup> since many people make their way through it.<sup>22</sup> [This]<sup>23</sup> then implies that R. Huna<sup>24</sup> is of the opinion that even if not many people make their way through it<sup>25</sup> [a breach of no more than four cubits is allowed], but why should this be different from the ruling of R. Ammi and R. Assi?<sup>26</sup> —

There [it is a case] where ridges [of the broken wall] remained,<sup>27</sup> but here, [it is one] where there were no ridges.<sup>28</sup> Our Rabbis taught: How is a road through a public domain<sup>29</sup> to be provided with an ‘erub’?<sup>30</sup> The shape of a doorway is made at one end,<sup>31</sup> and a side-post and<sup>32</sup> cross-beam, [are fixed] at the other.<sup>31</sup> Hanania, however, stated: Beth Shammai ruled: A door is made at the one end<sup>31</sup> as well as at the other<sup>31</sup> and it must be locked as soon as one goes out or enters, and Beth Hillel ruled: A door is made at one end and a side-post and a cross-beam at the other. May an ‘erub, however, be lawfully provided for a public domain? Was it not in fact taught,<sup>33</sup> ‘A more [lenient rule] than this<sup>34</sup> did R. Judah lay down:

(1) Lit., ‘from its side by ten’; if the gap is not wider, the Sabbatic ritual fitness of the alley is not affected.

(2) Sc. the wall that was built across a portion of the entrance to reduce its original width to the permitted maximum of ten cubits.

(3) Lit., ‘from its top by four’. Cf. supra n. 1.

(4) Lit., ‘that he said’.

(5) That no larger gap than one of four cubits was allowed.

(6) In whatever wall the breach was made.

(7) Read Hanin b. Raba; cf. infra p. 31, n. 6.

(8) In the neighborhood of Sura; Obermeyer, p. 298.

(9) Metaph. The people of Damharia were ignorant and careless in the observance of the Sabbath laws, and, in order to keep them away from further transgression, additional restrictions were imposed upon them. Elsewhere, however, even a breach of ten cubits might be allowed.

(10) V. supra nn. 5 and 6.

# ERUVIN – 2a-26b

(11) One in the shape of an "L" each arm of which opens out into a public domain.

(12) Sc. as if both sides of each arm opened out into a public domain. Consequently, the side of each arm that actually opens out into the public domain must be furnished with side-posts or cross-beam while the opposite side terminating in the angle where the two arms meet must be furnished with a sort of framework that would give the passage of communication the shape of a doorway. (V. Rashi and cf. Tosaf. s.v. כּוּר).

(13) The bend or angle of contact between the arms being regarded as the termination and closure of each and the side-posts or cross-beam at the two main entrances from the public domain are sufficient to affect the Sabbatic ritual fitness of the alley.

(14) Obviously not. Such a wide passage of communication could not possibly be treated as a closing wall.

(15) Lit., 'but, not?'

(16) Since Rab regards an opening that is narrower than ten cubits as a breach that impairs the Sabbatic ritual fitness of an alley, though that opening is not in a front wall adjoining a public domain.

(17) In agreement with the view of R. Huna.

(18) So Bomb. ed. and supra 5b ad fin. Cur. edd. 'Hanan'.

(19) Var. lec. 'Abba' (MS.M. and Asheri). How, it is asked, could he, in view of R. Nahman b. Isaac's submission, maintain that in a side wall, a breach of ten cubits is permitted?

(20) A communication passage between the two arms of a crooked alley.

(21) From a breach in a side wall.

(22) Hence the limit to a width of four cubits. Through a breach in a side wall, however, not many people pass and the limit of permissibility is, therefore, extended to ten cubits.

(23) The reply just given on behalf of R. Hanin b. Raba. Since it was laid down that he limits the width of the communication passage in a crooked alley to four cubits only because many people pass through it, he presumably allows a breach of ten cubits where only few people pass.

(24) Who differed from him.

(25) If the gap opened out, for instance, to broken ground or an unsanitary area.

(26) Who (supra 5a) do allow a breach of ten cubits.

(27) The wall did not collapse completely and a height of three or four handbreadths of it remained, so that it is not very easy to use the breach as an entrance.

(28) The passage through such a gap being easy, people would be likely to use it if it were wide enough. Hence the limit to four cubits.

(29) Such a road must pass from one end of the town to the other and must be sixteen cubits in width, while the town through which it passes must have no surrounding wall and be inhabited by no less than six hundred thousand people.

(30) V. Glos.

(31) Lit., 'from here'.

(32) Var. lec. 'or' (Alfasi and Asheri).

(33) Shab. 6a, 117a, infra 12a.

(34) The one mentioned earlier in the context (v. previous note) where a covered space was under consideration.

## Eruvin 6b

If a man had two houses on the two sides [respectively] of a public domain he may<sup>1</sup> construct one side-post [on any of the houses] on one side and another on its other side or one cross-beam on the one side [of any of the houses] and another on its other side and then he may move things about<sup>2</sup> in the space between them;<sup>3</sup> but they<sup>4</sup> said to him: A public domain cannot be provided with an 'erub in such a manner'?<sup>5</sup> And should you reply that it cannot be provided with an 'erub 'in such a manner',<sup>6</sup> but that it may be provided with one by means of doors, surely, [it can be retorted,] did not Rabbah b. Bar Hana<sup>7</sup> state in the name of R. Johanan that Jerusalem,<sup>8</sup> were 'it not that its gates were closed at night,<sup>9</sup> would have been subject to the restrictions<sup>10</sup> of a public domain; and 'Ulla too has stated that the city gateways of Mahuza,<sup>11</sup> were it not for the fact that their doors were closed at night, would have been subject to the restriction of a public domain?<sup>12</sup> —

Rab Judah replied: It is this that was meant: How is an 'erub to be provided for alleys that open out at both ends into a public domain? The shape of a doorway is made at one end and a side-post and<sup>13</sup> cross-beam, at the other. It was stated: Rab said: The halachah<sup>14</sup> is in agreement with the first Tanna,<sup>15</sup> and Samuel said: The halachah is in agreement with Hanania.<sup>16</sup>

The question was raised: According to Hanania's ruling in the name of Beth Hillel ,

## ERUVIN – 2a-26b

is it necessary to lock [the single door of the alley] or not? —

Come and hear what Rab Judah said in the name of Samuel: It is not necessary to lock it; and so also said R. Mattenah in the name of Samuel: It is not necessary to lock it. Some there are who read: R. Mattenah stated: ‘I myself was once concerned in such a case and Samuel told me that there was no need to lock [the door]’.<sup>17</sup>

R. ‘Anan was asked: Is it necessary to lock [the door of an alley] or not?<sup>18</sup> He replied: Come and see the [alley] gateways of Nehardea<sup>19</sup> which are half buried in the ground<sup>20</sup> and Mar Samuel continually passes through<sup>21</sup> [these gates] and yet never raised any objection.<sup>22</sup> R. Kahana said: Those were [partially] closed.<sup>23</sup> When R. Nahman came<sup>24</sup> he ordered the earth to be removed.<sup>25</sup> Does this then imply that R. Nahman is of the opinion that [alley doors] must be locked?<sup>26</sup>—

No; provided they are capable of being closed [Sabbatic ritual fitness is effected] even though they are not actually closed. There was a certain crooked alley at Nehardea upon which were imposed the restriction of Rab and the restriction of Samuel, and doors were ordered<sup>27</sup> [to be fixed at its bends].<sup>28</sup> ‘The restriction of Rab’ who ruled that [a crooked alley] ‘is subject to the same law as one that is open on both sides’; but [as] Rab in fact stated: ‘The halachah is in agreement with the first Tanna’<sup>29</sup> [the second restriction was applied] in agreement with Samuel who stated: ‘The halachah is in agreement with Hanania’. And [as] Samuel in fact ruled [that a crooked alley] ‘is subject to the law of a closed one’<sup>30</sup> [the first restriction was applied] in agreement with Rab who ruled that ‘[a crooked alley] is subject to the same law as one that is open at both ends’. Do we, however, adopt the restrictions of two<sup>31</sup> [authorities who differ from one another]?<sup>32</sup> Was it not in fact taught:<sup>33</sup> The halachah is always in agreement with Beth Hillel, but he

who wishes to act in agreement with the ruling of Beth Shammai may do so, and he who wishes to act according to the view of Beth Hillel may do so; [he, however, who adopts] the more lenient rulings of Beth Shammai and the more lenient rulings of Beth Hillel is a wicked man, [while of the man who adopts] the restrictions of Beth Shammai and the restrictions of Beth Hillel Scripture said: But the fool walketh in darkness.<sup>34</sup> A man should rather act<sup>35</sup> either in agreement with Beth Shammai both in their lenient and their restrictive rulings or in agreement with Beth Hillel in both their lenient and their restrictive rulings?<sup>36</sup> (Now is not this<sup>37</sup> self-contradictory? You said: ‘The halachah is always in agreement with Beth Hillel, and then you [proceed to] say: ‘But he who wishes to act in agreement with the ruling of Beth Shammai may do so!’ —

This is no difficulty; the latter statement<sup>38</sup> [was made] before [the issue of] the bath kol<sup>39</sup> while the former<sup>38</sup> [was made] after [the issue of] the bath kol.<sup>39</sup> And if you prefer I might reply: Both the former and the latter statements<sup>40</sup> [were made] after [the issue of] the bath kol

- (1) Since the area in question is already bordered by the two walls provided by the two opposite houses.
- (2) As in a private domain.
- (3) Lit., , ‘in the middle’.
- (4) The Rabbis.
- (5) How then is this ruling of the Rabbis to be reconciled with the statement, ‘How is a road, etc.’, (supra 6a ad fin.)?
- (6) The one prescribed in the Baraita just cited.
- (7) Var. lec., ‘R. Huna’ (Asheri).
- (8) Its public road stretched from one end of the town to the other and it had all the other characteristics of a public domain (cf. supra note 1).
- (9) So that it assumed the nature of a ‘courtyard’.
- (10) Lit., ‘guilty concerning it’.
- (11) A Jewish trading center. One of the ‘neighboring towns’ or ‘dependencies’ of Babylon.
- (12) Cf. supra p. 32, nn. 14f. How then could this be reconciled with the ruling of Beth Hillel that no closing if doors is necessary?
- (13) Var. lec. ‘or’ (Alfasi and Asheri).
- (14) So MS.M. הלכה Cur. edd. הלכה.
- (15) V. supra 6a ad fin.



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- (16) Asheri adds: 'In accordance (with the ruling) of Beth Hillel' (v. supra 6a ad fin.).
- (17) Of the alley. Its Sabbath ritual fitness is not affected even if the door always remains open.
- (18) Cf. previous note.
- (19) Nehardea was a town on the Euphrates, situated at its junction with the Royal Canal about seventy miles north of Sura, and famous for its great academy in the days of Samuel, which was rivaled only by that of Sura. Nehardea also had the characteristics of a public domain (v. supra p. 32, n. 14).
- (20) Lit., 'hidden unto their half in earth', and cannot possibly be moved from their open positions.
- (21) Lit., 'and goes in and goes out'. I.e., and saw that the gates were not closing, whilst the people were relying on them as providing an 'erub.
- (22) Lit., 'and he did not tell them anything'.
- (23) R. Anan's example, therefore, proves nothing.
- (24) To Nehardea.
- (25) Lit., 'he said: Remove their earth', the accumulated debris which prevented the closing of the gates.
- (26) Contrary to the general opinion expressed supra?
- (27) Lit., 'and they made it require'.
- (28) In addition to the side-posts or cross-beams fixed at the ends of the arms adjoining the public domain.
- (29) Who required no door at all, but only a sort of frame in the shape of a doorway.
- (30) Which required no contrivance.
- (31) Lit., 'do we do like two restrictions'.
- (32) I.e., where one relaxes the law and the other restricts it and vice versa.
- (33) Tosef. Suk. II, 'Ed. II, R.H. 14b.
- (34) Eccl. II, 14.
- (35) Lit., 'but'.
- (36) Why then were the restrictions of both Rab and Samuel imposed on the crooked alley of Nehardea?
- (37) The Baraitha just cited.
- (38) Lit., 'here'.
- (39) V. Glos. and cf. infra 13b. The bath kol announced that the halachah was always in agreement with Beth Hillel.
- (40) Lit., 'that and that'.

## Eruvin 7a

[but the latter] represents<sup>1</sup> [the view of] R. Joshua who does not recognize the authority<sup>2</sup> of a bath kol.<sup>3</sup> And if you prefer I might reply: It is this that was meant:<sup>4</sup> Whenever you come across<sup>5</sup> two Tannas and two Amoras who differ from one another in the

manner of the disputes between Beth Shammai and Beth Hillel, a man should not act either in accordance with the lenient ruling of the one Master and the lenient ruling of the other Master, nor in accordance with the restriction of the one and the restriction of the other, but either in accordance with the lenient and restrictive ruling of the other or in accordance with the lenient and restrictive ruling of the other.) At all events, [however, does not the original] difficulty<sup>6</sup> [remain]? —

R. Nahman b. Isaac replied: All the restrictions were imposed in accordance with the views of Rab, for R. Huna stated in the name of Rab, 'The halachah [is in agreement with the first Hillel but no such ruling is given [in actual practice]'.<sup>7</sup>

According to R. Adda b. Ahabah, however, who, citing Rab, stated, 'The halachah [agrees with the first Tanna] and this is also the ruling to be followed in practice,' what can be said [in reply to the objection raised]?<sup>8</sup> —

R. Shezbi replied: We do not adopt the restrictions of two [authorities who differ from one another] only<sup>9</sup> where [their views] are mutually contradictory<sup>10</sup> as, for instance, in the case of the 'backbone and skull'; for we learned,<sup>11</sup> 'If the backbone or skull [of a corpse] were defective [it does not impart levitical uncleanness by overshadowing];<sup>12</sup> and how much [is deemed to be] a defect in a backbone?

Beth Shammai ruled: Two vertebrae, and Beth Hillel ruled: One vertebra; and in the case of a skull, Beth Shammai ruled: [A hole] as large as that made by a drill,<sup>13</sup> and Beth Hillel ruled: One that would cause a living person to die';<sup>14</sup> and Rab Judah stated in the name of Samuel, 'And the respective rulings<sup>15</sup> apply also<sup>16</sup> in the case of trefah';<sup>17</sup> but where [the views] are not mutually contradictory<sup>18</sup> we may well adopt<sup>19</sup> [the restrictions or relaxations of two authorities].



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[Against the contention that] where [the views of two authorities] are mutually contradictory we do not adopt [the restrictions of both], R. Mesharsheya raised [the following] objection. [Was it not taught:]<sup>20</sup> It once happened that R. Akiba gathered [the fruit of] an ethrog<sup>21</sup> on the first of Shebat<sup>22</sup> and subjected it to two tithes,<sup>23</sup> one<sup>24</sup> in accordance with the ruling of Beth Shammai<sup>25</sup> and the other<sup>26</sup> in accordance with the ruling of Beth Hillel?<sup>27</sup> —

R. Akiba was uncertain of his tradition,<sup>28</sup> not knowing whether Beth Hillel said the first of Shebat or the fifteenth of Shebat and, therefore, he subjected himself to both restrictions.<sup>29</sup>

R. Joseph sat before R. Huna and in the course of the session<sup>30</sup> he stated: Rab Judah laid down in the name of Rab that they<sup>31</sup> differed only where [an alley opens out] into a camp<sup>32</sup> on the one side and into a camp on the other,<sup>33</sup> or into a highway<sup>34</sup> on the one side and into a highway on the other,<sup>33</sup> but [where there was] a camp on one side and fields<sup>35</sup> on the other,<sup>33</sup> or fields on either side, the frame of a doorway is made at one end and a side-post and cross-beam at the other.<sup>36</sup> Now [that it has been said that ‘where there was] a camp on one side and fields on the other’ [it is sufficient if] ‘the frame of a doorway is made at one end and a side-post and cross-beam at the other’ [was it at all] necessary [to state the case of] ‘fields on either side’? —

It is this that was meant: If there was a camp on one side and fields on the other it is the same<sup>37</sup> as [if there were] fields on either side. He<sup>38</sup> then concluded in the name of Rab Judah:<sup>39</sup> If the alley<sup>40</sup> terminated<sup>41</sup> in a backyard,<sup>42</sup> no [construction]<sup>43</sup> whatever is necessary.<sup>44</sup>

Said Abaye to R. Joseph: That statement of Rab Judah<sup>45</sup> represents the view of Samuel;

(1) Lit., ‘it’.

(2) Lit., ‘looks’, ‘pays attention’.

(3) V. B.M. 59b.

(4) By the statement, ‘But he who wishes to act, etc.’

(5) Lit., ‘you find’.

(6) Why were the restrictions of both Rab and Samuel simultaneously imposed in the case of the Nehardean alley.

(7) The rule in practice being in agreement with Hanania who ordained the construction of doors.

(8) V. p. 35, n. 13.

(9) Lit., ‘when do we not do, etc.’?

(10) Sc. where the reason which impelled one authority to restrict a certain law inevitably led him to relax it in another case, while the authority that by another process of reasoning relaxed the law in the first case was led by the same process to restrict it in the latter. Anyone, therefore, who adopts either both lenient rulings or both restrictions takes up an untenable position, since the very reason for restriction in the one case is also a reason for relaxation in the other.

(11) Oh. II, 3; Bek. 37b.

(12) Ohel (v. Glos.). Only a complete backbone or skull impart uncleanness in this manner.

(13) Lit., ‘like the fullness of a drill’.

(14) Lit., ‘as much as would be taken from the living and he would die’.

(15) Of Beth Shammai and Beth Hillel.

(16) Lit., ‘and so’.

(17) V. Glos. A defect in the backbone or skull of an animal, discovered after it had been slaughtered, renders its flesh unfit for consumption. Beth Shammai's restriction in the former case (defilement unless two links are missing) results in a relaxation in the latter (fitness for human consumption) while Beth Hillel's relaxation of the law in the former case (no defilement even if one link is missing) results in a restriction (prohibition of consumption).

(18) As in the case of the restrictions of Rab and Samuel in respect of an alley, where the reason for the ruling of the one has no bearing on the reason for that of the other.

(19) Lit., ‘we do’.

(20) Tosef. Sheb. III ad fin., R.H. 14a, Yeb. 15a.

(21) V. Glos.

(22) The eleventh month of the Hebrew calendar (corresponding to January / February) the first day of which is regarded by Beth Shammai as the New Year for Trees. The gathering took place at the end of the second year of the septennial cycle and the beginning of the third.

(23) The ‘second tithe’ which is due in the second year of the septennial cycle, and the ‘poor man's tithe’ which is due in the third year of the cycle.

(24) The ‘poor man's tithe’.

(25) According to whom, the first of Shebat being regarded as the beginning of the New Year for Trees, the third year of the cycle had already

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begun, and the tithe due was, therefore, that of the poor.

(26) The 'second tithe'.

(27) Who, maintaining that the New Year for Trees does not begin until the fifteenth of Shebat, regard the first day of the month as still belonging to the concluding year, i.e., the second of the cycle in which the 'second tithe' is due.

(28) In respect of the view of Beth Hillel. He was not concerned at all with the view of Beth Shammai.

(29) Lit., 'and he did here as a restriction and here, etc.'

(30) *ויתניב*, wanting in MS.M.

(31) Hanania and the first Tanna who are in dispute *supra* on the question of alleys that are open at both ends.

(32) Or 'public road'. *אסטרטיא = סרטיא*.

(33) Lit., 'from here ... from here'.

(34) *פלטיא* cf. Gr. \*\*.

(35) *בקעה*, lit., 'valley', a domain which, in respect of the Sabbath laws, is regarded as neither public nor private but as *karmelith* (v. Glos.).

(36) No door, even according to Hanania, being required.

(37) Lit., 'it is made'.

(38) R. Joseph.

(39) Not indicating the latter's authority for the ruling (cf. *infra* note 10).

(40) That opened out into a public domain.

(41) At the opposite end.

(42) And that wall of the yard that adjoined a public domain was broken through, so that the alley was now open into a public domain on its two sides. *רהבה* an area at the back of a house enclosed by four walls.

(43) Either of side-post or cross-beam.

(44) At the breach, in the backyard wall. Only that end of the alley that opens out directly into the public domain requires the prescribed construction.

(45) Just quoted by R. Joseph (cf. *Supra* note 4).

law] as that of an alley that terminated in a backyard?<sup>5</sup> —

The other replied: I do not know,<sup>6</sup> but it once happened that at Dura di-ra'awatha<sup>7</sup> an alley terminated in a backyard,<sup>8</sup> and when I came to Rab Judah [to ask his opinion] he ruled that it required no contrivance whatsoever.<sup>10</sup> If, therefore, a contradiction [arises if Rab Judah's statement] is ascribed to Rab, let it be [conceded to have been made] in the name of Samuel<sup>11</sup> and no difficulty whatever would arise.

Now, however, that R. Shesheth said to R. Samuel b. Abba or, as others say, to R. Joseph b. Abba: I may explain to you — [that Rab's ruling is dependent on whether] an 'erub has been prepared or not,<sup>12</sup> no contradiction between the two statements of Rab does now arise.<sup>13</sup> For one refers to a case<sup>14</sup> where the residents of the courtyard joined in an 'erub with those of the alley while the other refers to one<sup>14</sup> where they did not join them in an 'erub.<sup>15</sup>

(1) Lit., 'a difficulty of Rab upon Rab in two'.

(2) Sc. its entire back wall collapsed.

(3) Of less than ten cubits in width.

(4) Lit., 'permitted', as regards the movement of objects on the Sabbath. The breach is regarded as an entrance since portions of the courtyard wall remained on both sides. The ritual unfitness of the alley cannot affect the courtyard since the residents of the former have no right of passage through the latter.

(5) Rab's reason, it is now assumed, is that the alley, owing to the breach in the courtyard, is exposed on two sides to public domains. Now since Rab Judah spoke of a backyard (which, as it has no inhabitants to claim right of passage through the alley, cannot affect its ritual fitness) and not of a courtyard (which is inhabited), it follows that if an alley terminated in the latter, it becomes ritually unfit on account of the right of passage through it of the inhabitants of the courtyard. Rab, on the other hand, spoke of a courtyard and not of a backyard. And, since he does not mention the right of passage but the breach that was made, it follows that the exposure of the alley on two sides to public domains is the only reason for its unfitness, and that the right of passage of the inhabitants of the courtyard does not affect its fitness. The two principles then that were laid

## Eruvin 7b

for if [it be maintained that it is] that of Rab, a twofold contradiction between Rab's statements would arise.<sup>1</sup> For R. Jeremiah b. Abba laid down on the authority of Rab that if an alley was broken along its full [width]<sup>2</sup> into a courtyard, and a breach<sup>3</sup> was made in the courtyard [wall] over against it, the courtyard is ritually fit<sup>4</sup> but the alley is forbidden. But why [should this be so]? Should it not rather be [subject to the same

# ERUVIN – 2a-26b

down by Rab Judah, viz. (a) that the opening out of an alley into a public domain through a backyard does not destroy its ritual fitness and (b) that the opening also of a courtyard into an alley does destroy its fitness, are thus opposed by those of Rab who maintains (a) that the opening out of an alley into a public domain through a courtyard or, for the same reason, through a backyard does destroy its ritual fitness and (b) that the opening of a courtyard into an alley does not destroy it.

(6) From whom Rab Judah received the ruling.

(7) Shephardville. V. Rashi and Jast. Aliter: Diridotis, a famous commercial town on the Tigris (Wiesner, Scholien).

(8) That had a breach in the wall that faced the alley.

(9) אָרְחָא, so MS.M. Cur. edd. אָרְחָא.

(10) Lit., ‘and he did not cause it to require anything’, at the backyard breach. The contrivance at the other end that abutted on the public domain was sufficient.

(11) Another teacher of Rab Judah.

(12) Lit., ‘here that they mixed; there that they did not mix’. Where the residents of the courtyard joined the residents of the alley in the ‘erub (v. Glos.), the latter is ritually fit, but if they did not join, the fitness of the latter is destroyed, not on account of the breach in the courtyard which exposed the alley to a public domain (as has been assumed supra), but on account of the absence of the joint ‘erub. The fitness of the courtyard, however, is not affected since the breach between it and the alley, though extending over the full width of the latter, extends only over a portion of its own width and may, therefore, be regarded as a doorway.

(13) Lit., ‘of Rab upon that of Rab also, there is no difficulty’.

(14) Lit., ‘here’.

(15) Rab's ruling reported by R. Jeremiah b. Abba (supra 7b ab init.) would accordingly refer to a case where no joint ‘erub was made; the incident at Dura di-ra'awatha would refer to one where such an ‘erub was made; and Rab Judah's report in the name of Rab (supra 7a ad fin.) would be in agreement with Rab's view, even if no joint ‘erub was made, since a backyard has no residents whose right of passage could affect the ritual fitness of the alley.

## Eruvin 8a

According to our previous assumption, however, that [Rab and Samuel] are in disagreement irrespective of whether a joint ‘erub was made<sup>1</sup> or not,<sup>2</sup> on what principle do they differ where a joint ‘erub was made<sup>3</sup>

and on what principle do they differ where no such ‘erub was made?<sup>4</sup> —

Where no joint ‘erub was made they differ [on the question whether a gap] that has the appearance [of a door] from without but is even [with the walls] within<sup>5</sup> [may be regarded as a door];<sup>6</sup> and where a joint ‘erub has been made<sup>7</sup> they differ on a principle that underlies a statement of R. Joseph. For R. Joseph stated: This<sup>8</sup> has been taught only [in respect of all alley] that terminated in the middle of the backyard<sup>9</sup> but if it terminated at the side of the backyard<sup>10</sup> [all movement of objects in the alley on the Sabbath is forbidden.

Rabbah said: The statement<sup>11</sup> [that termination] at the middle of a backyard is permitted, applies only [where the gaps<sup>12</sup> were] not facing one another, but if they were facing one another [movement of objects in the alley on the Sabbath] is forbidden.

R. Mesharsheya said: The statement<sup>11</sup> [that where the gaps<sup>12</sup> were] not facing one another [the use of the alley] is permitted, applies only to<sup>13</sup> a backyard that belonged to many people, but [not to] a backyard of an individual who might sometimes reconsider [his attitude] towards it and build houses in it<sup>14</sup> and the alley would thus be one that terminated at the sides of a backyard [in which the movement of objects on the Sabbath] is forbidden. Whence, however, is it inferred that a distinction is made between a backyard belonging to many people and one belonging to an individual? —

From what Rabin b. R. Adda stated in the name of R. Isaac: It once occurred that one side of an alley terminated in the sea and the other terminated in a rubbish heap,<sup>15</sup> and when the facts were submitted to Rabbi<sup>16</sup> he neither permitted nor forbade [the movement of objects on the Sabbath] in that alley.<sup>17</sup> [He did not declare it] forbidden because partitions<sup>18</sup> in fact existed, [and he did not declare it] permitted since the possibility had

# ERUVIN – 2a-26b

to be considered that the rubbish heap might be removed or the sea might throw up alluvium.<sup>19</sup> Now<sup>20</sup> is it necessary to take into consideration the possibility that a rubbish heap might be removed? Have we not in fact learnt:<sup>21</sup> ‘If a rubbish heap in a public domain was ten handbreadths high,<sup>22</sup> objects from a window above it may be thrown on to it on the Sabbath’?<sup>23</sup> Thus it clearly follows that a distinction is made between a public rubbish heap and a private one,<sup>24</sup> and so here also a distinction may be made between a backyard that belonged to many people and one that belonged to one person. And what [was the view of] the Rabbis<sup>25</sup> [on the question of the alley]?

R. Joseph b. Abdimi replied: A Tanna taught that the Sages forbade it. R. Nahman stated: The halachah is in agreement with the ruling of the Sages. Some there are who say: R. Joseph b. Abdimi stated: A Tanna taught that the Sages permitted it, and R. Nahman said: The halachah is not in agreement with the ruling of the Sages.

Meremar partitioned off Sura<sup>26</sup> by means of nets,<sup>27</sup> because, he said, the possibility must be considered that the sea might throw up alluvium.<sup>28</sup> A certain crooked alley<sup>29</sup> once existed at Sura [and the residents of one of its arms] folded up some matting and fixed it in its bend.<sup>30</sup> This [arrangement], said R. Hisda, is neither in agreement with the view of Rab nor with that of Samuel. According to Rab, who ruled that the law of such [an alley] is the same as that of one that is open at both ends, [a structure in] the shape of a doorway is required; and [even] according to Samuel who ruled that it is subject to the law of a closed one [it must be understood that] his ruling applied only where a proper side-post [had been fixed],<sup>31</sup> but such [matting], since the wind blows on it and throws it about, is useless. If a pin, however, was inserted therein and it was thus fastened [to the wall] it may be regarded as a proper partition.<sup>32</sup>

[Reverting to] the main text: ‘R. Jeremiah b. Abba laid down on the authority of Rab that if an alley was broken along its full [width] into a courtyard, and a breach was made in the courtyard [wall] over against it, the courtyard is ritually fit but the alley is forbidden.’<sup>33</sup>

Said Rabbah b. ‘Ulla to R. Bebai b. Abaye, ‘Master, is not this ruling<sup>34</sup> [one that already appeared in] a Mishnah of ours:<sup>35</sup> [If the full width of a wall of] a small courtyard was broken down [so that the yard now fully opens out] into a large courtyard, [movement of objects on the Sabbath] is permitted in the large courtyard but forbidden in the small one because the gap is regarded as an entrance to the former’?<sup>36</sup> —

The other replied: If [our information had been derived] from there<sup>37</sup> it might have been assumed that the ruling applied only where not many people tread,<sup>38</sup> but that where many people tread<sup>39</sup> even the courtyard also [is forbidden].<sup>40</sup> But did we not learn this<sup>41</sup> also: A courtyard into which many people enter from one side and go out from the other [is deemed to be] a public domain in respect of levitical defilement<sup>42</sup> and a private domain in respect of the Sabbath?<sup>43</sup> —

If [the ruling<sup>44</sup> were to be derived] from there it might have been assumed to apply only where the gaps were not facing one another<sup>45</sup>

(1) Between the residents of the alley and those of the courtyard.

(2) Sc. that (a) Rab forbids the movement of objects in the alley, even if a joint ‘erub was made, on the ground of the exposure of the alley through the breach to a public domain; that (b) only the breach causes the prohibition but not the right of passage of the courtyard residents through the alley; that (c) Rab Judah's ruling (supra 7a ad fin.) represents the view of Samuel who, if a joint ‘erub was made, permits the use of the alley despite the breach (as is evident from his decision in the case of a backyard which has no residents and which in respect of the laws under discussion has the same status as a courtyard that has residents who joined those of the alley in their ‘erub) and that (d) where no joint ‘erub was made



# ERUVIN – 2a-26b

between the residents of the courtyard and the alley Samuel forbids the use of the latter even where there was no breach (as follows from the fact that in his permission he mentioned a backyard, which has no residents, and not a courtyard which has residents).

(3) And the prohibition could be due to the breach only. Why does Rab regard the alley as exposed through that breach to the public domain and why does not Samuel regard it so?

(4) Why, since no breach was made, does Samuel rule that the residents of the courtyard cause, and why does Rab rule that they do not cause the prohibition of the use of the alley?

(5) Where, for instance, the courtyard is wider than the alley. The gap occasioned by the collapse of the complete wall of the latter appears as a doorway when viewed from the former.

(6) Rab is of the opinion that, since the gap has the appearance of a door when viewed from the courtyard and since it is not wider than ten cubits, it may well be regarded as a door for the residents of the alley also; while Samuel, owing to the fact that when viewed from the alley it has the appearance of a breach, does not recognize it as a door.

(7) And the question of permissibility arises on account of the gap in the wall of the courtyard.

(8) That no provision whatever is necessary in the case of an alley that terminated in a backyard (supra 7a ad fin.).

(9) So that the shape of a door remained at least on the side facing the backyard.

(10) In which case one side of the yard appears like a continuation of the side of the alley, and no shape of a door remains even when viewed from the yard.

(11) Lit., 'that which you said'.

(12) In (a) the wall between the alley and the yard and (b) in the yard wall that adjoined the public domain.

(13) Lit., 'he did not say them, but'.

(14) Against that portion of the wall which formed the side-post, and thus level the side of the yard with the side of the alley and give it the appearance of one extended wall.

(15) The third side was closed and the fourth was open on a public domain and duly furnished with a side-post and cross-beam.

(16) R. Judah I, compiler of the Mishnah.

(17) Lit., 'he did not say about it, either permission or prohibition.'

(18) The rubbish heap on the one side and the sea shore on the other, each of which was ten handbreadths high.

(19) I.e., it may recede, in consequence of which possibility either of the partitions might disappear. Infra 99b.

(20) This is the conclusion of the argument that a distinction is made between the property of several people and that of one individual.

(21) Infra 99b.

(22) And is consequently subject to the laws of a private domain.

(23) The possibility of a reduction in its height, which would turn it into a public domain, not being considered.

(24) The possibility of reduction being taken into consideration in respect of the latter (with which case Rabbi had to deal) but not in that of the former (spoken of infra 99b).

(25) Rabbi's contemporaries.

(26) From the river or canal (cf. B.B., Sonc. ed., p. 294, n. 5 and text) which ran along the backs of alleys that at their other ends opened out into a public domain.

(27) The river, or canal bank was not regarded by him as a proper partition.

(28) And people might not be aware of the difference and would continue to use the alleys on the Sabbath day as before.

(29) Cf. supra 6a.

(30) While a side-post was fixed at their entrance, the residents of the other arm providing no such post to their entrance.

(31) At the entrance to each arm (Rashi). The view of Rashi's teacher is that a third side-post also must be fixed at the bend.

(32) Lit., 'he fastened it'.

(33) Supra 7b ab init. q.v. notes, where it was explained that this was a case where no joint 'erub was made between the residents of the alley and those of the courtyard and that the prohibition of the use of the former was due to the right of passage through it of the residents of the latter.

(34) Cf. previous note.

(35) V. infra 92a.

(36) Since the gap, when viewed from the large court, is flanked on either side by the remaining portions of the fallen wall, which may be viewed as side-posts. It cannot be treated as an entrance of the small courtyard because the side portions of the wall cannot be seen from its interior where the opening has the appearance of a wide gap extending from wall to wall. Now, since it is obvious that the conditions of the alley and courtyard spoken of by Rab are analogous to those of the large and small courtyards dealt with in the Mishnah quoted, what need was there for Rab to issue a ruling that was a mere repetition of a Mishnah?

(37) The Mishnah quoted.

(38) As in the case dealt with in the Mishnah where the breach occurred between two courtyards and the larger one remained closed on the side of the public domain.

# ERUVIN – 2a-26b

(39) The case spoken of by Rab, where the courtyard was broken both on the side of the alley and on that of the public domain. People in the public domain would naturally use the courtyard as a short cut and might thus turn it into a sort of public thoroughfare.

(40) Hence the necessity for Rab's ruling.

(41) That the use of a courtyard by the public does not affect its status as a private domain in respect of the Sabbath laws.

(42) Sc. any uncertainty of defilement is to be regarded as clean.

(43) Tosef. Toh. VII; cf. infra 22b.

(44) V. supra note 7.

(45) Lit., 'these words, when this is not opposite this'.

## Eruvin 8b

but not where they were facing each other.<sup>1</sup> According to Rabbah, however, who ruled [that a courtyard is] forbidden where the gaps were facing each other,<sup>2</sup> how would he explain Rab's ruling? [Obviously, that it referred to a case where the gaps were] not facing one another [but then the question arises again:] What need was there for<sup>3</sup> two [rulings<sup>4</sup> on the same subject]? —

If [the rulings were derived] from there<sup>5</sup> it might have been assumed to apply only to the throwing [of objects into it],<sup>6</sup> but not to the moving [of them within it];<sup>7</sup> hence we were informed [of Rab's ruling].<sup>8</sup> It was stated:<sup>9</sup> If an alley is constructed in the form of a centipede,<sup>10</sup> the shape of a doorway, said Abaye, is made [at the entrance] of the major alley and all the others are rendered ritually fit by means of a side-post and cross-beam.<sup>11</sup> Said Raba to him: In agreement with whose view [is your ruling]? [If it is] in agreement with that of Samuel who ruled that [a crooked alley]<sup>12</sup> has the same law as one that is closed [at one end], why should it be necessary to have the shape of a doorway?<sup>13</sup> And, furthermore, was there not once a crooked alley at Nehardea<sup>14</sup> and [in providing for its ritual fitness] Rab's view also was taken into consideration?<sup>15</sup> [The fact,] however, is, said Raba, that the shape of a doorway is made [at the entrance] of each minor alley<sup>16</sup> on the one side<sup>17</sup> while the

other side<sup>18</sup> [of each minor alley] is rendered ritually fit by means of a side-post and cross-beam.

Said R. Kahana b. Tahlifa in the name of R. Kahana b. Minyomi in the name of Rab Kahana b. Malkio who had it from R. Kahana the teacher of Rab [others say that R. Kahana b. Malkio is the same R. Kahana who was Rab's teacher]: If one side of an alley was long and the other short, [and the shortage is] less than four cubits, the cross-beam may be laid in a slanting position,<sup>19</sup> [but if it is] four cubits the cross-beam is laid only at right angles<sup>20</sup> to the shorter side. Raba said: In either case<sup>21</sup> the beam must be laid only at right angles<sup>20</sup> to the shorter side; and I can give<sup>22</sup> my reason and also<sup>22</sup> theirs.<sup>23</sup> My reason is:<sup>22</sup> [The erection of] a cross-beam was enacted<sup>24</sup> in order [to provide] a distinguishing mark,<sup>25</sup> and [a beam] in a slanting position provides no such mark.<sup>26</sup> Their<sup>27</sup> reason is:<sup>28</sup> [The object of] a cross-beam was to provide a partition,<sup>29</sup> and [a beam] in a slanting position is also a partition.

R. Kahana remarked: As the ruling is reported in the name of Kahanas, I would say something about it. The rule<sup>30</sup> that the beam may be laid in a slanting position applies only where the slant was no longer than ten cubits, but if it was longer than ten cubits all agree that it is placed only at right angles to the shorter side.<sup>31</sup>

The question was asked: May the space under a cross-beam be used?<sup>32</sup> Rab and R. Hiyya and R. Johanan replied: It is permitted to use the space under the beam; Samuel, R. Simeon b. Rabbi and R. Simeon b. Lakish replied: It is forbidden to use the space under the beam. May it be assumed that they<sup>33</sup> differ on the following principle? One Master<sup>34</sup> is of the opinion that a cross-beam serves the purpose of a distinguishing mark,<sup>35</sup> while the other Master<sup>34</sup> holds that the cross-beam serves the purpose of a partition?<sup>36</sup> —

# ERUVIN – 2a-26b

No; all may agree that a beam serves the purpose of a partition, but it is this principle on which they differ here. One Master<sup>34</sup> holds that the distinguishing mark [is to serve as such for those who are] from within,<sup>37</sup> and the other Master<sup>34</sup> holds that it is for those who are without.<sup>38</sup> And if you prefer I would reply: All agree that it serves the purpose of a partition, but it is this on which they differ here: One Master<sup>34</sup> holds that its inner edge [is deemed to] descend and close up [the entrance]<sup>39</sup> while the other Master<sup>34</sup> maintains that it is its outer edge [that is deemed to] descend and close it up.<sup>40</sup> R. Hisda stated: All agree that [the use of the space] between side-posts is forbidden.<sup>41</sup>

Rami b. Mama enquired of R. Hisda: What is the ruling where one Inserted two pins [respectively] in the two [extremities of the] walls of an alley on the outside<sup>42</sup> and placed a beam on them?<sup>43</sup> The other replied: According to him who permits [elsewhere the use of the space under the cross-beam the use of the space here] is forbidden;<sup>44</sup> and according to him who forbids [the use elsewhere of such space,<sup>45</sup> the use of it here] is permitted.<sup>46</sup>

Raba said: According to him also who forbids [the use of the space under the cross-beam the use of the alley here] is forbidden, since we require the beam to rest above the alley and this is not the case here.

R. Adda b. Mattena raised an objection against Raba:<sup>47</sup> If its<sup>48</sup> cross-beam

- (1) Rab, therefore, found it necessary to state that even where the gaps faced one another the courtyard is still regarded as a private domain.
- (2) Supra 8a.
- (3) Lit., 'wherefore to me'.
- (4) Rab's and that of the Mishnah quoted.
- (5) The Mishnah.
- (6) Sc. that it is Pentateuchally regarded as a private domain and that consequently it is forbidden to throw any object from the public domain into it.

(7) Such movement being forbidden by an enactment of the Rabbis who imposed upon it the restrictions of a public domain.

(8) That the moving of objects within the courtyard is permitted.

(9) By Amoras.

(10) Sc. from a major alley that opens out into a public domain minor alleys branch out in the shape of the legs of a centipede, and these have two entrances each, one from the major alley and another from a public domain (Rashi), being built, however, in such a manner as to avoid the entrances of any two opposite alleys from facing one another (R. Tam). Should the entrances of two alleys be directly opposite each other they would be regarded as one long alley that opens out at both ends into public domains and would be subject to the more stringent laws that are applicable to such an alley. (V. Tosaf. s.v. מביי א.ל.)

(11) Fixed at each of the entrances that open out into the public domains.

(12) Each of the minor alleys may be regarded as an arm of a crooked alley the other arm of which is formed by the major alley.

(13) At the entrance of the major alley. If the minor ones have the status of crooked alleys the major one also, for the same reason, should have the same status and be subject to the same laws.

(14) V. supra 6b.

(15) How then could Abaye rule that only the lenient ruling of Samuel was to be followed?

(16) Lit., 'to all of them'.

(17) That terminates in the major alley (Rashi).

(18) Terminating in the public domain (Rashi). R. Han.: 'on one side, etc.'; i.e., the shape of the doorway and the side-post and cross-beam may respectively be set up on either side. V. Also Marginal Gloss.

(19) One end on the longer and the other on the shorter side, and the alley may be used as far as the beam, i.e., to the termination of each side.

(20) Lit., 'opposite', 'corresponding'.

(21) Whether the difference between the lengths of the two walls of an alley was four cubits or less.

(22) Lit., 'and I say'.

(23) That of the authorities just mentioned.

(24) Lit., 'what is the reason?'

(25) Supra 5a.

(26) Lit., 'there is no recognition', because the space adjoining the part of the longer wall which protrudes beyond the shorter one, not being enclosed by any wall on its other side, might be mistaken for a continuation of the public domain.

(27) That of the authorities just mentioned.

(28) Lit., 'and I say'.

(29) Between the alley and the public domain.

(30) Lit., 'that which you said'.

(31) Since an entrance may not be wider than ten cubits.

# ERUVIN – 2a-26b

(32) Sc. in the same manner as the interior of the alley. This is a general question relating to any alley.

(33) The two groups of authorities just mentioned.

(34) Sc. each of the group.

(35) Between the alley and public domain. As the mark is there, it is permitted to use the space under it.

(36) The space under the beam being virtually covered so to speak with the imaginary downward extension of the beam, no use can be made of it.

(37) The residents of the alley. As they see only the inner side, no use may be made of the space beyond the inner edge.

(38) I.e., the people in the public domain; so that the whole of the space under the beam belongs to the alley and consequently may be used by the residents of the alley.

(39) The space under the beam, being in consequence outside the alley, must be regarded as belonging to the public domain and its use must, therefore, be forbidden.

(40) Cf. previous note *mutatis mutandis*.

(41) Where no cross-beam but only a side-post had been put up. The plural (לחייב) in the text applies to alleys in general, each single alley requiring no more than one side-post at its entrance (V. Rashi).

(42) Sc. in the thicknesses of the walls, on either side of the entrance, that face the public domain.

(43) So that the inner edge of the beam touches the walls of the alley while the rest of the beam lies outside. Is the alley, it is asked, rendered ritually fit for the Sabbath by such an arrangement?

(44) Since the very reason for the permission to use the space under the beam, viz., that the outer edge of the beam is deemed to descend to the ground, is a reason here for the prohibition of the use of the entire interior of the alley. For if the outer edge is the limit of the partition, the thickness of the beam separates it from the alley and so invalidates it as a partition of it.

(45) Because he maintains that it is the inner edge of the beam that constitutes the partition.

(46) Since the inner edge does touch the walls of the alley and so forms a valid partition between the public domain and the alley.

(47) And also against R. Hisda (י"ח).

(48) Of an alley.

## Eruvin 9a

was drawn away<sup>1</sup> or suspended<sup>2</sup> [at a distance of] less than three handbreadths [from the walls of the alley] there is no need to provide another beam,<sup>3</sup> [but if the distance was] three handbreadths another beam must be provided.

R. Simeon b. Gamaliel ruled: [If the distance was] less than four handbreadths there is no need to provide another beam<sup>4</sup> [but if it was] four handbreadths another beam must be provided.<sup>5</sup> Does not 'drawn away' [mean that the beam was altogether] outside [the alley],<sup>6</sup> and 'suspended' [that it was] within?<sup>7</sup> No; both [refer to a beam] within the alley, but by 'drawn away' [was meant that the beam was drawn away] from one side,<sup>9</sup> and by 'suspended' [that it was drawn away] from both sides.<sup>10</sup> [As] it might have been assumed [that the law of] *labud*<sup>11</sup> is applied<sup>12</sup> [only where the beam is removed] from one side but not<sup>13</sup> [when it is removed] from the two sides, hence we were informed [that in the latter case also the law of *labud*<sup>11</sup> applies].

R. Ashi<sup>14</sup> replied: [The meaning is that the beam was] drawn away [from the walls] and also suspended. And how is this to be imagined? [That a man], for instance, inserted on the tops of the two side-walls of an alley respectively two slanting pins<sup>15</sup> whose height<sup>16</sup> is less than<sup>17</sup> three handbreadths<sup>18</sup> and whose slant also<sup>19</sup> is less than three handbreadths.<sup>20</sup> [Since] it might be assumed that we call apply either the law of *labud*<sup>21</sup> or that of *habut*,<sup>21</sup> but not that of both *labud* and *habut*, hence we were informed [that both may also be applied].

R. Zakkai recited in the presence of R. Johanan: [The space] between the side-posts and beneath the cross-beam is subject to the laws of a *karmelith*.<sup>22</sup> 'Go out', the other told him, 'recite this outside'.<sup>23</sup>

Said Abaye: It stands to reason that the view of R. Johanan<sup>24</sup> [applies to the space] under the beam<sup>25</sup> but [that] between the side-posts<sup>26</sup> is forbidden.

Raba, however, said: [The space] between the side-posts<sup>26</sup> is also permitted. Said Rabbi: Why<sup>27</sup> do I say this? Because when R. Dimi came<sup>28</sup> he reported in the name of R. Johanan: In a place<sup>29</sup> whose area is less



# ERUVIN – 2a-26b

than<sup>30</sup> four by four [handbreadths]<sup>31</sup> it is permissible<sup>32</sup> for both the people of the public domain and those of the private domain to rearrange their burdens,<sup>33</sup> provided only that they do not exchange them.<sup>34</sup>

And Abaye?<sup>35</sup> — There<sup>36</sup> [it is a case] where [the place] was three handbreadths in height.<sup>37</sup> Said Abaye: Why<sup>27</sup> do I say this?<sup>38</sup> Because R. Hama b. Goriasaid in the name of Rab: [The space] within a gateway<sup>39</sup> requires<sup>40</sup> a special<sup>41</sup> side-post to render it permissible.<sup>42</sup> And should you suggest that [this<sup>43</sup> is one] where the area is four handbreadths by four,<sup>44</sup> surely, [it can be retorted] R. Hanin<sup>45</sup> b. Raba<sup>45</sup> stated on the authority of Rab: [The space] within a gateway, though it is less than four handbreadths by four, requires a special<sup>46</sup> side-post to render its use permitted.

And Raba?<sup>47</sup> — There [it is a case where the alley] opens out into a karmelith.<sup>48</sup> Is this,<sup>49</sup> however, permitted [where the alley opens out] into a public domain? The native [then would be] in the earth and the stranger in the highest heavens?<sup>50</sup> Yes, the like<sup>51</sup> has found its like and is aroused.<sup>52</sup>

Said R. Huna son of R. Joshua to Raba: Do you not uphold the view that [according to R. Johanan, the space] between side-posts is forbidden? Surely, Rabbah b. Bar Hana stated in the name of R. Johanan: If [a section of one side of] an alley was lined with side-posts<sup>53</sup> [fixed within distances of] less<sup>54</sup> than four [handbreadths<sup>55</sup> between one another, the question of its use] is dependent<sup>56</sup> on the dispute between R. Simeon b. Gamaliel and the Rabbis.<sup>57</sup> [Now this obviously means, does it not, that] according to R. Simeon b. Gamaliel, who ruled [that in respect of such distances the law of] labud is applied,<sup>58</sup> one is allowed to the [the alley from the interior thereof only] up to the inner edge of the innermost post<sup>59</sup> and that according to the Rabbis, who ruled [that in respect of a distance of more than three handbreadths, the law of] labud is not

applied,<sup>60</sup> one is allowed to use [the alley] up to the inner edge of the outermost post,<sup>61</sup> but [the use of the space] between side-posts is unanimously<sup>62</sup> forbidden?<sup>63</sup>

And Raba?<sup>64</sup> — There also [it is a case] where [the alley] opens out into a karmelith. Would this, however, be permitted [where the alley opened out] into a public domain? The native [then would be] in the earth and the stranger in the highest heavens? — Yes, the like has found its like and is aroused.<sup>65</sup>

- (1) From the alley walls. If, for instance, it was resting on pins driven into the external extremities of the alley walls on either side of the entrance.
- (2) On a pole erected in the center of the entrance, the ends of the beam not reaching the walls, and hanging, so to speak, in the air.
- (3) The space between the beam and the walls being so small it is deemed to be non-existent (v. *Glos. s.v. labud*).
- (4) Cf. previous note. R. Simeon b. Gamaliel regards as labud (v. *Glos.*) any gap that is not wider than four handbreadths.
- (5) Cf. *infra* 14a, 16b, *Suk. 22a*.
- (6) Cf. *supra* p. 48, n. 9.
- (7) As explained *supra* p. 48, n. 10. An objection thus arises against Raba who ruled that the beam must rest within the alley walls.
- (8) The expressions 'drawn away' and 'suspended'.
- (9) Sc. it did not reach the wall of the alley on that side but its other end was supported on the opposite wall.
- (10) The beam resting on a pole fixed in the center of the entrance (cf. *supra* p. 48, n. 10).
- (11) V. *Glos.*
- (12) Lit., 'we say'.
- (13) Lit., 'we do not say'.
- (14) Not being satisfied with the previous answer, since it was unnecessary to lay down a special law of labud for two sides when it could be easily inferred from that of one side where the very same principle is involved.
- (15) Sloping towards each other above the entrance of the alley.
- (16) From the top of the walls.
- (17) Lit., 'there is not in their height'.
- (18) According to the first Tanna.
- (19) Sc. the distance between the walls and the extremity of the pin.
- (20) And the beam was placed upon these projections so that it is removed from the walls both vertically and horizontally.

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(21) V. Glos. Labud ('junction') might apply to the horizontal, and habut ('beating down') to the vertical gap.

(22) V. Glos. Consequently the free movement of objects in that space is forbidden on the Sabbath.

(23) An expression of disapproval. R. Johanan holds the view that the space mentioned is regarded as a part of the alley in which the free movement of objects is permitted.

(24) Cf. previous note.

(25) Where no side-posts were erected at the entrance, his reason being that the outer edge of the beam constitutes the virtual partition between the alley and the public domain.

(26) If no beam was put up.

(27) Lit., 'whence'.

(28) From Palestine to Babylon.

(29) Situated between a public and a private domain.

(30) Lit., 'in which there is not'.

(31) Being so small it cannot be regarded as a separate domain and assumes, therefore, the legal status of a free area.

(32) Since it is regarded as a free spot.

(33) Lit., 'to put on the shoulder'.

(34) And thus lead people erroneously to assume that it is permitted to carry from a public domain into a private domain or vice versa. (Shab. 8b, infra 77a). For a similar reason (v. supra n. 10) the space between the side-posts, not being of sufficient size to constitute a domain of its own, assumes the same status as the spot spoken of by R. Johanan.

(35) How can he maintain his view against this principle of R. Johanan?

(36) R. Johanan's ruling.

(37) Being a clearly defined spot it may be regarded as a 'free area'. The space between side-posts, however, being comparatively small and level with the ground, is not in any way distinguishable from the domains adjoining it; and, if its use were permitted, people would erroneously assume that it is permitted to carry objects from a public domain into a private domain or vice versa. Hence the prohibition.

(38) His explanation of R. Johanan's ruling supra.

(39) Formed by the wide side-posts of an alley.

(40) In addition to the side-posts mentioned which affect the ritual fitness of the alley itself.

(41) Lit., 'another'.

(42) Shab. 9a; from which it follows that where no special side-posts had been put up, the space within the gateway, formed by the side-posts, remains forbidden.

(43) The case spoken of by R. Hama b. Gorias.

(44) I.e., large enough to constitute an independent domain to be Rabbinically forbidden.

(45) Var. lec., 'R. Hama b. Gorias' (Shab. 9a).

(46) Lit., 'another'.

(47) How can he maintain his ruling in view of Abaye's argument?

(48) V. Glos., fields for instance; so that a side-post is necessary to separate the space within the entrance, which is Rabbinically forbidden from the karmelith which adjoins it and which is also Rabbinically forbidden.

(49) To use the space within the entrance even if no side-post is provided.

(50) A proverbial paradox. The reverse surely should be expected. If an opening to a karmelith which is only a Rabbinically forbidden domain, requires a side-post how much more so one that opens into a public domain which is Pentateuchally forbidden

(51) Lit., 'kind'.

(52) Sc. the space within the entrance is in fact a karmelith, but as it is less than the prescribed size, it loses all its independent existence if it is situated between a private and a public domain, to neither of which it is akin and to neither of which it can be joined. If, however, it adjoins a karmelith on one side it is deemed to have regained its existence as a karmelith by being regarded as a part of the larger domain.

(53) The first post being placed near the entrance, the second next to it, the third next to the second and so on.

(54) Lit., 'less less'.

(55) But more than three handbreadths.

(56) Lit., 'we came'.

(57) Supra.

(58) Lit., 'we say labud' (v. Glos.).

(59) Since all posts are deemed to be united into one single unit the space between this edge and the entrance of the alley is subject to the law of the 'space between the side-posts'.

(60) So that each post is deemed to be a separate unit, and the alley's permissibility is consequently effected by means of the first post that is fixed nearest the entrance.

(61) Cf. previous note.

(62) Lit., 'that all the world', sc. R. Simeon b. Gamaliel and the Rabbis.

(63) Had this been permitted, the dispute on labud could not have had any bearing on the use of the alley mentioned.

(64) How call he still maintain his ruling in view of the objection just raised?

(65) Cf. supra p. 51, nn. 8-11 mutatis mutandis.

## Eruvin 9b

**R. Ashi replied:** [This<sub>1</sub> may refer to a case] for instance where [one side of the alley] was lined with side-posts [placed at distances of] less than four handbreadths [from one another] along four cubits [of its length].

## ERUVIN – 2a-26b

According to R. Simeon b. Gamaliel who ruled [that in respect of such distances the law of] labud is applied [the space bordered by the side-posts] is deemed to be [a proper] alley<sup>2</sup> which requires an additional side-post to render it permissible,<sup>3</sup> and according to the Rabbis who ruled [that the law of] labud is not applied,<sup>4</sup> no other side-post is required to render it permissible.<sup>5</sup> But even according to R. Simeon b. Gamaliel<sup>6</sup> [why] should [not this alley<sup>7</sup> be permitted]<sup>8</sup> as [one having a side-post that may be] seen from without<sup>9</sup> though it appears even<sup>10</sup> within?<sup>11</sup> —

Is not this explanation<sup>12</sup> required only in respect of a statement of R. Johanan?<sup>13</sup> But, surely, when Rabin came<sup>14</sup> he reported in the name of R. Johanan [that a post that may be] seen from without but appears even from within cannot be regarded as a valid side-post. It was stated: [A post that] is seen from within but appears even from without<sup>15</sup> is regarded as a valid side-post; but if it is seen from without and appears even from within<sup>16</sup> [there is a difference of opinion between] R. Hiyya and R. Simeon b. Rabbi. One maintains that it is regarded as a valid side-post and the other maintains that it is not regarded as a valid side-post. You may conclude that it was R. Hiyya who maintained that ‘it is regarded as a valid side-post’; for R. Hiyya taught:<sup>17</sup> A wall of which one side recedes more than the other, whether [the recess can be] seen from without and appears even from within or whether it can be seen from within and appears even from without, may be regarded as [being provided with] a side-post.<sup>18</sup> This is conclusive. Did not R. Johanan, however, hear this?<sup>19</sup> But [what you might contend is] that he did hear it and is not of the same opinion; [is it not then possible that] R. Hiyya also is not of the same opinion?<sup>20</sup> —

What [a comparison is] this! It might well [be contended that] R. Johanan does not hold the same opinion [and that it was] for this reason that he did not teach it; but as regards R. Hiyya if it is a fact that he does not hold the

same opinion, what need was there for him to teach it?<sup>21</sup>

Rabbah son of R. Huna said: [A post that is] seen from without though it appears even from within is regarded as a valid side-post.<sup>22</sup>

Said Rabbah: We, however, raised an objection against this traditional ruling: [If the full width of a wall of] a small courtyard was broken down [so that the yard now fully opens out] into a large courtyard, [movement of objects on the Sabbath] is permitted in the large one but forbidden in the small one because the gap is regarded as an entrance to the former.<sup>23</sup> Now, if this<sup>24</sup> is valid, should not the movement of objects in the small courtyard also be permitted on [the principle that the entrance may be] seen without<sup>25</sup> though it appears even from within? —

R. Zera replied: [This is a case] where the walls of the small one project into the large one.<sup>26</sup> But why<sup>27</sup> should not the principle of labud<sup>28</sup> be applied so that the use of the smaller courtyard also might be<sup>29</sup> permitted?<sup>30</sup> And should you reply that [the walls]<sup>31</sup> were too far apart,<sup>32</sup> surely, [it may be retorted] did not R. Adda b. Abimi recite in the presence of R. Hanina:<sup>33</sup> [The ruling applies to a case where] the small courtyard was ten and the large one eleven cubits?<sup>34</sup> —

Rabina replied: [This is a case] where [the projections] were removed by two handbreadths from one wall and by four from the other.<sup>35</sup> Then let labud be applied to one side and [thereby<sup>36</sup> the smaller courtyard would] be permitted? —

(1) R. Johanan's statement that the question of the use of the alley under discussion is dependent on the dispute between R. Simeon b. Gamaliel and the Rabbis.

(2) Since a wall of four cubits in length (v. supra 5a) is sufficient to constitute an alley.

(3) The permissibility of the interior of the alley between the inner edge of the innermost post and the back wall is a matter on which Rashi and others differ.

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- (4) Where a distance or gap is more than three handbreadths.
- (5) The outermost post forming, as in their opinion it does, a separate unit, serves as side-post for the entire alley including the four cubits length of space bordered by the other side-posts.
- (6) Granted that the space bordered by the side-post constitutes an alley on its own.
- (7) Sc. the space bordered by the side-posts (v. previous note).
- (8) Without an extra side-post for itself.
- (9) Since a side-post (and in the case under discussion, the first side-post) is usually drawn slightly forward to distinguish it from the wall to which it is attached.
- (10) And cannot be distinguished from the alley wall.
- (11) This ruling is enunciated presently.
- (12) The one advanced by R. Ashi.
- (13) Of course it is.
- (14) From Palestine to Babylon.
- (15) I.e., the outer edge of the post is even with the outer edge of the wall of the alley so that to those viewing it from without, the post appears to form a part of the thickness of the wall, while by those within, the thickness of the inner edge that protrudes from the wall can well be seen.
- (16) Where the inner edge of the post touches the outer edge of the wall, and the inner width of the post is even with the interior side of the wall, but receding from its outer side.
- (17) Tosef. 'Er. I, 10, infra 15a.
- (18) That side-post being provided by the thicker projection of the wall that is formed by the receding of the remainder of the wall between it and the back of the alley or by the thinner projection formed by the receding of the wall at that point.
- (19) The Baraitha just cited in the name of R. Hiyya. How then could he maintain supra that such a post cannot be regarded as a valid side-post?
- (20) How then could the Baraitha cited be adduced as proof that the ruling it lays down is also the one upheld by R. Hiyya?
- (21) None whatever. Since, however, he did teach it, one may well conclude that he holds the same opinion.
- (22) Cf. supra for notes.
- (23) Supra 8a q.v. notes, infra 92a.
- (24) The ruling of Rabbah b. R. Huna.
- (25) Sc. from the larger courtyard.
- (26) So that the remaining sections of the common wall on either side of the breach cannot possibly be regarded as side-posts of the entrance.
- (27) If the ruling of Rabbah b. R. Huna is to be upheld.
- (28) V. Glos.
- (29) Lit., 'and let him say labud and it shall be'.

(30) On the ground of labud the projections of the walls of the smaller yard would be deemed joined to the walls of the larger one and thus form side-posts.

(31) Of the larger courtyard.

(32) From the projections. The principle of labud call only be applied to distances of less than three handbreadths.

(33) Var. lec. Hiyya Papi (MS.M); Hanina b. Papi (Bah). Marginal note inserts, 'and others say before R. Hanina b. Papa'.

(34) Sc. the common wall of the two courtyards was ten cubits in length and extended on either side, in the larger courtyard only, to a length of eleven cubits, so that the joint length of the remaining sections of this wall (cf. supra note 4) cannot be more than one cubit, or six handbreadths. This allows no more than about three handbreadths for each side, from which, again, allowance must be made for the thickness of the projections, leaving a space of less than three handbreadths, to which the principle of labud may well be applied.

(35) A total of one cubit only, but, as the gap on one side is more than the allowed maximum, labud on that side cannot be applied.

(36) By the formation of some sort of doorway.

## Eruvin 10a

[This ruling<sup>1</sup> is in agreement with the view of] Rabbi<sup>2</sup> who laid down that two posts are required. For it was taught: A courtyard<sup>3</sup> may be converted into a permitted domain by means of one post,<sup>4</sup> but Rabbi ruled: [Only] by two posts.<sup>5</sup> [But] what [an interpretation is] this! If you concede [that a side-post that can be] seen from without but appears even from within cannot be regarded as a valid side-post,<sup>6</sup> and that Rabbi holds the same view as R. Jose,<sup>7</sup> and [that the replies] of R. Zera and Rabina<sup>8</sup> are not to be accepted, it will be quite intelligible why [the measurement of the] small courtyard [was given] as ten cubits and that of the large one as eleven, the reason being that he<sup>9</sup> is of the same opinion as R. Jose.<sup>10</sup> If, however, you contend [that a side-post that can be] seen from without though it appears even from within may be regarded as a valid side-post, and [that the replies] of R. Zera and Rabina are to be accepted,<sup>11</sup> and that Rabbi<sup>12</sup> is not of the same opinion as R. Jose,<sup>13</sup> what [it may be asked] was the object [of giving the



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measurement of the] large courtyard as eleven cubits? For whatever the explanation advanced<sup>14</sup> [a difficulty arises]. If [it be suggested] that the object<sup>15</sup> was<sup>16</sup> to [explain why] the large courtyard was<sup>17</sup> permitted, [it could well be objected that a length of] ten cubits and two handbreadths would have been enough,<sup>18</sup> and if the object was<sup>16</sup> to [provide a reason<sup>19</sup> for] the prohibition of the small courtyard,<sup>20</sup> why [it may equally be objected] did he not inform us [of a case] where [the walls] were much wider apart?<sup>21</sup> Hence<sup>22</sup> it must be concluded [that a post that can be] seen from without but appears even from within<sup>23</sup> cannot be regarded as a valid side-post. This is conclusive.

R. Joseph remarked: I did not hear that reported ruling<sup>24</sup> [from my teachers].<sup>25</sup> Said Abaye to him:<sup>26</sup> You yourself told us that ruling, and it was in connection with the following that you told it to us. For Rami b. Abba said in the name of R. Huna that ‘a post which formed an extension of the wall of an alley,<sup>27</sup> [provided it was] less than four cubits [in length], may be regarded as a valid side-post and one may use [the alley] as far as its inner edge,<sup>28</sup> [but if it was] four cubits long it must be regarded as an alley and it is forbidden to make use<sup>29</sup> of any part of the alley’;<sup>30</sup> and you told us in connection with this, that three rulings may be inferred from this statement: ‘It may be inferred that the space between side-posts is a forbidden domain,<sup>31</sup> and it may be inferred [that the minimum] length of an alley is four cubits,<sup>32</sup> and it may also be inferred [that a post that can be] seen from without though it appears even from within may be regarded as a valid side-post’.<sup>33</sup> And the law is [that a post that is] visible from without though it appears even from within may be regarded as a valid side-post. A refutation and a law?<sup>34</sup> — Yes, because R. Hiyya taught in agreement with him.<sup>35</sup>

**AND [ANY ENTRANCE] THAT IS WIDER THAN TEN CUBITS SHOULD BE REDUCED.** Said Abaye, a Tanna taught:

And [any entrance] that is wider than ten cubits should be reduced, but R. Judah ruled that it was not necessary to reduce it.<sup>36</sup> But up to what extent<sup>37</sup> [is reduction unnecessary]?<sup>38</sup> R. Ahi<sup>39</sup> [discouraging] before R. Joseph intended to reply: To the extent of thirteen cubits and a third, [this being deduced] a *minori ad majus* from [the law relating to] enclosures<sup>40</sup> round wells:<sup>41</sup> If [in the case of] enclosures round wells, where [the use of the wells]<sup>42</sup> is permitted even though the broken [portions of the enclosure] exceed the standing ones, no [break] wider than thirteen cubits and a third is permitted, how much more reason is there that no [opening] wider than thirteen cubits and a third should be permitted [in the case of] an alley [the use of] which is not permitted where its broken portions exceed the standing ones. But [in fact] this [very law]<sup>43</sup> provides [ground for all argument to the contrary]: [in the case of] enclosure of wells, where [the use of the wells] was permitted even if the broken [portions of an enclosure] exceeded the standing ones, no [gap] wider than thirteen cubits and a third could well be permitted,<sup>44</sup> [but in the case of] an alley, [the use of which] is not permitted where the broken portions [of its walls] exceeded their standing ones<sup>45</sup> [an opening] wider than thirteen cubits and a third may well be permitted. Or else, [the argument might run] in another direction: [As regards] enclosures of wells, since the law was relaxed in one respect,<sup>46</sup> it could also be relaxed in another,<sup>47</sup> [but as regards] an alley no [opening wider than ten cubits may have been allowed] at all.<sup>48</sup>

Levi learned: If [an entrance to] all alley was twenty cubits wide a reed may be inserted in the center of it and this is sufficient.<sup>49</sup> He himself has learnt it and he himself said that the halachah is not in agreement with that teaching.<sup>50</sup>

Some there are who read: Samuel laid down in the name of Levi that the halachah was not in agreement with that teaching.<sup>50</sup> How, then,

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does one proceed?<sup>51</sup> — Samuel replied in the name of Levi:

- (1) Of the Mishnah cited by Rabbah.
- (2) R. Judah I, the Patriarch, compiler of the Mishnah.
- (3) That had a breach not exceeding ten cubits in width in a wall that adjoined a public domain. A wider breach cannot be converted into a doorway by the means that follow.
- (4) Sc. one strip of wall remaining on one side of the breach is sufficient to constitute a side-post and to convert the breach into a doorway.
- (5) One on either side of the breach. *Infra* 12a.
- (6) I.e., that this (as assumed *supra* by Rabbah) is the reason why the smaller courtyard in the Mishnah cited (*supra* 9b, ad fin.) is forbidden.
- (7) That the minimum width of a side-post must be three handbreadths (*infra* 14b) and much more so, that of a strip of courtyard wall.
- (8) *Supra* 9b ad fin.
- (9) Rabbi.
- (10) Cf. *supra* n. 9. The one cubit (sc. six handbreadths) by which the length of the wall of the larger courtyard exceeds that of the smaller one allows of two side-posts, each of the width of three handbreadths, one on either side of the breach, and thereby the permissibility of the use of the larger courtyard is effected. The object of the measurements given would thus be to indicate the grounds on which the permissibility of the use of the larger courtyard is based.
- (11) So that the reason for the prohibition of the use of the smaller courtyard is not the one given *supra* (cf. note 8) but that advanced by R. Zera or Rabina.
- (12) Who, in accordance with the explanation of R. Zera, permits the use of the larger courtyard even though one of the side-posts was only two handbreadths in width.
- (13) Cf. *supra* p. 56, n. 9.
- (14) Lit., 'from what your desire or opinion'.
- (15) Of mentioning the number eleven which allows for two valid side-posts, one on either side of the breach.
- (16) Lit., 'he came'.
- (17) By means of these posts (cf. *supra* n. 3).
- (18) To provide side-posts; since Rabbi does not adopt R. Jose's minimum of three handbreadths.
- (19) By allowing a distance of four handbreadths on one side (v. Rabina's reply, *supra* 9b ad fin.).
- (20) Thus indicating that, were it not for the impossibility of applying the principle of *labud*, the small courtyard would have been permitted on account of the side-posts (obtained by *labud*) which, though invisible from within, are visible from without.
- (21) From which it would have been much more obvious than from the less definite case mentioned

- that the only reason for the prohibition was the inapplicability, owing to the wide gap, of the principle of *labud*. From this the conclusion, that were it not for this inapplicability, the smaller courtyard also would have been permitted (cf. previous note), would inevitably have followed.
- (22) Lit., 'but, not?' Since a width of three handbreadths had to be allowed for each side-post on either side of the breach to enable the larger courtyard to be permitted and since the smaller one in such circumstances remains forbidden.
  - (23) Analogous to the case under discussion (cf. previous note).
  - (24) Of Rabbah b. R. Huna (*supra* 9b).
  - (25) R. Huna the father of Rabbah (Rashi).
  - (26) R. Joseph who, as a result of a severe illness, lost his memory. Abaye often recalled to his mind his own sayings and rulings.
  - (27) Its edge touching the edge of the alley wall and one of its sides being even with the interior side of the wall, while its external side recedes from the external side of the alley wall.
  - (28) The point (v. previous note) where the internal side of the alley wall meets the post.
  - (29) Sc. to move objects on the Sabbath.
  - (30) Lit., 'in all of it', since the alley is now without a valid side-post.
  - (31) Since the use of the alley was allowed only as far as the inner edge of the side-post.
  - (32) It having been laid down that if the post was four cubits long, the post itself must be regarded as an alley wall.
  - (33) The post spoken of by R. Huna being of such a character.
  - (34) Sc. is it likely that a ruling which has been conclusively proved by Rabbah to be refuted by a Mishnah (v. *supra* pp. 54-57) would be accepted as law?
  - (35) R. Huna (Tosef. 'Er. I, *supra* 9b, *infra* 15a) in the case of an alley wall that had a recess on one side.
  - (36) *Supra* 2b.
  - (37) Lit., 'and until how much'.
  - (38) According to R. Judah.
  - (39) Bomb. ed. 'Athi'.
  - (40) Lit., 'strips', 'boards'.
  - (41) V. *infra* 17b.
  - (42) on the Sabbath.
  - (43) Of wells' enclosures.
  - (44) Had this been permitted hardly any enclosure would have remained.
  - (45) So that the greater part of the alley is adequately enclosed.
  - (46) The broken portions may exceed the standing ones.
  - (47) A gap up to thirteen cubits and a third was also allowed.
  - (48) No deduction from the law of enclosures of wells may consequently be made.

# ERUVIN – 2a-26b

- (49) To convert it into a valid entrance.  
(50) Because the empty space on both sides of the reed annuls the existence of the reed.  
(51) In reducing the width of an entrance.

## Eruvin 10b

A strip of boarding of the height of ten handbreadths by four cubits may be constructed, and this is placed [in the middle of the entrance] parallel to the length of the alley.<sup>1</sup> Or else [one may proceed] in accordance with the advice of Rab Judah, who laid down that where [an entrance to] an alley was fifteen cubits wide a strip of boarding of three cubits [in length] may be constructed at a distance of<sup>2</sup> two cubits [from one of the walls of the alley].<sup>3</sup> But why?<sup>4</sup> [Could not one] put up a strip [of the width] of one cubit and a half [adjoining the wall] and at a distance of<sup>5</sup> two cubits [from it, another] strip [of the width] of one cubit and a half?<sup>6</sup> May then one infer from this<sup>7</sup> that standing [portions of a wall] on the two sides [of a breach in it, though jointly] exceeding [the width of] the breach,<sup>8</sup> are not [to be regarded as valid] standing?<sup>9</sup> —

In fact it may be maintained [that standing portions separated by a breach] are elsewhere [regarded as] a valid wall<sup>10</sup> but here [the law] is different, since the space on the one side [of the intermediate strip] and the space on its other side unite<sup>11</sup> to destroy its legal existence. Then [why should not one] put up [adjoining one of the walls] a strip one cubit wide, and, at a distance of<sup>12</sup> one cubit [from that strip, another] strip one cubit wide, and at a distance of one cubit [from the second strip, a third] strip one cubit wide? May then one infer from this<sup>13</sup> [that where] the standing [portions of a wall are] equal [in size] to its breaches<sup>14</sup> [the space it enclosed is] forbidden?<sup>15</sup> —

In fact it may be maintained that elsewhere this is permitted, but here [the law] is different, since the space on the one side [of the third strip]<sup>16</sup> and the space on its other side<sup>17</sup> unite to destroy<sup>18</sup> its legal existence.

[Why then could not] a strip of one cubit and a half in width be put up at a distance of one cubit [from one of the walls] and another strip of the width of one cubit and a half at a distance of one cubit [from the first strip]?<sup>19</sup> —

This could indeed be done,<sup>20</sup> but the Rabbis did not put a man to so much trouble. But should not the possibility be taken into consideration that one might neglect the bigger opening<sup>21</sup> and enter by the smaller one?<sup>22</sup> R. Adda b. Mattenah<sup>23</sup> replied: There is a legal presumption that no man would forsake a big opening and enter by a small one. But wherein does this case differ from that of R. Ammi and R. Assi?<sup>24</sup> —

There one might use [the smaller opening]<sup>25</sup> as a short cut<sup>26</sup> but here<sup>27</sup> it cannot be used as a short cut. Elsewhere<sup>28</sup> it was taught:<sup>29</sup> The leather seat of a stool and its hole combine to [constitute the minimum of] a handbreadth.<sup>30</sup> What [is meant by] ‘the leather seat of a stool’? —

Rabbah b. Bar Hana in the name of R. Johanan explained: The leather covering a privy stool. And how much [must the respective areas of the leather and the hole be]? — When R. Dimi came<sup>31</sup> he stated: [An area of] two fingers [of leather] on the one side [of the hole] and [an area of] two fingers on the other side, and a hole<sup>32</sup> [of the size of] two fingers in the center. When Rabin came<sup>31</sup> he stated: [The area of] one finger and a half on one side and of one finger and a half on the other, and a hole [of the size of one] finger in the center.

Said Abaye to R. Dimi: Are you<sup>33</sup> in dispute? — No, the other replied, one of us referred to<sup>34</sup> the thumb<sup>35</sup> and the other<sup>34</sup> to the small finger, and there is no real difference of opinion between us.<sup>36</sup> Indeed, retorted the former, you do differ, and your difference emerges in [the case where] the standing [portions of a wall jointly] exceed its breach on both sides [of which they stand].

# ERUVIN – 2a-26b

According to your view the standing [portions situated] on the two sides [of the breach] do combine; but according to Rabin's view they must be on one side only<sup>37</sup> [but if they are] on the two sides [of the breach] they cannot combine.<sup>38</sup> For, if it be imagined that you have no difference of opinion [on this point], the statement of Rabin should have run thus: '[The area of] a finger and a third on one side [of the hole] and that of a finger and a third on its other side, and a hole of one finger and a third in the center'.<sup>39</sup> What then [do you suggest, said R. Dimi,] that we differ? [Should not in that case] my statement have run thus: '[The area of] a finger and two thirds on one side [of the hole] and that of a finger and two thirds on the other side, and a hole of the size of two fingers and two thirds in the center'?<sup>40</sup> If, however, it must be said<sup>41</sup> that we differ, our difference would apply to the case where the breach is equal to [either of] the standing [portions].<sup>42</sup>

**BUT IF IT HAS THE SHAPE OF A DOORWAY THERE IS NO NEED TO REDUCE IT EVEN THOUGH IT IS WIDER THAN TEN CUBITS.** Thus we find that the shape of a doorway is effective<sup>43</sup> in respect of the width [of an entrance]<sup>44</sup> and a cornice in respect of its height.<sup>45</sup>

(1) Since a length of four cubits constitutes an alley wall, the one wide entrance may be regarded as consisting of two narrower entrances, one serving a smaller alley and one serving a larger one.

(2) Lit., 'he removes'.

(3) Thus leaving an entrance of ten cubits in width between the boarding and the opposite wall of the alley. The space of two cubits between the boarding and the first mentioned wall is deemed to be closed and forming together with the boarding a virtual wall five cubits in length, the validity of such a wall being recognized on the ground that the standing portion of this wall (three cubits) is larger than its gap (two cubits). Likewise where the entrance is twenty cubits wide, a similar boarding is also set up near the other wall.

(4) Should it be necessary to have one strip of boarding of the full length of three cubits.

(5) Lit., 'and he shall remove'.

(6) Again leaving a gap no wider than two cubits on one side and reducing the width of the entrance to ten cubits.

(7) Since only one strip of the full length of three cubits was allowed.

(8) As in this case where the two boards would measure three cubits, whilst the gap between them only two.

(9) But this, surely, is hardly likely.

(10) Lit., 'standing', if they exceed the width of the breach.

(11) Lit., 'because it comes... and destroys'.

(12) Lit., 'and he shall remove'.

(13) Since such all arrangement is not permitted.

(14) As is the case here where each cubit width of space is flanked by a cubit width of boarding.

(15) For the movement of objects on the Sabbath. As this point is a question in dispute between R. Papa and R. Huna son of R. Joshua (infra 15b), may it be concluded that Rab Judah is of the same opinion as R. Huna?

(16) The one placed next to the entrance which is itself a gap of ten cubits.

(17) The one cubit gap.

(18) Lit., 'because it comes... and destroys'.

(19) In this case the gap of one cubit in width on the one side of the second strip, being smaller than the strip, cannot unite with the entrance on the other side to destroy the existence of that strip. This would be preferable to the first procedure which involves a gap of two cubits.

(20) Lit., 'yes, thus also'.

(21) Depriving it thereby of the status of an entrance.

(22) As this smaller opening is not provided with a side-post, and as the post fixed at the bigger opening which is now no longer used as an entrance (v. previous note) loses its status as a side-post, the alley would remain unprovided for by any valid side-post, and movement of objects in it on the Sabbath would be forbidden.

(23) Var. lec., Rab Judah (Asheri).

(24) Supra 5a where provision was made against the possibility of one using the smaller opening in preference to the bigger one.

(25) Since it opens out from a side wall.

(26) Lit., 'reduce walking'.

(27) As both openings are adjacent to one another and lead practically to the same spot.

(28) Tosef. Kelim. B.B. I, 4.

(29) Cur. edd. **תני** is incorrect since the following does not occur in any Mishnah.

(30) As regards the laws of levitical defilement by overshadowing or ohel (v. Glos). Only where the ohel was not smaller than a handbreadth (six fingers) are utensils lying under it defiled by the prescribed minimum of a portion of a corpse lying under the same ohel (cf. Oh. III, 7; Suk. 18a).

(31) From Palestine to Babylon.



# ERUVIN – 2a-26b

- (32) Lit., 'space'.  
(33) Sc. R. Dimi and Rabin.  
(34) Lit., 'that'.  
(35) Which equals in width that of a small finger and a half.  
(36) Since four of the former, like six of the latter, constitute one handbreadth.  
(37) Lit., 'from one side is a standing'.  
(38) Lit., 'is not a standing', if the portion on each side is not bigger than the breach.  
(39) In which case, as in that of R. Dimi, the leather would exceed the hole only if the two sides were combined. As Rabin, however, required the leather on each side singly to exceed the hole he must obviously differ from R. Dimi.  
(40) From this it would have followed that, though the standing portions on either side are smaller than the breach, the two sides are combined. This law, however, cannot be derived from the actual wording used since all it implies is that only where each of the standing portions on either side is equal to the breach, the two sides may be combined, but not when either of them is smaller than the breach.  
(41) Lit., 'there is to say'.  
(42) Cf. supra n. 1.  
(43) in converting the alley into a permitted domain.  
(44) Sc. even though it is wider than ten cubits.  
(45) Even if it is higher than twenty cubits, v. supra 3a.

## Eruvin 11a

What, [however, is the law where these are] reversed?<sup>1</sup> —

Come and hear what was taught: '[A cross-beam spanning the] entrance [to a blind alley] at a height of more than twenty cubits should be lowered but if [the entrance] had the shape of a doorway there is no need to lower it'.<sup>2</sup> What [about the effectiveness of] a cornice in respect of its width? —

Come and hear what was taught: '[A cross-beam spanning the] entrance [to a blind alley] at a height of more than twenty cubits should be lowered, and [an entrance] that is wider than ten cubits should be reduced [in width], but if it had the shape of a doorway, there is no need to reduce [the height of the beam] and if it 'has a cornice there is no need to reduce'. Does not this<sup>3</sup> refer to the last clause?<sup>4</sup> No; [it may refer] to the first clause.<sup>5</sup>

Rab Judah taught Hiyya b. Rab in the presence of Rab: It is not necessary to reduce [its width].<sup>6</sup> Teach him, [Rab] said to him,<sup>7</sup> 'It is necessary to reduce it'.

Said R. Joseph: From the words of our Masters we may infer that a courtyard the greatest part [of the walls] of which consists of doors and windows cannot be converted into a permitted domain<sup>8</sup> by [the construction] of the shape of a doorway. What is the reason? Since [an entrance] wider than ten cubits causes the prohibition of an alley and a breach [in a wall] that is larger than its standing [portions] causes the prohibition of a courtyard [the two may be compared]: As [an opening that is] wider than ten cubits, which causes the prohibition of an alley cannot be ritually rectified by means of the shape of a doorway, so also a [wall] the breach in which is larger than its standing [portions], which causes the prohibition of a courtyard, cannot be ritually rectified by means of the shape of a doorway.—

[This, however, is no proper analogy, for the shape of a doorway] may well [be ineffective in the case of an opening] wider than ten cubits, which causes the prohibition of an alley, since it<sup>10</sup> cannot effect permissibility in the case of enclosures of wells, in accordance with the views of R. Meir;<sup>11</sup> but how could you apply [this restriction] to the case where a breach [in a wall] is larger than its standing portions, though it causes the prohibition of a courtyard, when this<sup>12</sup> was permitted in respect of enclosures of wells in accordance with the opinion of all?<sup>13</sup> May it be suggested [that the following] provides support to his view?<sup>14</sup> [It was taught: The space enclosed by] such walls as consist mostly of doors and windows is permitted,<sup>15</sup> provided the standing portions exceed the gaps?<sup>16</sup> —

[You say:] 'As consist mostly'! Is this conceivable?<sup>17</sup> —

# ERUVIN – 2a-26b

Rather read: '[The space] in which there were many<sup>18</sup> doors and windows [is permitted] provided the standing portions exceed the gaps?<sup>19</sup> —

Said R. Kahana: That<sup>20</sup> may have been taught in respect of Semitic<sup>21</sup> doors.<sup>22</sup> What is meant by 'Semitic doors'? —

R. Rehum<sup>23</sup> and R. Joseph differ on this point. One explains: [Doors] that have no [proper] side-posts, and the other explains: Such as have no lintel.<sup>24</sup> R. Johanan also holds the same view as Rab.<sup>25</sup> For Rabin son of R. Adda stated in the name of R. Isaac: It once happened that a man of the valley of Beth Hiwarta<sup>26</sup> drove four poles<sup>27</sup> in the four corners of his field and stretched across [each two of] them a rod,<sup>28</sup> and when the case was submitted to the Sages they allowed him [its use] in respect of kil'ayim.<sup>29</sup> And [in connection with this statement] Resh Lakish remarked: As they allowed him [its use] in respect of kil'ayim so have they allowed it to him in respect of the Sabbath,<sup>30</sup> but R. Johanan said: Only in respect of kil'ayim did they allow him [its use]; they did not allow it in respect of the Sabbath. Now [what is the form, of the construction] with which we are here dealing? If it be suggested [that it is one where the rods were attached] sideways,<sup>31</sup> surely [it could be objected] did not R. Hisda rule that the shape of a doorway that was made [with the cross-reed attached] sideways is of no validity?<sup>32</sup> Consequently [it must be a case where the reeds were placed] on top of the poles. Now, how<sup>33</sup> [far were the poles from one another]? If [it be suggested] less than ten cubits, [the difficulty arises] would R. Johanan in such a case have said that in respect of the Sabbath there is no validity [in such a door]?<sup>34</sup> Must it not [consequently be conceded that the distance was] greater than ten cubits?<sup>35</sup> —

No; [the distance] in fact [might have been] within that of ten cubits, and [the reeds might have been attached] sideways, but the principle on which they<sup>36</sup> differ is that laid

down by R. Hisda.<sup>37</sup> An incongruity, however, was pointed out between two rulings of R. Johanan<sup>38</sup> as well as between two rulings of Resh Lakish.<sup>39</sup> For Resh Lakish stated in the name of R. Judah son of R. Hanina:

(1) i.e., would the shape of a doorway be effective where the height of the entrance is above twenty cubits or a cornice where the width is more than ten cubits?

(2) The beam.

(3) 'But if it has a cornice... it'.

(4) 'An entrance that is wider than ten cubits'. The answer presumably being in the affirmative, the question raised is clearly solved.

(5) Which deals with the height of an entrance.

(6) If the entrance was provided with the shape of a doorway.

(7) Rab Judah.

(8) Rab, who ruled that the shape of a doorway is of no avail where the entrance is wider than ten cubits.

(9) Even if the openings are less than ten cubits in width.

(10) The shape of a doorway.

(11) Cf. infra 17b. It is, therefore, quite logical that as it cannot effect permissibility in the case of the enclosures, so it cannot effect it in an alley the opening of which is wider than ten cubits.

(12) Breaches each of which is not wider than ten cubits though their total width is larger than that of the standing portions of the enclosure.

(13) Even according to R. Meir who does not allow a breach that was wider than ten cubits, and much more so according to R. Judah who allows a breach of thirteen cubits and a third.

(14) That the shape of a doorway does not effect permissibility where the standing portions are smaller than the breaches.

(15) For Sabbath use, in respect of the movement of objects.

(16) Infra 16b.

(17) Of course not. If the greater part of the walls is made up of doors and windows their 'standing portions' could not 'exceed the gaps'.

(18) Lit., in which he increased'. שריבה בהן is similar in sound to the previously assumed reading, שריבן.

(19) Which proves that even where an opening has the shape of a doorway (as is the case with the 'doors and windows' spoken of) the space enclosed cannot be regarded as a permitted domain unless the total width of the standing portions exceeds that of the breaches, in agreement with the view of Rab.

(20) The ruling just cited.

# ERUVIN – 2a-26b

(21) Sc. Palestinian. שימאי is derived from שם the second son of Noah whose descendants lived in Palestine (R. Han. in Tosaf. s.v. פתחי a.l.). Aliter. Desolate or incomplete (Rashi).

(22) A ruling which need not necessarily apply to ordinary, or proper doors.

(23) MS.M., Nehumi.

(24) Lit., 'ceiling'.

(25) That the shape of a doorway is of no avail where the entrance to an alley is wider than ten cubits.

(26) V. Ta'an., Sonc. ed., p. 7, n. 2.

(27) קונדיסין pl. of קונדס or קונדס Cf. Gr. \*\*.

(28) To give them the shape of a doorway.

(29) V. Glos. They regarded the doorway shaped structures as valid partitions which enable the owner to grow vines on one side though corn was grown in close proximity on the other. In the absence of a partition it is necessary, in accordance with the laws of kil'ayim, to leave a distance of four cubits between a vineyard and a cornfield.

(30) Sc. to move objects within the space enclosed, the poles and rods being treated as valid doorways.

(31) I.e., they were not placed on the tops of the poles but were joined lower down to their sides.

(32) Lit., 'he has done nothing'. Such a construction then could not be regarded as valid in respect of kil'ayim?

(33) Lit., 'and in what?'

(34) Obviously not, since it is universally agreed that a maximum width of ten cubits is permitted.

(35) Apparently it must; which proves that R. Johanan, who stated: 'They did not allow it in respect of the Sabbath' holds the same view as Rab.

(36) R. Johanan and Resh Lakish.

(37) Resh Lakish does not adopt the principle; hence his opinion that, though the reeds were attached sideways, the shape of the doorway is a valid one in respect of the Sabbath as in that of kil'ayim. R. Johanan, however, upholds the principle in the case of the Sabbath since its sanctity is great, but not in that of kil'ayim which is of comparatively lesser importance and subject to lesser restrictions. Hence his view that the doorway under discussion is valid in respect of the latter but invalid in that of the former.

(38) Lit., 'of R. Johanan on R. Johanan'.

(39) Cf. previous note.

partitions in connection with the Sabbath, so it has no [validity in respect of] partitions in connection with kil'ayim. One might well concede that there is really no incongruity between the two rulings of Resh Lakish, since the former might be his own while the latter might be that of his Master;<sup>2</sup> but do not the two rulings of R. Johanan represent a contradiction? [Still] if you were to concede that there<sup>3</sup> [the rods were placed] on the tops of the poles while here [the plait was trained] on the sides [all would be] well.<sup>4</sup> If, however, you maintain that in both cases [the rods were attached] sideways, what can be said [in explanation]?<sup>5</sup> — The fact is that it may be maintained that both cases refer [to rods attached] sideways, but there<sup>3</sup> [the distance between the poles was] within that of ten cubits while here it exceeded that of ten cubits. But whence is it derived that we draw a distinction<sup>6</sup> between [distances of] ten, and more than ten cubits? —

[From the following] which R. Johanan said to Resh Lakish. 'Did it not so happen [the former said to the latter] that R. Joshua went to R. Johanan b. Nuri to study the Torah; and, though he was well versed in the laws of kil'ayim, on finding that [the Master] was sitting among the trees, he stretched a rod from one tree to another and said to him: Master, if vines were growing on one side of the rod<sup>7</sup> would it be permitted<sup>8</sup> to sow corn on the other?<sup>9</sup> [And the Master] told him: [If the distance between the trees<sup>10</sup> is] within that of ten cubits it is permitted but if it exceeds ten cubits it is forbidden?' Now, what was the case under discussion? If it be suggested: [one where the rod was placed] on the tops of the trees, [why was it ruled, it could be objected, that] 'if it exceeds ten cubits it is forbidden' seeing that it was taught: If forked reeds were there and a plait was made above them it is permitted<sup>11</sup> even [if the distance between the reeds] exceeded that of ten cubits?<sup>12</sup> Must it not consequently [be one where the rod was attached] sideways?<sup>13</sup> And yet he<sup>14</sup> told him, '[If the distance between the trees is] within that of

## Eruvin 11b

A plait [of rods trained on poles] is a valid partition<sup>1</sup> in respect of kil'ayim but not in respect of the Sabbath; and R. Johanan stated: As it has no [validity as regards]

# ERUVIN – 2a-26b

ten cubits it is permitted but if it exceeds ten cubits it is forbidden' — This proves it.

[Reverting to] the [previous] text, R. Hisda ruled that the shape of a doorway that was made [with the cross-reed attached] sideways is of no validity. R. Hisda further ruled: The shape of the doorway of which they<sup>15</sup> spoke must be sufficiently strong to support<sup>16</sup> a door [made of the lightest material] even if only a door of straw.

Resh Lakish ruled in the name of R. Jannai: The shape of a doorway must have a mark for a hinge. What [is meant by] 'a mark for a hinge'? R. Awia replied: A loop.<sup>17</sup> R. Aha the son of R. Awia, met the students of R. Ashi. He asked them, 'Did the master say anything in respect of the shape of a doorway?' 'He,' they replied to him, 'said nothing at all [about it]'. It was taught: The shape of a doorway of which they<sup>15</sup> spoke must have a reed on either side and one reed above. Must [the side-reeds] touch [the upper one] or not?<sup>18</sup> —

R. Nahman replied: They need not touch it, and R. Shesheth replied: They must touch it. R. Nahman proceeded to give a practical decision<sup>19</sup> in the house of the Exilarch in agreement with his traditional ruling.<sup>20</sup> Said R. Shesheth to his attendant, R. Gadda,<sup>21</sup> 'Go pull them out and throw them away'. He accordingly went there, pulled them out and threw them away. He was found, however, by the people of the Exilarch's household and they incarcerated him. R. Shesheth thereupon followed him and, standing at the door [of his place of confinement], called out to him, 'Gadda, come out', and he safely came out.

R. Shesheth met Rabbah b. Samuel and asked him, 'Has the Master learnt anything about the shape of a doorway?' — 'Yes', the other replied, 'we have learnt: An arched [doorway], said R. Meir, is subject to the obligation of a mezuzah<sup>22</sup> but the Sages exempt it.<sup>23</sup> They agree, however,<sup>24</sup> that if its

lower section<sup>25</sup> was ten handbreadths in height [the doorway] is subject to the obligation.<sup>26</sup>

And Abaye<sup>27</sup> stated: All<sup>28</sup> agree that, if [an arched doorway] was ten handbreadths high but its lower section<sup>29</sup> was less than<sup>30</sup> three [handbreadths in height], or even if the lower section was three [handbreadths high] but its total height was less than ten handbreadths, the doorway is not valid at all.<sup>31</sup> They only differ where [the height of] its lower section was three handbreadths, its total height<sup>32</sup> was ten cubits and the width [of its arch] was less than four handbreadths, but [its sides are wide enough for the arch] to be cut to a width<sup>33</sup> of four handbreadths.

R. Meir is of the opinion [that the sides are regarded as] cut for the purpose of completing [the prescribed width], while the Rabbis maintain [that they are not regarded as] cut for the purpose of completing [the prescribed width].<sup>34</sup> 'If you meet the people of the Exilarch's house', he<sup>35</sup> said to him, 'tell them nothing whatever of the Baraita about the arched doorway'.

*MISHNAH.* THE RENDERING OF AN ALLEY FIT [FOR THE MOVEMENT OF OBJECTS WITHIN IT ON THE SABBATH], BETH SHAMMAI RULED, REQUIRES A SIDE-POST AND A BEAM,<sup>36</sup> AND BETH HILLEL RULED: EITHER A SIDE-POST OR A BEAM. R. ELIEZER RULED: TWO SIDE-POSTS. A DISCIPLE IN THE NAME OF R. ISHMAEL, STATED IN THE PRESENCE OF R. AKIBA: BETH SHAMMAI AND BETH HILLEL DID NOT DIFFER ON [THE RULING THAT] AN ALLEY THAT WAS LESS THAN FOUR CUBITS [IN WIDTH]<sup>37</sup> MAY BE CONVERTED INTO A PERMITTED DOMAIN EITHER BY MEANS OF A SIDE-POST OR BY THAT OF A BEAM. THEY ONLY<sup>38</sup> DIFFER IN THE CASE OF ONE THAT WAS WIDER THAN FOUR, AND NARROWER THAN<sup>39</sup> TEN CUBITS, IN RESPECT OF WHICH BETH SHAMMAI RULED: BOTH A SIDE-POST AND A BEAM [ARE REQUIRED] WHILE BETH HILLEL



# ERUVIN – 2a-26b

**RULED: EITHER A SIDE-POST OR A BEAM. R. AKIBA MAINTAINED THAT THEY<sup>40</sup> DIFFERED IN BOTH CASES.<sup>41</sup>**

**GEMARA.** In accordance with whose [view was our Mishnah<sup>42</sup> taught]? Is it in agreement neither with the view of Hanania nor with that of the first Tanna?<sup>43</sup> — Rab Judah replied: It is this that was meant: How is a blind<sup>44</sup> ALLEY RENDERED FIT [FOR THE MOVEMENT OF OBJECTS WITHIN IT ON THE SABBATH]? **BETH SHAMMAI RULED: [By the construction of] A SIDE-POST AND A BEAM AND BETH HILLEL RULED: EITHER A SIDE-POST OR A BEAM. BETH SHAMMAI RULED: A SIDE-POST AND A BEAM. Does this<sup>45</sup> then imply that Beth Shammai hold the opinion that Pentateuchally<sup>46</sup> four partitions [and no less, constitute a private domain]? — No; as regards throwing<sup>47</sup> [into it from a public domain] one incurs guilt even if [the former had] only three walls,<sup>48</sup> [but in respect] of moving [objects within it] only<sup>49</sup> where there are four walls [is this permitted].<sup>50</sup>**

**BETH HILLEL RULED: EITHER A SIDE-POST OR A BEAM. Does this<sup>51</sup> imply that Beth Hillel hold the view that Pentateuchally three partitions [are required to constitute a private domain]? No; as regards throwing [from a public domain into it] one incurs guilt even if [the former had] only two walls,<sup>52</sup> [but in respect] of moving [objects within it], only where there are three walls [is this permitted].<sup>50</sup>**

**R. ELIEZER RULED: TWO SIDE-POSTS. A question was raised: Does R. Eliezer mean two side-posts and a beam or is it likely that he means two side-posts without a beam? —**

**Come and hear: It once happened that R. Eliezer went to his disciple, R. Jose b. Perida,**

- (1) Lit., 'permitted'.
- (2) Lit., 'that his own; that of his Master', R. Judah son of R. Hanina.
- (3) The first case of kil'ayim cited supra 11a.
- (4) Since it is the position of the rods or plait that determines the question of the validity of the partition in respect of kil'ayim. (The distance

between the poles in both cases must, of course, be assumed to exceed that of ten cubits since in the case of a lesser distance, R. Johanan would have recognized the validity of the construction even in respect of the Sabbath).

(5) Of the contradiction between the two rulings of R. Johanan.

(6) In respect of kil'ayim, where a rod was attached to the sides of the poles.

(7) Lit., 'here'.

(8) Lit., 'what is it'.

(9) Lit., 'here'.

(10) On which the rod was stretched.

(11) To grow vines and corn on either side in close proximity.

(12) Tosef. Kil. IV, infra 16a.

(13) Of course it must.

(14) R. Johanan b. Nuri.

(15) The Rabbis who recognize the validity of such a construction.

(16) Lit., 'to cause to make (to fix) in it'.

(17) In which to insert the hook of the door (Rashi). Jast. Regards אקרתא as a noun pl., 'loops', 'leather rings'.

(18) v. supra p. 48, n. 10.

(19) Lit., 'did a deed'.

(20) By fixing reeds at distances of more than ten cubits from one another and suspending one reed above each pair he constructed a number of doorways round an area and declared it to be a permitted domain though the cross-reeds did not touch the side-reeds.

(21) MS.M., Gaddal.

(22) v. Glos.

(23) A doorway is not subject to the obligation of a mezuzah unless it has a minimum width of four handbreadths while an arch obviously narrows down at the top to less than that width.

(24) Lit., 'and equal'.

(25) Lit., 'in its feet', sc. the section of the side-posts between the extremities of the arch and the ground.

(26) Yoma 11b; provided it was four handbreadths wide. Since the lower section alone, independent of the arch, was ten handbreadths in height by four in width, it constitutes a valid doorway. V. infra p. 70, n. 2.

(27) So according to a reading quoted by Rashi s.v. אב"י a.l. Cur. edd. omit 'and'. V. infra p. 70, n. 2.

(28) Sc. R. Meir and the Rabbis.

(29) V. supra note 4.

(30) Lit., 'and there is not'.

(31) Lit., 'and nothing', and therefore, no mezuzah is required. In the former case, because (a) side-posts that are lower than three handbreadths, though four handbreadths apart, are regarded as the mere thickness of the ground beneath and (b) the remaining portion consisting

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of an arch is less than four handbreadths wide, so that no valid doorway exists; and in the latter case because the minimum height of a doorway must be ten cubits.

(32) Sc. its lower section together with the arch.

(33) Lit., 'to complete it'.

(34) From this it follows that the detachment of a cross-reed from the side reeds (corresponding to the detachment of the ceiling from the side-posts by the altitude of the arch) does not affect the validity of the doorway. According to the reading of cur. edd. (v. supra p. 69, n. 6) this inference is derived from the cited Baraita independent of Abaye's interpretation (cf. Rashi s.v. **הייב** a.l.).

(35) R. Shesheth.

(36) Spanning the entrance to the alley.

(37) At its entrance.

(38) Lit., 'concerning what'.

(39) Lit., 'and until'.

(40) Beth Shammai and Beth Hillel.

(41) Lit., 'concerning this and concerning this', whether the entrance was less or more than four cubits in width.

(42) Which is now presumed to deal with an alley that opened out on two sides to a public domain.

(43) Supra 6a.

(44) Lit., 'closed'.

(45) The requirement of a side-post as well as a cross-beam which jointly constitute a proper partition.

(46) Sc. by oral tradition from Moses, and not merely by Rabbinic law.

(47) On the Sabbath.

(48) Lit., 'from three', sc. a space enclosed by three walls only is Pentateuchally regarded as a private domain.

(49) Lit., 'until'.

(50) Rabbinically.

(51) Since no proper partition is required for the closing of the entrance.

(52) Lit., 'from two'.

case of one that was wider than four, but narrower than ten cubits, in respect of which Beth Shammai ruled: Both a side-post and a beam, [are required] while Beth Hillel ruled: Either a side-post or a beam.<sup>4</sup> At all events it was stated: 'Is it necessary for me to close it up' — Now, if you concede that both side-posts and a beam [are required]<sup>5</sup> it is quite intelligible why he<sup>6</sup> said: 'Is it necessary for me to close it up';<sup>7</sup> but if you contend that side-posts without a beam [are sufficient], what [can be the meaning of] 'to close it up'?—

It is this that he<sup>6</sup> meant: Is it necessary for me to close it up with side-posts?' The Master said: 'R. Simeon b. Gamaliel stated: Beth Shammai and Beth Hillel did not differ on [the ruling that] an alley that was less than four cubits [in width] required no provision at all'. Did we not learn, however, 'A DISCIPLE IN THE NAME OF R. ISHMAEL STATED IN THE PRESENCE OF R. AKIBA: BETH SHAMMAI AND BETH HILLEL DID NOT DIFFER ON [THE RULING THAT] AN ALLEY THAT WAS LESS THAN FOUR CUBITS [IN WIDTH] MAY BE CONVERTED INTO A PRIVATE DOMAIN EITHER BY MEANS OF A SIDE-POST OR BY THAT OF A BEAM'? —

R. Ashi replied: It is this that he<sup>6</sup> meant: It<sup>9</sup> required neither a side-post and a beam as Beth Shammai ruled<sup>10</sup> nor two side-posts as R. Eliezer ruled,<sup>10</sup> but either a side-post or a beam in agreement with the ruling of Beth Hillel.<sup>11</sup> And how much, [is the minimum]?<sup>12</sup>—

R. Ahli, or it might be said R. Yehiel, replied: No less than<sup>13</sup> four handbreadths.<sup>14</sup> R. Shesheth, in the name of R. Jeremiah b. Abba, who had it from Rab stated: The Sages agree with R. Eliezer in the case of the side-posts of a courtyard.<sup>15</sup> R. Nahman, however, stated:<sup>16</sup> The halachah is in agreement with the ruling of R. Eliezer<sup>17</sup> in respect of the side-posts of a courtyard.

## Eruvin 12a

at Obelin, and found him dwelling in an alley that had only one side-post. He said to him, 'My son, put up another side-post'. 'Is it necessary for me', the other asked: 'to close it up?' —

'Let it be closed up', the first replied: 'what does it matter?' R. Simeon b. Gamaliel stated: Beth Shammai and Beth Hillel did not differ on [the ruling that] an alley that was less than four cubits [in width]<sup>1</sup> required no provision at all. They only<sup>2</sup> differed in the

## ERUVIN – 2a-26b

Said R. Nahman b. Isaac: Who [are they that] ‘agree’<sup>18</sup> [with R. Eliezer]? Rabbi. [But since R. Nahman said,]<sup>19</sup> ‘The halachah is’, it follows that some differ; who is it that differs from his view? — The Rabbis.<sup>20</sup> For it was taught: A courtyard may be converted into a permitted domain by means of one post, but Rabbi ruled: Only by two posts.<sup>21</sup>

R. Assi said in the name of R. Johanan: A courtyard requires two side-posts.<sup>22</sup> Said R. Zera to R. Assi: Did R. Johanan give such a ruling? Did not you yourself state in the name of R. Johanan that the side-posts of a courtyard must have [a width of] four handbreadths?<sup>23</sup> And should you suggest [that the meaning is] four [handbreadths] on one side<sup>24</sup> and four on the other, surely [it may be retorted], did not R.<sup>25</sup> Adda b. Abimi recite in the presence of R. Hanina or, as some say, in the presence of R. Hanina b. Papi: [The ruling applies to a case where] the small courtyard was ten, and the large one eleven cubits?<sup>26</sup> —

When R. Zera<sup>27</sup> returned from his sea travels,<sup>28</sup> he explained this [contradiction]: [A side-post] on one side [of an opening must have a width] of four handbreadths, [but side-posts] on the two sides [of an opening] need be no wider than a fraction each;<sup>29</sup> and that which R.<sup>30</sup> Adda b. Abimi recited is [the view of] Rabbi who holds the same view as R. Jose.<sup>31</sup> R. Joseph laid down in the name of Rab Judah who had it from Samuel that a courtyard may be converted into a permitted domain by means of one side-post.<sup>32</sup>

Said Abaye to R. Joseph: Did Samuel lay down such a ruling? Did he not in fact say to R. Hananiah b. Shila, ‘Do not you permit the use<sup>33</sup> [of a courtyard]<sup>34</sup> unless [there remained] either the greater part of the wall or two strips of it’?<sup>35</sup> — The other replied: I<sup>36</sup> know only<sup>37</sup> of the following incident that occurred at Dura di-ra’awatha<sup>38</sup> where a wedge of the sea penetrated into a courtyard<sup>39</sup> and [when the question]<sup>40</sup> was

submitted to<sup>41</sup> Rab Judah, he required the gap<sup>42</sup> [to be provided with] one strip of board only.<sup>43</sup> ‘You’, [Abaye] said to him, ‘speak of a wedge of the sea; but in the case of water, the Sages have relaxed the law.<sup>44</sup> As [you may infer from the question] which R. Tabla asked of Rab: Does a suspended partition convert a ruin into a permitted domain? And the other replied: A suspended partition can effect permissibility of use in the case of water only, because it is only in respect of water that the Sages have relaxed the law’.<sup>45</sup> Does not the difficulty<sup>46</sup> at any rate remain?—

When R. Papa and R. Huna son of R. Joshua returned from the academy they explained it: [A side-post] on one side [of a gap] must be four [handbreadths wide but where there is one] on either side,<sup>47</sup> any width whatever is enough.<sup>48</sup>

R. Papa said: If I had to point out a difficulty it would be this.<sup>49</sup> For Samuel said to R. Hananiah b. Shila, ‘Do not you permit the use [of a courtyard] unless [there remained] either the greater part of the wall or two strips of it’.<sup>50</sup> Now what was the need for ‘the greater part of the wall’? Is not a strip of four handbreadths [in width] enough? And should you reply that<sup>51</sup> ‘the greater part of the wall’ referred to a wall of seven [handbreadths in width] where four handbreadths constitute the greater part of the wall, [the objection might be raised,] why should it be necessary to have four handbreadths, when three and a fraction are enough, since R. Ahli, or it might be said R. Yehiel, ruled [that no provision was necessary where a gap is] less than<sup>52</sup> four [handbreadths in width]? — If you wish I might reply: One ruling deals<sup>53</sup> with a courtyard and the other<sup>53</sup> with an alley.<sup>54</sup> And if you prefer I might reply: [The ruling] of R. Ahli himself [is a point in dispute between] Tannas.<sup>55</sup>

Our Rabbis taught: From a wedge of the sea that ran into a courtyard<sup>56</sup> no water may be

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drawn<sup>57</sup> on the Sabbath unless it was provided<sup>58</sup> with a partition that was ten handbreadths high. This applies only where the breach was wider than ten cubits but [if it was only] ten [cubits wide] no provision whatever is necessary.<sup>59</sup> 'No water may be drawn' [you say]<sup>60</sup> but the movement of objects<sup>61</sup> is inferentially permitted; [but why?] Has not the courtyard a gap that opens it out in full<sup>62</sup> on to a forbidden domain? —

- (1) At the entrance thereof
- (2) Lit., 'concerning what'.
- (3) Lit., 'and until'.
- (4) Tosef. 'Er. I.
- (5) According to R. Eliezer.
- (6) His disciple R. Jose.
- (7) Since side-posts and beam constitute a valid partition.
- (8) R. Simeon b. Gamaliel.
- (9) An entrance that was less than four cubits in width.
- (10) In the first clause of our Mishnah.
- (11) V. previous note. By 'no provision at all' (כלום) he only meant to exclude the provisions which were required by Beth Shammai and R. Eliezer in addition to those required by Beth Hillel.
- (12) Under four cubits, that requires the provision of a side-post or a beam.
- (13) Lit., 'until'.
- (14) An alley with a narrower entrance requires no provision whatsoever.
- (15) Sc. if the courtyard was exposed to a public domain by a gap in one of its walls, it cannot be regarded as a permitted domain unless little<sup>5</sup> strips of the wall remained on either side of the gap forming a sort of side-post and imparting to the gap the character of a doorway.
- (16) Contrary to Rab who held that the Sages and R. Eliezer are of the same opinion.
- (17) Though the Sages differ from him.
- (18) According to Rab. MS.M. actually reads: 'of which Rab spoke'.
- (19) MS.M. 'and what (is meant by) halachah of which R. Nahman spoke?'
- (20) I.e., the first Tanna who disagrees with Rabbi in the cited Baraitha that follows.
- (21) Supra 10a ab init.
- (22) Cf. supra n. 3.
- (23) The point of this objection is explained anon.
- (24) Lit., 'from here'.
- (25) MS.M. omits 'R'.
- (26) supra 9b q.v. for notes. Since the wall on the side of the larger courtyard exceeds that of the smaller one by (11-10=) one cubit only, which equals to six handbreadths, a side-post of four

handbreadths on one side would leave for the other side no more than (6-4=) two handbreadths, which cannot be regarded as a valid side-post. It consequently follows that, according to R. Johanan, one side-post of the width of four handbreadths is enough. How then could it be said by R. Assi that R. Johanan required two side-posts?

- (27) Var. lec.: R. Abba (Aruk).
- (28) מילמי Lit., 'went up from the seas'. Aliter: 'Jammi', a place in Galilee, v. R.H., Sonc. ed., p. 172, n. 8.
- (29) Lit., 'anything towards here, and, etc.'
- (30) So Bah. Cur. edd. omit.
- (31) Who requires the minimum width of a side-post to be three handbreadths; so that the width of a cubit or six handbreadths (cf. supra p. 73, n. 14) is sufficient to allow for the required minimum width on either side of the gap. R. Johanan, however, upholds the view of the Rabbis who require a side-post on one side of an opening to have a minimum width of four handbreadths while in the case of a side-post on either side, any width is sufficient.
- (32) Erected on one side of the opening.
- (33) Lit., 'do not do a deed'.
- (34) If one of its walls that was abutting on a public domain collapsed.
- (35) One on either side of the gap. How then could R. Joseph attribute to Samuel the ruling that one side-post is enough?
- (36) So MS.M. Cur. edd. 'and I'.
- (37) Lit., 'do not know (but)'; or, 'I do not know from (whom he learned this)'; for the following incident, v. supra 7b.
- (38) V. supra p. 39, n. 3.
- (39) And caused the collapse of an entire wall.
- (40) Of using the sheet of the water within the courtyard on the Sabbath.
- (41) Lit., 'and it came before'.
- (42) Lit., 'and did not require it'.
- (43) The single strip converting the water that had the status of a karmelith (v. Glos.) into a private domain.
- (44) They permitted its use even where only the slightest provision was made. The admissibility of one strip in the case of the wedge of water is, therefore, no proof that a single strip is also admissible in respect of the use of the courtyard itself.
- (45) Shab. 101a, infra 16b.
- (46) The apparent contradiction between the two quoted rulings of Samuel.
- (47) Lit., 'from both sides'.
- (48) Lit., anything towards here and, etc.' Samuel's ruling cited by R. Joseph refers to a side-post that was four handbreadths wide while Samuel's instruction to R. Hananiah b. Shila referred to narrow strips.



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- (49) Lit., 'that is difficult to me  
(50) Supra q.v. for notes.  
(51) Lit., 'what?'  
(52) Lit., 'until'.  
(53) Lit., 'here'.  
(54) A courtyard, sc. an enclosure whose width equals or exceeds its length, cannot be regarded as a permitted domain, even though the gap is narrower than four handbreadths, unless the greater part of the broken wall remained intact. Hence Samuel's instruction to R. Hananiah b. Shila. An alley, however, sc. one whose length exceeds its width, of which R. Ahli spoke, is treated as a permitted domain wherever the width of the gap is less than four handbreadths.  
(55) Infra 13b ab init. As the decision is uncertain, Samuel preferred to restrict the use of a courtyard to cases where there remained 'either the greater part of the wall or two strips of it'.  
(56) Through one of its walls that was partly broken down.  
(57) Lit., 'filled'.  
(58) At one side of the gap in the wall.  
(59) Since strips of wall, as will be explained infra, remained on either side of the gap.  
(60) Apparently because it is forbidden to carry from a karmelith (v. Glos.) into a private domain.  
(61) Within the courtyard itself.  
(62) Sc. it is wider than ten cubits.

## Eruvin 12b

Here we are dealing [with a fallen wall] stumps of which remained.<sup>1</sup> Rab Judah ruled: In the case of an alley [the residents of which] did not join together [in the provision of an 'erub],<sup>2</sup> the man who throws anything into it incurs guilt if its ritual fitness was effected by means of a side-post,<sup>4</sup> but if its fitness was effected by means of a cross-beam, no guilt is incurred by the man who throws anything into it.<sup>5</sup>

R. Shesheth demurred against this: The reason then<sup>6</sup> is that [the residents of the alley] did not join together [in the provision of an 'erub],<sup>7</sup> but had they joined together [for the purpose], guilt would have been incurred even if its ritual fitness had been effected by a cross-beam only.<sup>8</sup> Is it then this loaf<sup>9</sup> that determines<sup>10</sup> [whether it shall be] a private, or a public domain? Was it not in fact taught: In the case of common courtyards<sup>11</sup>

and blind alleys,<sup>12</sup> whether the residents have joined together in the provision of an 'erub or whether they have not joined, guilt is incurred by anyone who throws anything into them [on the Sabbath from a public domain]?<sup>13</sup> If the statement, however, was at all made, it must have been as follows: Rab Judah ruled: As to an alley that is unfit for a joint 'erub,<sup>14</sup> guilt is incurred by the man who throws anything into it if its ritual fitness was effected by means of a side-post, but if its fitness was effected by a cross-beam no guilt is incurred by one who throws anything into it. Thus it is obvious that he is of the opinion that a side-post serves the purpose of a partition<sup>15</sup> and a cross-beam that of a mere distinguishing mark. And so did Rabbah say: A side-post serves the purpose of a partition and a cross-beam that of a mere distinguishing mark. Raba, however, ruled: The one as well as the other<sup>16</sup> only serves the purpose of a distinguishing mark.

R. Jacob b. Abba raised an objection against Raba: [Was it not taught:] A man who throws<sup>17</sup> into an alley incurs guilt if it was provided with a side-post but is exempt if it had no side-post?<sup>18</sup> — It is this that was meant: If it required only a side-post<sup>19</sup> then the man who throws anything into it incurs guilt,<sup>20</sup> but if it required a side-post and something else,<sup>21</sup> the man who throws anything into it is exempt.<sup>22</sup>

He raised against him<sup>23</sup> a further objection: [Was it not taught:]<sup>24</sup> A more [lenient rule] than this did R. Judah lay down, [viz.] if a man had two houses on the two sides [respectively] of a public domain he may construct one side-post on the one side [of any of the houses] and another on the other side, or one cross-beam on the one side [of any of the houses] and another on its other side, and then he may move things about in the space between them; but they said to him: A public domain cannot be provided with an 'erub in such a manner.<sup>25</sup> [The explanation]<sup>26</sup> there is that R. Judah maintains that Pentateuchally, two partitions<sup>27</sup> [constitute a

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private domain].<sup>28</sup> Rab Judah said in the name of Rab: An alley whose length is equal to its width cannot be turned into a permitted domain<sup>29</sup> by a mere fraction of a side-post.<sup>30</sup>

R. Hiyya b. Ashi said in the name of Rab: An alley whose length equals its width cannot be turned into a permitted domain by a cross-beam, [of the width of one] handbreadth.<sup>31</sup> R. Zera<sup>32</sup> remarked: How exact<sup>33</sup> are the traditions of the elders: Since an alley's length is equal to its width, it has [the status of] a courtyard which cannot be converted into a permitted domain<sup>34</sup> by means of a side-post or a cross-beam but only by means of a strip [of material of the width of] four handbreadths. If, however, R. Zera continued, I have any difficulty, it is this:<sup>35</sup> Why should not that side-post<sup>36</sup> be regarded as a fraction of a strip and thus convert [the alley] into a permitted domain? — He overlooked the following ruling, which R. Assi had laid down in the name of R. Johanan, that the strips of a courtyard must consist of a width of four [handbreadths].

R. Nahman stated: 'We have a tradition that if [the movement of objects in] an alley is to be permitted [on the Sabbath] by means of a side-post and a cross-beam, its length must exceed its width and houses and courtyards must open out into it;<sup>37</sup> and what kind of courtyard is it that cannot be converted into a permitted domain by means of a side-post and cross-beam but only by means of a strip of the width of four handbreadths? One that is square shaped'. Only<sup>38</sup> 'one that is square shaped' but not one that is round?<sup>39</sup> — It is this that he<sup>40</sup> meant: If its length exceeds its width, it is regarded as an alley, in which case a side-post and a cross-beam is sufficient, otherwise<sup>41</sup> it is regarded as a courtyard.<sup>42</sup> And [by] how much [must its length exceed its width]?<sup>43</sup> — Samuel intended to rule: By no less than<sup>44</sup> twice its width;<sup>45</sup> but Rab said to him: Thus ruled my uncle<sup>46</sup> 'Even by one fraction'.

A DISCIPLE, IN THE NAME OF R. ISHMAEL, STATED, etc.

(1) Lit., 'which has stumps', rising to a height of ten handbreadths but covered by the sea. As the stumps are a valid partition, movement within the courtyard is permitted (v. Rashi). The interpretation not being free from difficulties, other interpretations have been suggested (cf. Tosaf. s.v. **סבב**, a.l.).

(2) v. Glos.

(3) On the Sabbath, from a public domain.

(4) A side-post in the opinion of Rab Judah has the legal status of a partition and consequently converts the alley into a private domain.

(5) A cross-beam in his opinion is a mere distinguishing mark; and an alley cannot be regarded as a private domain unless, in accordance with the Pentateuchal law, it had four sides, or a valid partition at the entrance in addition to its three walls.

(6) Why no guilt is incurred by the man who throws anything from a public domain into an alley the entrance of which was provided with a cross-beam only.

(7) In consequence of which the alley cannot be regarded as a private domain.

(8) Sc. it would have assumed the character of a private domain the throwing into which from a public domain involves one in guilt.

(9) Of the 'erub. An 'erub is effected by means of a loaf of bread towards which all the residents contribute.

(10) Lit., 'makes it'.

(11) Lit., 'of many people', sc. into which a number of private houses open out. As each house is a strictly private domain while the courtyard, though also a private domain, is the common property of all the residents, it is forbidden to carry objects on the Sabbath from any of the houses into the courtyard as a preventive measure instituted by the Rabbis against the possible assumption that it is also permitted to carry from a private domain into a public domain. In the courtyard itself, however, the movement of objects is permitted. (Cf. Shab. 130b).

(12) Lit., 'that do not open out'.

(13) Which proves that the loaf of the 'erub alone does not determine the character of a domain.

(14) Sc. if it opened out into a public domain at either end.

(15) Hence it converts the alley into a private domain the throwing into which from a public domain involves one in guilt.

(16) Side-post as cross-beam.

(17) On the Sabbath, from a public domain.

(18) Since a side-post thus converts an alley into a private domain, it must obviously serve the purpose of a partition. How then could Raba

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maintain that it was merely a distinguishing mark?

(19) I.e., if it opened into a public domain on one side only.

(20) Even if not furnished with a side-post, since Pentateuchally a space enclosed by three walls is deemed to be a private domain.

(21) I.e., if it opened out into a public domain at its two ends and consequently required a side-post at one end and the shape of a doorway at the other.

(22) Though a side-post had been put up at one end, because a side-post serves merely as a distinguishing mark.

(23) R. Jacob b. Abba against Raba.

(24) V. supra 6a q.v. notes.

(25) V. loc. cit., infra 95a, Shab. 6a, 117a. Now since the Rabbis objected to the recognition of a side-post on the sole ground that a public domain cannot be so provided, it follows that in the case of an alley, even though it was open at both ends, a side-post is admissible as a valid partition. How then could Raba maintain supra that a side-post can only be regarded as a distinguishing mark, contrary to the unanimous opinion of R. Judah and the Rabbis?

(26) Why a side-post is recognized.

(27) Sc. the walls of two opposite houses, or rows of houses.

(28) So that the side-post only serves the purpose of a distinguishing mark. The Rabbis object even to such recognition of a side-post in the case of a public domain. Neither R. Judah nor the Rabbis, however, regard a side-post as a partition, in agreement with the view of Raba.

(29) As regards the movement of objects within it on the Sabbath.

(30) It must be furnished with one that is four handbreadths in width as is the case with a courtyard.

(31) Only in an alley whose length exceeds its width is such a beam admissible.

(32) In commenting on the rulings just reported in the name of Rab.

(33) Or 'well fitting with one another'.

(34) If it had a breach not exceeding ten cubits in the wall adjoining a public domain.

(35) Lit., 'this is difficult to me'.

(36) That was less than four handbreadths wide.

(37) Two courtyards must open into the alley and one house into each courtyard. Supra 5a q.v. notes.

(38) Lit., 'yes'.

(39) This, surely, is unlikely, since the roundness of shape could be no reason for admitting a fraction of a side-post as a valid strip.

(40) R. Nahman.

(41) Lit., 'and if not', if its length does not exceed its width.

(42) And a strip of material, four handbreadths in width, is required. The expression 'square shaped' was not intended to exclude a round shaped structure but one whose length exceeded its width.

(43) In order to be regarded as an alley that, unlike a courtyard, may be converted into a permitted domain by a fraction of a side-post.

(44) Lit., 'until'.

(45) Since it is in reality a courtyard, it does not lose its status with lesser dimensions.

(46) Or 'friend' ' Sc. R. Hiyya.

## Eruvin 13a

**R. AKIBA MAINTAINED THAT THEY DIFFERED IN BOTH CASES, etc.** Is not R. Akiba expressing the very same view as the first Tanna?<sup>1</sup> — The difference between them is the ruling of R. Ahli or, as some said: R. Yehiel;<sup>2</sup> but it was not indicated [who maintained what].<sup>3</sup>

It was taught: R. Akiba said,<sup>4</sup> 'It was not R. Ishmael who laid down this ruling but that disciple, and the halachah is in agreement with that disciple. 'Is not this self-contradictory? You first said: 'It was not R. Ishmael who laid down this ruling', from which<sup>5</sup> it is obvious that the law is not in agreement with his<sup>6</sup> view, and then you say: 'The halachah is in agreement with that disciple'?' —

Rab Judah replied in the name of Samuel: R. Akiba made that statement<sup>7</sup> for the sole purpose of exercising the wits of the students.<sup>8</sup> R. Nahman b. Isaac, however, replied: What was said<sup>9</sup> was, '[His<sup>10</sup> words] appear [quite logical].'<sup>11</sup>

R. Joshua b. Levi stated: Wherever you find the expression, 'A disciple, in the name of R. Ishmael, stated in the presence of R. Akiba' [the reference is to] none other than R. Meir who attended<sup>12</sup> upon R. Ishmael and R. Akiba [successively]; for it was taught: R. Meir related, 'When I was with R. Ishmael I used to put vitriol<sup>13</sup> into my ink<sup>14</sup> and he told me nothing [against it], but when I subsequently came to R. Akiba, the latter forbade it to me.' Is this, however, correct?<sup>15</sup>

## ERUVIN – 2a-26b

Did not Rab Judah in fact state in the name of Samuel who had it from R. Meir: When I was studying under R. Akiba I used to put vitriol<sup>13</sup> into my ink and he told me nothing [against it], but when I subsequently came to R. Ishmael the latter said to me, ‘My son, what is your occupation?’ I told him, ‘I am a scribe’, and he said to me, ‘Be meticulous in your work, for your occupation is a sacred one;<sup>16</sup> should you perchance omit or add one single letter, you would thereby<sup>17</sup> destroy all the universe’.<sup>18</sup> ‘I have’, I replied,<sup>19</sup> ‘a certain ingredient called vitriol, which I put into my ink’. —

‘May vitriol’, he asked me, ‘be put into the ink? Has not the Torah in fact stated: "And he shall write",<sup>20</sup> "And he shall blot out"<sup>20</sup> [to indicate that] the writing [must be] such as can be blotted out?’<sup>21</sup> (What [relation is there between] the question of the one<sup>22</sup> and the reply of the other?<sup>23</sup> It is this that the latter meant: There is no need [for me to assure you] that I would make no mistakes in respect of words that are plene or defective, since I am familiar [with the subject], but [I have even taken precautions] against the possibility of a fly's perching on the crownlet of a dalet and, by blotting it out, turn it into a resh,<sup>24</sup> for I have a certain ingredient, called vitriol, which I put into the ink). Now, is there no contradiction in the sequence of the attendance<sup>25</sup> and in the authorship of the prohibition?<sup>26</sup> The contradiction in the sequence might well [be explained by the suggestion that] he first came to R. Akiba but, as he was unable to comprehend his teaching,<sup>27</sup> he went to R. Ishmael where he studied the traditional teachings,<sup>28</sup> and then returned to R. Akiba and engaged in logical discussion and argument; but the authorship of the prohibitions, surely, presents a difficulty, does it not? — This is so indeed.

It was taught: R. Judah stated: R. Meir laid down that vitriol may be put into ink intended for any purpose<sup>29</sup> except [that of writing]<sup>30</sup> the Pentateuchal section<sup>31</sup> dealing with a suspected wife.<sup>32</sup> R. Jacob, however,

stated in his name: Except [that of writing] the Pentateuchal section dealing with a suspected wife in the Sanctuary.<sup>33</sup> What is the point of their disagreement?<sup>34</sup> — R. Jeremiah replied: The point of their disagreement is [whether the writing may] be blotted out for her sake from [a Scroll of] the Law.<sup>35</sup> And these Tannas<sup>36</sup> differ on the same question as the following Tannas. For it was taught: The scroll [that was written] for one suspected woman<sup>37</sup> is not<sup>38</sup> to be used for<sup>39</sup> another suspected woman, and R. Ahi b. Josiah ruled: The scroll is fit to be used for<sup>39</sup> another suspected woman.<sup>40</sup>

R. Papa remarked: It is possible, [surely, that the question in dispute]<sup>41</sup> is not [the same]? For the first Tanna<sup>42</sup> may have maintained his view there only because once [the Scroll] had been set aside<sup>43</sup> for Rachel<sup>44</sup> it cannot subsequently be set aside for Leah,<sup>45</sup> but in the case of a [Scroll] of the Law which is written for no particular person [the writing] may well<sup>46</sup> be blotted out [for any suspected wife]!<sup>47</sup> R. Nahman b. Isaac remarked: It is possible [that the question in dispute] is not [the same]. For R. Ahi b. Josiah may have maintained his view there only because [the scroll] was written at least for one<sup>48</sup> suspected wife, but in the case of [a Scroll of] the Law, which is written for the purpose of study, he<sup>49</sup> also [might well admit] that [it may] not [be used for the purpose of] blotting out! But does not R. Ahi b. Josiah uphold the following ruling? For have we not learnt: If a man wrote a Get<sup>50</sup> to divorce his wife [therewith]

(1) Of our Mishnah, according to whom also no distinction is drawn in the dispute of Beth Shammai and Beth Hillel between a wider and a narrower alley.

(2) Supra 12a, the case of an alley that was less than four handbreadths wide. Either the first Tanna or R. Akiba maintains in this case that Beth Shammai and Beth Hillel agree that no provision whatever is needed, their dispute being restricted to the case of an alley that was no less than four handbreadths wide.

(3) Cf. ‘(the ruling) of R. Ahli himself (is a point in dispute between) Tannas’ (supra 12a).



## ERUVIN – 2a-26b

- (4) In commenting on the ruling of the DISCIPLE IN THE NAME OF R. ISHMAEL.
- (5) Since R. Akiba refused to attribute it to such a distinguished authority as R. Ishmael.
- (6) The disciple's.
- (7) That the halachah agrees with the disciple's view.
- (8) Being struck by the contradiction, they would be stirred to a full and thorough discussion and investigation of the question.
- (9) By R. Akiba.
- (10) The disciple's.
- (11) The halachah nevertheless is not in agreement with him.
- (12) **שמש** sc. studied not only the theory, but also the practice of Judaism.
- (13) So Rashb. and Aruk (v. Tosaf. s.v. **קנקנתום** a.l.). Var. lec.: **קלקנתום** or **קלקנתם**, Gr. \*\* used as an ingredient in the preparation of ink and of shoe-black. Rashi renders atramentum (cf. Jast. and Golds.).
- (14) For use in the writing of sacred texts, such as Scrolls of the Law.
- (15) Lit., 'this is not'.
- (16) Lit., 'work of heaven'.
- (17) Lit., 'thou art found'.
- (18) Sc. commit an act of blasphemy. By omitting e.g. , the **א** in **אמת** (truth), the word would be abbreviated to **מת** (dead), and by adding a **ו** to **וידבר** the verb would change from the sing. to the pl. When such terms are applied to the Deity, the scribe in the latter case is guilty of acknowledging polytheism while in the former he denies the Living God.
- (19) The meaning of this reply is explained in the parenthesis infra.
- (20) Num. V, 23.
- (21) Sot. 20a.
- (22) R. Ishmael. Lit., 'what did he say to him?'
- (23) R. Meir. Lit., 'and what did he reply to him?'
- The former spoke about plene and defective and the latter replied about the ingredients of his ink!
- (24) The difference between the form of the **ד** and the **ד** is only the crownlet or small projection on the right of the former. Should the dalet of **אחד** (one), e.g., in the sentence 'the Lord is one' (Deut. VI, 4) be changed into a resh the reading **אחר** (another) would imply the blasphemy that the Lord is 'another God'.
- (25) Lit., 'attendance on attendance'. According to the first version, R. Meir attended first on R. Ishmael and later on R. Akiba, while according to the second version he attended on them in the reverse order.
- (26) Lit., 'he forbade it on he forbade it'. In the first version it was R. Akiba, and in the second it was R. Ishmael who forbade the use of vitriol.
- (27) Which was too deep and complicated for him. R. Akiba was famous for his dialectic powers.
- (28) The Mishnahs which the Master received from his teachers.
- (29) Lit., 'for all'.
- (30) Whether in the Scroll of the Law or in the special scroll that is prepared for a sotah (v. Glos.).
- (31) Num. V, 11ff
- (32) Sotah; for the reason, stated supra, that 'the writing must be such as can be blotted out'. The expressions from which this ruling is derived occur in this section.
- (33) I.e., the scroll specially prepared [or the trial of a sotah, in which case the writing had to be blotted out (v. Num. V, 23). Hence the prohibition against the use of vitriol in the ink. In a Scroll of the Law, however, the writing in which is not intended for blotting out, this section also may be written with indelible ink.
- (34) Lit., 'what is between them'.
- (35) According to R. Judah this is permitted; hence his prohibition to use vitriol even in the writing of a Scroll of the Law. According to R. Jacob this is forbidden; hence his limitation of the restriction on the use of vitriol to the actual scroll that is written specifically for a particular wife when she is tried in the Sanctuary.
- (36) R. Judah and R. Jacob.
- (37) Lit., 'her scroll'.
- (38) If, e.g., it remained unused because the woman confessed her guilt before the writing was blotted out.
- (39) Lit., 'to cause to drink with it'.
- (40) R. Ahi, who permits the use of a scroll that was not specifically written for the woman, permits also, like R. Judah, the use for the same purpose of a Scroll of the Law. The first Tanna, however who requires the scroll to be written specifically for the woman in question forbids also, like R. Jacob, the use of a Scroll of the Law.
- (41) Between the first and the second pair of Tannas respectively.
- (42) Of the Baraitha last cited.
- (43) Lit., 'torn away'.
- (44) Sc. the first woman for whom it was specifically written.
- (45) I.e., for any other woman.
- (46) Lit., 'thus also'.
- (47) This Tanna then, contrary to the previous statement, does not necessarily hold the same view as R. Jacob.
- (48) Lit., 'in the world'.
- (49) Lit., 'thus'.
- (50) v. Glos.

# ERUVIN – 2a-26b

## Eruvin 13b

and then he changed his mind;<sup>1</sup> and a fellow townsman met him and [asked for the document] saying: ‘Your name is the same as mine and your wife’s name is the same as my wife’s name’,<sup>2</sup> [the document is] invalid for the purpose of divorcing therewith [the other man’s wife]?<sup>3</sup> —

What a comparison!<sup>4</sup> Concerning that case it is written in Scripture: And he shall write for her,<sup>6</sup> hence it is required that the writing shall be expressly for her sake;<sup>7</sup> but in this case<sup>8</sup> it is written: And he shall execute upon her,<sup>9</sup> hence it is required that the execution shall be expressly for her sake,<sup>7</sup> and the execution in her case is the blotting out.

R. Aha b. Hanina said: It is revealed and known before Him Who spoke and the world came into existence, that in the generation of R. Meir there was none equal to him; then why was not the halachah fixed in agreement with his views? Because his colleagues could not fathom the depths<sup>10</sup> of his mind, for he would declare the ritually unclean to be clean and supply plausible proof,<sup>11</sup> and the ritually clean to be unclean and also supply plausible proof.<sup>11</sup>

One taught: His name was not R. Meir but R. Nehorai. Then why was he called ‘R. Meir’? Because he enlightened<sup>12</sup> the Sages in the halachah. His name in fact was not even Nehorai but R. Nehemiah or, as others say: R. Eleazar b. Arak. Then why was he called ‘Nehorai’? Because he enlightened the Sages in the halachah.<sup>13</sup>

Rabbi<sup>14</sup> declared: The only reason<sup>15</sup> why I am keener than my colleagues is that I saw the back of R. Meir,<sup>16</sup> but had I had a front view of him I would have been keener still, for it is written in Scripture: But thine eyes shall see thy teacher.<sup>17</sup>

R. Abbahu stated in the name of R. Johanan: R. Meir had a disciple of the name of

Symmachus who, for every rule concerning ritual uncleanness, supplied forty-eight reasons in support of its uncleanness, and for every rule concerning ritual cleanness, forty-eight reasons in support of its cleanness.

One taught: There was an assiduous student at Jamnia<sup>18</sup> who by a hundred and fifty reasons proved that a [dead] creeping thing was clean. Said Rabina: I also could by logical argument prove it to be clean. If a snake that kills [man and beast] and thus causes much uncleanness,<sup>19</sup> is itself ritually clean,<sup>20</sup> how much more should a creeping thing, which does not kill [either man or beast] and consequently causes no uncleanness, be ritually clean. This, however, is no argument, since [the snake] is merely acting like a thorn.<sup>21</sup>

R. Abba stated in the name of Samuel: For three years there was a dispute between Beth Shammai and Beth Hillel, the former asserting, ‘The halachah is in agreement with our views’ and the latter contending, ‘The halachah is in agreement with our views’. Then a bath kol<sup>22</sup> issued announcing, ‘[The utterances of] both<sup>23</sup> are the words of the living God, but the halachah is in agreement with the rulings of Beth Hillel’. Since, however, both are the words of the living God’ what was it that entitled Beth Hillel to have the halachah fixed in agreement with their rulings? Because they were kindly and modest, they studied their own rulings and those of Beth Shammai,<sup>24</sup> and were even so<sup>25</sup> [humble] as to mention the actions<sup>26</sup> of Beth Shammai before theirs, (as may be seen from<sup>27</sup> what we have learnt: If a man had his head and the greater part of his body within the sukkah<sup>28</sup> but his table in the house,<sup>29</sup> Beth Shammai ruled [that the booth was] invalid but Beth Hillel ruled that it was valid. Said Beth Hillel to Beth Shammai, ‘Did it not so happen that the elders of Beth Shammai<sup>30</sup> and the elders of Beth Hillel went on a visit to R. Johanan b. Hahoranith and found him sitting with his head and greater part of his body within the sukkah while his table was in

# ERUVIN – 2a-26b

the house?’ Beth Shammai replied: From<sup>31</sup> there proof [may be adduced for our view for] they indeed told him, ‘If you have always acted in this manner you have never fulfilled the commandment of sukkah’). This<sup>32</sup> teaches you that him who humbles himself, the Holy One, blessed be He, raises up, and him who exalts himself, the Holy One, blessed be He, humbles; from him who seeks greatness, greatness flees, but him who flees from greatness, greatness follows; he who forces time<sup>33</sup> is forced back by time<sup>34</sup> but he who yields<sup>35</sup> to time<sup>36</sup> finds time standing at his side.<sup>37</sup>

**Our Rabbis taught:** For two and a half years were Beth Shammai and Beth Hillel in dispute, the former asserting that it were better for man not to have been created than to have been created, and the latter maintaining that it is better for man to have been created than not to have been created. They finally took a vote and decided that it were better for man not to have been created than to have been created, but now that he has been created, let him investigate his past deeds<sup>38</sup> or, as others say, let him examine his future actions.<sup>39</sup>

**MISHNAH.** THE CROSS-BEAM OF WHICH THEY [THE RABBIS] SPOKE MUST BE WIDE ENOUGH TO HOLD AN ARIAH<sup>40</sup> WHICH IS HALF OF A LEBENAH<sup>41</sup> OF THREE HANDBREADTHS. IT IS SUFFICIENT FOR A BEAM TO BE ONE HANDBREADTH WIDE IN ORDER TO HOLD THE WIDTH OF AN ARIAH.<sup>42</sup> [THE BEAM MUST BE] WIDE ENOUGH TO HOLD AN ARIAH BUT ALSO STRONG ENOUGH TO SUPPORT SUCH AN ARIAH.<sup>43</sup> R. JUDAH RULED: [THE BEAM IS VALID IF IT IS SUFFICIENTLY] WIDE, ALTHOUGH IT IS NOT STRONG. IF<sup>44</sup> IT WAS MADE OF STRAW OR REEDS IT IS LOOKED [UPON AS THOUGH IT HAD BEEN MADE OF METAL; [IF IT WAS] CURVED<sup>45</sup> IT IS LOOKED UPON AS THOUGH IT WERE STRAIGHT; [IF IT WAS] ROUND<sup>45</sup> IT IS LOOKED UPON AS THOUGH IT WERE SQUARE. WHATSOEVER HAS A

CIRCUMFERENCE OF THREE HANDBREADTHS IS ONE HANDBREADTH IN DIAMETER.<sup>46</sup>

- (1) Sc. he decided not to divorce her.
- (2) And, as the town in which the parties lived was also the same, he desired to use that Get for divorcing his own wife.
- (3) Sot. 20b, Git. 24a; from which it follows that a document cannot be used for a person for whom it was not originally intended. An objection against R. Ahi b. Josiah.
- (4) Lit., ‘thus now’.
- (5) Lit., ‘there’, that of divorce.
- (6) Deut. XXIV, 1, emphasis on the last three words.
- (7) Lit., ‘for her name’. The woman for whom it is to be used.
- (8) Lit., ‘here’, the case of a suspected wife.
- (9) Num. V, 30, emphasis on ‘execute... her’.
- (10) Lit., ‘to stand upon the end’.
- (11) Lit., ‘show it a face’.
- (12) Lit., ‘he makes the eyes of the Sages shine’.
- (13) Cf. previous note, נהר rt. אור Hif., ‘to give light’, ‘to cause to shine’.
- (14) MS.M. ‘Rab’.
- (15) Lit., ‘that’.
- (16) Rashi: When I studied under him my seat at the academy was in the row which had a back view of R. Meir.
- (17) Isa. XXX, 20.
- (18) Or Jabneh. The religious center and seat of the Sanhedrin after the destruction of Jerusalem.
- (19) A corpse is unclean and imparts uncleanness to those who come in contact with it.
- (20) Since it was not included among the eight unclean reptiles enumerated in Lev. XI, 29f.
- (21) The uncleanness which it causes has consequently no bearing on its own status. No inference a minori can, therefore, be drawn between snake and creeping thing.
- (22) v. Glos.
- (23) Lit., ‘these and these’.
- (24) Cf., e.g., Ber. 10b.
- (25) Lit., ‘and no more but’.
- (26) Lit., ‘words’, ‘things’, hence ‘actions’ (cf. infra n. 7).
- (27) Lit., ‘like that’.
- (28) V. Glos. ; in which every Israelite must live during the Festival of Tabernacles.
- (29) Sc. the booth was so small that it could not contain more than the parts of the body mentioned.
- (30) Here Beth Hillel mention the action of Beth Shammai before theirs.
- (31) Cur. edd. insert in parenthesis א ‘if’ or ‘indeed’.
- (32) The privilege conferred upon Beth Hillel.

# ERUVIN – 2a-26b

(33) Sc. is over anxious to succeed and embarks in consequence on hazardous or perilous adventures.

(34) His efforts lead him into disaster.

(35) Lit., 'is pushed back'.

(36) Or 'circumstances', sc. he does not aim above his means and does not overstrain his mental or physical powers.

(37) He will succeed in due course.

(38) And, if he find them at fault, make the necessary amends.

(39) Before committing them. The underlying difference between the two versions is the interchange of pe for mem. Both פשפש and משמש imply 'examination' but the former is more applicable to something actually done, the latter to something intended (cf. Rashi).

(40) A half-sized brick.

(41) A brick of full size.

(42) Of one and a half handbreadths. Lit., 'to its width'. Var. lec. 'to its length', sc. the length of the ariah running the length of the beam.

(43) In order that it may have the appearance of a firm structure on which it is possible to build.

(44) This is a continuation of R. Judah's ruling.

(45) So that no brick can rest upon it.

(46) Approximately. The circumference of a round cross-beam must consequently be no less than three handbreadths.

## Eruvin 14a

**GEMARA. ONE HANDBREADTH!** Is not a handbreadth and a half required?<sup>1</sup> — Since it is wide enough to hold [an ariah of the size of] one handbreadth one may provide a foundation<sup>2</sup> for the remaining half of the handbreadth by plastering [the beam] with clay, a little on one side<sup>3</sup> and a little on the other,<sup>3</sup> so [that the ariah can be] kept in position.

Rabbah son of R. Huna said: The cross-beam of which [the Rabbis] spoke must be strong enough to support an ariah;<sup>4</sup> the supports<sup>5</sup> of the beam, however, need not be so strong as to be capable of bearing the beam and the ariah.<sup>6</sup> R. Hisda, however, ruled: They<sup>7</sup> must be strong enough to support both the beam and the ariah.

R. Shesheth said: If one laid a beam across [an entrance to] an alley and spread a mat over it, raising [the lower end of the mat to a height of] three handbreadths from the

ground, there is here neither valid cross-beam nor valid partition. There is here no valid cross-beam, since it is covered up; and no valid partition, since it is one through which kids can push their way.<sup>8</sup>

**Our Rabbis taught:** If a cross-beam projects from one wall and does not touch the wall opposite, and so also if two cross-beams one of which projects from one wall and the other from the wall opposite, do not touch one another, it is not necessary to provide<sup>9</sup> another beam, [if the gap is] less than three handbreadths, [but if it was one of] three handbreadths it is necessary to provide another cross-beam.

**R. Simeon b. Gamaliel ruled:** [if the gap was] less than four handbreadths it is not necessary to provide another cross-beam [and only where it was one of] four handbreadths it is necessary to provide another cross-beam. Similarly where there were two parallel cross-beams, neither of which was wide enough to hold an ariah, it is unnecessary to provide<sup>10</sup> another cross-beam if the two together can hold the width of one handbreadth of an ariah, otherwise<sup>11</sup> it is necessary to provide another cross-beam.

**R. Simeon b. Gamaliel ruled:** If they can hold an ariah of the length of three handbreadths it is unnecessary to provide<sup>10</sup> another cross-beam, otherwise<sup>11</sup> it is necessary to provide another cross-beam. If they were [fixed] one higher than the other,<sup>12</sup> the higher one, said R. Jose son of R. Judah, is looked upon as if it lay lower<sup>13</sup> or the lower one, as if it lay higher,<sup>13</sup> provided only that the higher one was not higher than twenty cubits<sup>14</sup> and the lower one [was not] lower than ten cubits.<sup>14</sup>

Abaye remarked: R. Jose son of R. Judah holds the same view as his father in one respect and differs from him in another. He 'holds the same view as his father in one respect' in that he also adopts the principle of 'IS LOOKED UPON'; 'and differs from him in another', for whereas R. Judah holds [that



## ERUVIN – 2a-26b

a cross-beam may be] higher than twenty cubits,<sup>14</sup> R. Jose son of R. Judah holds [that it is valid] only within, but not above twenty cubits.

**R. JUDAH RULED:** [THE BEAM IS VALID IF IT IS SUFFICIENTLY] WIDE, ALTHOUGH IT IS NOT STRONG. Rab Judah taught Hiyya b. Rab in the presence of Rab, 'WIDE, ALTHOUGH IT IS NOT STRONG', when the latter said to him: Teach him, 'Wide and strong enough'. Did not, however, R. Ela'i state in the name of Rab, '[a cross-beam that is] four [handbreadths] wide [is valid] although it is not strong,'? — One that is four [handbreadths] wide is different [from one that is less than the prescribed width].

**IF IT WAS MADE OF STRAW,** etc. What does he thereby teach us? That we adopt the principle of 'IS LOOKED UPON'?<sup>15</sup> But, then, is not this exactly the same [principle as was already enunciated]?<sup>16</sup> — It might have been assumed that [the principle] is applied only to one of its own kind<sup>17</sup> but not to one of a different kind;<sup>18</sup> hence we were taught [that any material is valid].

**[IF IT WAS] CURVED IT IS LOOKED UPON AS THOUGH IT WERE STRAIGHT.** Is not this obvious?<sup>19</sup> — He taught us [thereby a ruling] like that of R. Zera, for R. Zera stated: If it<sup>20</sup> was within an alley and its curve without the alley, or if it was below twenty cubits<sup>21</sup> and its curve above twenty, or if it was above ten cubits<sup>21</sup> but its curve was below ten, attention must be paid [to this]:<sup>22</sup> Whenever no [gap of] three handbreadths<sup>23</sup> would have remained if its curve had been removed, it is not necessary to provide another cross-beam; otherwise, another cross-beam must be provided. Is not this also obvious? — It was necessary [to enunciate the ruling in the case where the beam] was within the alley and its curve was without the alley. As it might have been presumed that the possibility must be taken into consideration that the residents might be

guided by it;<sup>24</sup> hence we were informed [that no such possibility need be considered].

**[IF IT WAS] ROUND IT IS LOOKED UPON AS THOUGH IT WERE SQUARE.** What need again was there for this ruling?<sup>25</sup> It was necessary [on account of its] final clause: **WHATSOEVER HAS A CIRCUMFERENCE OF THREE HANDBREADTHS IS ONE HANDBREADTH IN DIAMETER.** Whence are these calculations<sup>26</sup> deduced? —

R. Johanan replied: Scripture stated: And he made the 'molten sea of ten cubits from brim to brim, round in compass, and the height thereof was five cubits; and a line of thirty cubits did compass it round about.<sup>27</sup> But surely there was [the thickness of] its brim?<sup>28</sup>—

R. Papa replied: Of its brim, it is written in Scripture [that it was as thin as] the flower of a lily;<sup>29</sup> for it is written: And it<sup>30</sup> was a handbreadth thick, and the brim thereof was wrought like the brim of a cup, like the flower of a lily; it held two thousand baths.<sup>31</sup> But there was [still] a fraction at least?<sup>28</sup> — When [the measurement of the circumference]<sup>32</sup> was computed<sup>33</sup> it was that of the inner circumference.<sup>34</sup>

R. Hiyya taught:<sup>35</sup> The sea that Solomon made contained one hundred and fifty ritual baths.<sup>36</sup> But consider: How much is [the volume of] a ritual bath? Forty se'ah,<sup>37</sup> as it was taught: And he shall bathe...

- (1) To support an ariah of that size.
- (2) מלביץ particip. denom. of לבנה, lit., he makes it a brick (foundation)'.
- (3) To hold (a half of the half) a quarter of the handbreadth.
- (4) For reason v. note in our Mishnah.
- (5) Lit., 'that cause to stand', pegs for instance.
- (6) It is sufficient if they can bear the weight of the beam alone, since in fact no ariah is ever put on the beam.
- (7) Lit., 'the one as well as the other'.
- (8) A suspended partition of such a character is invalid in an alley.
- (9) Lit., 'to bring'.

# ERUVIN – 2a-26b

- (10) Lit., 'to bring'.  
(11) Lit., 'and if not'.  
(12) But are together wide enough to hold an ariah.  
(13) In the same level as the other beam.  
(14) From the ground (cf. Mishnah supra 2a ab init.).  
(15) Cf. our Mishnah.  
(16) In the previous clause: (THE BEAM IS VALID)... ALTHOUGH IT IS NOT STRONG. One that 'WAS MADE OF STRAW' is obviously not strong.  
(17) Sc. a frail beam of wood may be regarded as a strong beam of the same material, since weak as well as strong beams can be made of it.  
(18) As straw, for instance, is a material from which no strong beam can ever be made, it might have been deemed to be totally unfit.  
(19) Since it involves the same principle as that of the previous ruling. Why then the unnecessary repetition?  
(20) A cross-beam.  
(21) From the ground.  
(22) Lit., '(we) see'.  
(23) Between the two parts of the beam at which the curve begins.  
(24) Lit., 'he might come to be drawn after it'; and so use a section of the public domain as if it had been a part of their alley.  
(25) v. supra note 3.  
(26) Lit., 'things'. [This is the only instance where a doubt is raised in the Talmud in connection with a mathematical statement. This, as Zuckermann points out (Das Mathematische im Talmud, p. 23) proves that the Rabbis were well aware of the more exact ratio between the diameter and circumference and that the ratio of 1:3 was accepted by them simply as a workable number for religious purposes. Hence the question, 'Whence are these calculations deduced?' V. Feldman, Rabbinical Mathematics, etc. p. 23].  
(27) I Kings VII, 23. As the molten sea which had a diameter of ten cubits was approximately thirty cubits in circumference, the ratio of a diameter to a circumference must consequently be  $10:30 = 1:3$  approx.  
(28) Which increased the diameter to more than ten cubits: so that the ratio between diameter and circumference was greater than 1:3.  
(29) Its thickness, therefore, amounted to very little and might be disregarded.  
(30) The lower portion of the sea.  
(31) I Kings VII, 26.  
(32) Of the molten sea.  
(33) As thirty cubits.  
(34) The diameter of which was exactly ten cubits.  
(35) So Bomb. ed. Cur. edd., 'it was taught'.  
(36) Lit., 'a gathering together for purification'.  
(37) V. Glos.

## Eruvin 14b

in water<sup>1</sup> implies, in water that is gathered together;<sup>2</sup> All his flesh<sup>3</sup> implies, water in which all his body can be immersed;<sup>4</sup> and how much is this? [A volume of water of the size of] a cubit by a cubit by a height of three cubits; and the Sages have accordingly estimated that the waters of a ritual bath must measure forty se'ah.<sup>5</sup> Now how many [cubic units] were there [in the molten sea]? Five hundred [cubic] cubits.<sup>6</sup> From three hundred [cubic cubits are obtained] a hundred [ritual baths],<sup>7</sup> and from a hundred and fifty [cubic cubits] fifty [ritual baths are obtained]. [Would not then a volume] of four hundred and fifty [cubic cubits] be enough?<sup>8</sup>—

These calculations<sup>9</sup> [apply only] to a square [shaped tank], while the sea that Solomon made was round. But consider: By how much does [the area of] a square exceed that of a circle? By a quarter.<sup>10</sup> Then of the four hundred [cubic cubits previously assumed]<sup>11</sup> one hundred [must be deducted], and of the hundred<sup>11</sup> [cubic cubits] twenty-five [must be deducted]. [Would not then<sup>12</sup> the number of ritual baths] be Only a hundred and twenty-five?<sup>12</sup> —

Rami b. Ezekiel learned that the sea that Solomon made was square in its lower three cubits and round in its upper three.<sup>13</sup> Granted that you cannot assume the reverse,<sup>14</sup> since it is written in Scripture that its brim was round, [can you not] say, however, [that only] one [cubit of the height of the brim was round]?<sup>15</sup> —

This<sup>16</sup> cannot be entertained at all, for it is written, it held two thousand baths;<sup>17</sup> now how much is a bath? Three se'ah,; for it is written in Scripture: The tenth of the bath out of the kor [which is ten baths],<sup>18</sup> so that the sea<sup>19</sup> contained six thousand griva.<sup>20</sup> But Surely is it not written: It<sup>21</sup> held three thousand baths?<sup>22</sup> —

## ERUVIN – 2a-26b

This<sup>23</sup> [includes the addition] of the heap [in a dry measure].<sup>24</sup> Said Abaye: From this it may be inferred that the heap [of a measure]<sup>25</sup> is one third [of the entire quantity].<sup>26</sup> And so have we also learnt: A large box or chest, a cupboard, a large straw or reed basket,<sup>27</sup> and the tank of an Alexandrian ship, although they have flat bottoms and are capable of holding forty se'ah of liquid, which are [equal to] two kor of dry [commodities],<sup>28</sup> are levitically clean.<sup>29</sup>

**MISHNAH.** THE SIDE-POSTS OF WHICH THEY [THE RABBIS] SPOKE [MUST BE NO LESS THAN] TEN HANDBREADTHS IN HEIGHT, BUT THEIR WIDTH AND THICKNESS MAY BE OF ANY SIZE WHATSOEVER. R. JOSE RULED: THEIR WIDTH [MUST BE NO LESS THAN] THREE HANDBREADTHS.

**GEMARA.** THE SIDE-POSTS OF WHICH THEY SPOKE, etc. May it then<sup>30</sup> be asserted that we have here learnt an anonymous Mishnah in agreement with R. Eliezer who ruled that two side-posts are required?<sup>31</sup> — No; the expression of<sup>32</sup> SIDE-POSTS [refers to] side-posts in general.<sup>33</sup> If so,<sup>34</sup> should it not have been taught, in the case of the cross-beam also,<sup>35</sup> 'cross-beams', the plural referring to<sup>36</sup> cross-beams generally? — It is really this that was meant: The SIDE-POSTS concerning which R. Eliezer and the Sages are in dispute<sup>37</sup> [MUST BE NO LESS THAN] TEN HANDBREADTHS IN HEIGHT, BUT THEIR WIDTH AND THICKNESS MAY BE OF ANY SIZE WHATSOEVER.<sup>38</sup> And how much [was meant by] 'ANY SIZE WHATSOEVER'? —

R. Hiyya taught: Even [if only] as that of the thread of a cloak.<sup>39</sup> A Tanna taught: If a man put up a side-post for a half of an alley<sup>40</sup> he may only use<sup>41</sup> [the inner] half of the alley.<sup>42</sup> Is not this<sup>43</sup> obvious?<sup>44</sup> — Rather read: He may use<sup>45</sup> a half of the alley.<sup>46</sup> Is not this,<sup>47</sup> however, also obvious?<sup>48</sup> — It might have been presumed that the possibility should be

considered that<sup>49</sup> one might proceed to use all of it;<sup>50</sup> hence we were informed [that the inner half may be used].

Raba stated: If one constructed a side-post for an alley and raised it three handbreadths from the ground, or removed it three handbreadths from the wall, his act is invalid.<sup>51</sup> Even R.<sup>52</sup> Simeon b. Gamaliel, who holds [that in the case of gaps] we apply the rule of labud,<sup>53</sup> maintains his view<sup>54</sup> [only where the gap occurred] above,<sup>55</sup> but [where it was] below, since [the post] constitutes a partition through which kids can push their way, he did not uphold that view.

**R. JOSE RULED: THEIR WIDTH [MUST BE NO LESS THAN] THREE HANDBREADTHS.** R. Joseph stated in the name of Rab Judah who had it from Samuel: The halachah is not in agreement with R. Jose either in respect of 'brine'<sup>56</sup> or in that of 'SIDE-POSTS'. Said R. Huna b. Hinena to him: You told us this<sup>57</sup> concerning 'brine' but not concerning 'side-posts'. Now wherein does brine differ? Obviously because the Rabbis disagree with him; but do not they disagree with him in respect of side-posts also? — 'Side-posts', the other replied: 'are in a different category because Rabbi has taken up the same point of view.'<sup>58</sup>

R. Rehumi taught thus: Rab Judah son of R. Samuel b. Shilath stated in the name of Rab: The halachah does not agree with R. Jose either in respect of 'brine'<sup>56</sup> or in that of 'SIDE-POSTS'. 'Did you say it?' they asked him. 'No', he replied. 'By God!' Raba exclaimed, 'he did say it, and I learned it from him,' — Why then did he change his view? — Because R. Jose has always good reasons for his rulings.<sup>59</sup>

Said Raba son of R. Hanan<sup>60</sup> to Abaye, 'What is the law?'<sup>61</sup> — 'Go', the other told him, 'and see what is the usage of the people'.<sup>62</sup> There are some who teach this<sup>63</sup> in connection with the following: A man who drinks water on account of his thirst<sup>64</sup> must

# ERUVIN – 2a-26b

say<sup>65</sup> [the benediction], 'by whose word all things exist'.<sup>66</sup>

R. Tarfon ruled [that the following benediction<sup>65</sup> must be said], 'who<sup>66</sup> createst many living beings with their wants, for all the means that thou has created'.<sup>67</sup> Said R. Hanan<sup>68</sup> to Abaye, 'What is the law?' — 'Go', the other told him, 'and see what is the usage of the people'.

(1) Lev. XV, 16. 'His flesh' is in cur. edd. enclosed in parenthesis. M.T. has 'all' before 'flesh'.

(2) Sc. it need not be spring water.

(3) Ibid.

(4) Lit., 'goes up in them'.

(5) V. supra 4b, notes.

(6) The calculation at the moment is based, for the sake of argument, on the imaginary assumption that the round sea like a square tank contained  $10 \times 10 \times 5 = 500$  cubic cubits.

(7) Since each bath, as stated supra, contains  $1 \times 1 \times 3 = 3$  cubic cubits.

(8) To make up a hundred and fifty ritual baths. An objection against R. Hiyya's statement.

(9) V. supra p. 91, n. 17.

(10) Since a diameter of one unit has a circumference of three units approx., and a square of one such unit has a perimeter of four such units.

(11) In the number of 'five hundred'.  $500 - 400 = 100$ .

(12) Since  $400 - 100 = 300$ , and  $100 - 25 = 75$ , the number of cubic cubits in the sea of Solomon was only 375. As each three cubic cubits produced one ritual bath, the sea could have contained no more than  $375/3 = 125$  ritual baths. An objection again against R. Hiyya.

(13) The lower section contained  $3 \times 10 \times 10 = 300$  cubic cubits. The upper section, being circular and by one quarter less than a square, contained  $2 \times 10 \times 10 - 50 = 150$ . The two sections together consequently contained  $(300 + 150)/3 = 350$  ritual baths.

(14) That the upper section of the sea was square shaped and its lower one round.

(15) And the sea consequently contained more than a hundred and fifty ritual baths. On what ground then could R. Hiyya maintain that it contained only a hundred and fifty ritual baths?

(16) That the sea contained more than the number given by R. Hiyya.

(17) I Kings VII, 26.

(18) Ezek. XLV, 14. A kor which is ten baths also equals thirty se'ah. Ten baths consequently equal thirty se'ah and one bath equals three se'ah.

(19) Which held two thousand baths.

(20) A griva = one se'ah. Since one bath = three se'ah, two thousand baths =  $3 \times 2000 = 6000$  se'ah =  $6000/40 = 150$  ritual baths. Hence R. Hiyya's figure.

(21) Solomon's sea.

(22) II Chron. IV, 5.

(23) The higher figure.

(24) While liquids can only reach the level of the top of the measure, dry commodities can be raised to a certain height above that level. The difference between the dry and liquid commodities that the sea could contain, explains the difference between the figures in I Chron., and I Kings respectively. For an attempt to reconcile Rami b. Ezekiel's solution with the more exact value of 'pie' v. Zuckermann, op. cit., p. 29 and Feldman, op. cit., p. 51.

(25) Sc. the quantity above its level, if the ratio of its height to its length and width is the same as that of Solomon's sea.

(26) One thousand being a third of three thousand.

(27) Lit., 'receptacle', 'container'.

(28) Two kor = 60 se'ah. The difference between the dry and the liquid is thus  $60 - 40 = 20$  se'ah, and twenty is one third of sixty. This Mishnah thus supports Abaye's calculation.

(29) Sc. are not susceptible to levitical uncleanness. Only vessels that are moved about both empty and full are so susceptible. Those mentioned here are large and not easily moved; hence they are not subject to the same susceptibility. Shab. 35a; Kel. XV, 1; Oh. VIII, 1, 3.

(30) Since our Mishnah speaks of side-posts in the plural.

(31) Mishnah Supra 11b. Is it likely, however, that an anonymous Mishnah, which as a rule represents the halachah, would agree with an individual opinion contrary to that of the majority?

(32) Lit., 'what'.

(33) Each individual alley, however, may require no more than one side-post.

(34) That the plural was used to refer to side-posts in general.

(35) In the previous Mishnah (supra 13b).

(36) Lit., 'and what beams?'

(37) The former requiring two and the latter one.

(38) The use of the plural is consequently no proof that the halachah is in agreement with the ruling of R. Eliezer.

(39) סרבל cf. Gr. \*\*.

(40) I.e., instead of fixing the side-post at a point facing the entrance, he put it up within the alley at a point facing the middle of it.

(41) Lit., 'he has not but'.

(42) Tosef. 'Er. I.



# ERUVIN – 2a-26b

(43) That only the inner but not the outer half of the alley may be used.

(44) Of course it is, since the outer part was not provided with any side-post.

(45) Lit., 'he has'.

(46) While it is obvious that the outer half could not be used, it is not so obvious that the inner part may be used. Hence the necessity for the Tosef cited.

(47) That the inner half may be used.

(48) Since it was well provided with a side-post.

(49) Were the use of the inner half to be permitted.

(50) In consequence of which the use of the inner half also should be forbidden.

(51) Lit., 'he did nothing'.

(52) Lit., 'according to R.'

(53) v. Glos.

(54) Lit., 'these words'.

(55) As, for instance, when a cross-beam projecting from one wall does not reach the wall opposite.

(56) V. Shab. 108b.

(57) That the halachah is not in agreement with R. Jose.

(58) Supra 10a, 12a.

(59) Lit., 'his depth (of reasoning) is with him'. V. Rashi a.l. and cf. Rashi infra 51a s.v. גימיקו.

(60) MS.M. Nahman.

(61) In respect of the size of the side-posts.

(62) They use side-posts of any size whatsoever (Rashi).

(63) The answer given by Abaye.

(64) Excluding one who drinks it, e.g., for a cure.

(65) Prior to his drinking (Rashi).

(66) The beginning of this benediction like that of all others is, 'Blessed art thou, O Lord our God, King of the universe' (cf. Singer's P.B., p. 290).

(67) The last eight words are wanting in MS.M. and are also absent from the Mishnah Ber. 44a.

(68) MS.M., Rabbah b. Hanin.

But Raba ruled: 'It is no valid side-post', because owing to the fact that originally it was not made for that purpose,<sup>4</sup> it cannot be regarded as a valid side-post. It has been assumed<sup>5</sup> that as they<sup>6</sup> differed in the case of a side-post, so they differed in that of a partition.<sup>7</sup>

Come and hear:<sup>8</sup> If a man made his sukkah<sup>9</sup> among trees and the trees serve as its walls, it is ritually fit!<sup>10</sup> Here we are dealing [with trees] that were originally planted for the purpose.<sup>11</sup> If so, is this<sup>12</sup> not obvious? — It might have been presumed that a preventive measure should be enacted as a precaution against the possibility of using the tree [for other purposes also],<sup>13</sup> hence we were informed [that no such precaution was deemed necessary].

Come and hear: If there was present<sup>14</sup> a tree or a wall or a fence of [growing] reeds it may be treated as a corner-piece!<sup>15</sup> — Here also we are dealing with one that was originally intended for the purpose. If so, what need was there to tell us this? — We were told that a fence of reeds [is valid if the distance between] any two reeds was less than three handbreadths, as [was explained in] the enquiry that Abaye addressed to Raba.<sup>16</sup>

Come and hear: Where a tree overshadows the ground,<sup>17</sup> it is permitted to move objects under it<sup>18</sup> if [the top of] its branches is not higher than three handbreadths from the ground!<sup>19</sup> — Here also we are dealing with one that was originally planted for the purpose. If so, it should be permissible to move objects under it in all cases; why then did R. Huna the son of R. Joshua state that movement of objects under it is permissible only [where its area was no larger than] two beth se'ah?<sup>20</sup> — Because it is a dwelling that serves the [outside] air<sup>21</sup> and no movement of objects is permitted in a dwelling that serves the outside air unless [its area is no larger than] two beth se'ah.<sup>22</sup>

## Eruvin 15a

It was stated: A side-post put up accidentally,<sup>1</sup> Abaye ruled, is a valid side-post, but Raba ruled: It is no valid side-post. Where [the residents] did not rely on it from the previous day,<sup>2</sup> no one disputes that it is no valid side-post. They differ only where [the residents] did rely upon it on the previous day.<sup>3</sup>

Abaye ruled: 'It is a valid side-post', since the residents relied on it from the previous day.

## ERUVIN – 2a-26b

Come and hear: If a man received the Sabbath<sup>23</sup> on a mound that was ten handbreadths high<sup>24</sup> and between four cubits and two beth se'ah in area, or<sup>25</sup> in the cleft [of a rock] that was ten handbreadths deep<sup>26</sup> and between four cubits and two beth se'ah in area, or reaped corn that was surrounded by [growing] ears,<sup>27</sup> he may walk in all the area,<sup>28</sup> and outside it for two thousand cubits!<sup>29</sup> And should you reply that there also it is a case where one had originally made them for the purpose, [your submission] might be quite agreeable as regards the corn;<sup>30</sup> what, however, could be said as regards the mound or the cleft?<sup>31</sup> —

The fact, however, is that in respect of partitions, no one<sup>32</sup> disputes that [one put up accidentally] is a valid partition. They only differ in respect of a side-post — Abaye<sup>33</sup> follows his own point of view, for he has laid down that a side-post represents<sup>34</sup> a partition, and a partition set up accidentally is a valid partition. Raba, on the other hand, follows his own point of view, for he has laid down that a side-post serves<sup>34</sup> the purpose of a distinguishing mark,<sup>35</sup> and only where it is made for that purpose,<sup>36</sup> is it a distinguishing mark, otherwise<sup>37</sup> it is no distinguishing mark.

Come and hear: If stones<sup>38</sup> that project from a wall<sup>39</sup> are separated from each other by less than three handbreadths, no other side-post is required;<sup>40</sup> [if they are separated by] three handbreadths, another side-post is required!<sup>41</sup> Here also it is a case where they were originally built for that purpose.<sup>42</sup> If so, is not this<sup>43</sup> obvious?<sup>44</sup> — It might have been presumed that [projections] are made solely as building connections,<sup>45</sup> hence we were informed [that no other side-post is required].

Come and hear what R. Hiyya taught: A wall of which one side recedes more than the other, whether [the recess can be] seen from without and appears even from within or whether it can be seen from within and

appears even from without, may be regarded as [being provided with] a side-post!<sup>46</sup> — Here also it is a case where it was originally constructed for the purpose. If so, what need was there to tell us [the obvious]? — It is this that we were informed: [If the recess can be] seen from without though it appears even from within, [the wall] may be regarded as [provided with] a side-post.

Come and hear [of the incident] where Rab was sitting in a certain alley and R. Huna sat before him when he said to his attendant, 'Go, bring me a jar of water'. By the time the latter returned, the side-post fell down and he motioned to him with his hand to remain in his place.<sup>47</sup>

Said R. Huna to him, 'Is not the Master of the opinion that one may rely upon the palm-tree?'<sup>48</sup> 'This young Rabbi', he replied: 'seems to think that people cannot explain a ruling they have heard! Did we rely upon it since yesterday?'<sup>49</sup> The reason then<sup>50</sup> is that no one had relied on it;<sup>51</sup> but if they had relied on it,<sup>51</sup> it would have been regarded as a valid side-post.<sup>52</sup> Might not one suggest that Abaye and Raba differed only where [the residents] did not rely on it,<sup>53</sup> but that where they did rely on it, it is regarded as a valid side-post?<sup>54</sup> — This cannot be entertained at all; for there was a certain piazza at the house of Bar Habu,<sup>55</sup> about which Abaye and Raba were always<sup>56</sup> in dispute.<sup>57</sup>

**MISHNAH.** SIDE-POSTS MAY BE MADE OF ANYTHING, EVEN OF AN ANIMATE OBJECT, BUT R. MEIR<sup>58</sup> FORBIDS THIS. IT<sup>59</sup> ALSO CAUSES DEFILEMENT<sup>60</sup> AS THE COVERING OF A TOMB,<sup>61</sup>

- (1) Lit., 'that stands of itself', sc. it was not put up in connection with the Sabbath ritual.
- (2) Lit., 'from yesterday', sc. Friday, the day before the Sabbath; if, for instance, a proper side-post provided fell down on the Sabbath day.
- (3) And, in consequence, provided no other side-post.
- (4) To serve as a side-post in compliance with the Sabbath laws.
- (5) By the students at the schoolhouse.

# ERUVIN – 2a-26b

- (6) Abaye and Raba.
- (7) Sc. if a wall was put up, not for the ritual purpose for which it was desired to use it Abaye considers it valid and Raba does not.
- (8) All objection against Raba.
- (9) V. Glos.
- (10) Suk. 24b; which proves that a wall is valid even if it was not originally made for the purpose. V. supra note 10.
- (11) To serve as walls for the sukkah.
- (12) That they are ritually valid walls
- (13) And people would thus even pluck its fruit on the festival when this is forbidden.
- (14) In close proximity to a watering station.
- (15) Infra 19b; which shows that a wall is ritually valid though it had not been specially made for the purpose, and presents an objection against Raba. דיו עמוד = דיומזד 'two pillars'; cf. Gr. \*\*, 'forked'. A deyomad, or corner-piece consists of two boards, or the like, meeting at their ends at right angles to one another and forming all L shaped construction. Four deyomads of the prescribed size, placed respectively at the four corners of a watering station, constitute a ritually valid partition within which it is permitted to carry on the Sabbath.
- (16) Infra 19b ad fin.
- (17) With its branches that grow from its trunk at a height of ten handbreadths.
- (18) On the Sabbath.
- (19) Infra 99b, Suk. 24b. An objection against Raba.
- (20) V. Glos. Such a restriction is applicable to enclosures that are only partially valid (cf. infra 16b, 24a). Now if the tree in question had been planted for the purpose, its branches, surely, constitute a valid enclosure; why then should the restriction mentioned apply?
- (21) I.e., to provide shelter for the watchmen of the surrounding fields. It is not one in which people usually live.
- (22) As stated infra 22a.
- (23) It is forbidden to walk on the Sabbath beyond two thousand cubits from one's home, the term being defined as the spot (four cubits by four), the house or the town where a person was at the time the Sabbath had set in. Within the four cubits, or within the house or town however big it may be, it is always permitted to walk.
- (24) The minimum height of a private domain to which the rule of upward extension of its edges to form virtual walls is applied.
- (25) Lit., 'and so'.
- (26) And thus provided with walls of the height required to form a private domain.
- (27) That were ten handbreadths high and formed a partition of the prescribed minimum height (cf. previous note).
- (28) Since all the mound, the cleft or the space enclosed by the growing ears of corn is regarded as his 'home'.
- (29) Suk. 25a; which proves that walls or partitions apparently not made for the purpose of satisfying the requirements of the Sabbath laws are nevertheless regarded as valid walls, and an objection thus again arises against Raba.
- (30) It being possible that the reaping of the field was so planned as to leave an enclosure of ears of corn round the particular spot.
- (31) Which are natural phenomena.
- (32) Lit., 'all the world'.
- (33) In declaring it valid.
- (34) Lit., 'because of'.
- (35) Supra 12b q.v. notes.
- (36) Lit., 'with the hands'.
- (37) Lit., 'and if not'.
- (38) Lit., 'stones of a wall'.
- (39) One above the other in a vertical line.
- (40) To convert an alley at whose entrance they are situated, into a private domain. The projecting stones alone satisfy the requirements of a side-post.
- (41) Thus it follows that the projecting stones, where the distance between them is less than three handbreadths, constitute a valid side-post though, apparently, they were not put there for that purpose. All objection against Raba.
- (42) To serve as a side-post for the alley.
- (43) That no other side-post is required.
- (44) What need then was there to state it?
- (45) To dovetail any new wall with the existing one; and consequently could not be regarded as a side-post even though they were so originally intended.
- (46) Supra 9b, q.v. notes. The recession being presumably accidental, does not the recognition of the validity of the side-post present an objection against Raba?
- (47) So according to MS.M. and R. Han. קום אדוכתיך 'remain in your place'. According to cur. edd., קם אדוכתיה 'he remained in his place', render, 'He motioned to him with his hand and (the latter) remained in his place'.
- (48) That grew at the side of the entrance to the alley.
- (49) They did not. Hence they could not treat the palm-tree as a valid side-post for the alley.
- (50) Why the palm-tree could not be regarded as a side-post.
- (51) Before the commencement of the Sabbath.
- (52) This then proves that the law is in agreement with Abaye.
- (53) A side-post of accidental origin.
- (54) So that Rab's ruling would be in agreement with the opinion of both Abaye and Raba.
- (55) And one of its supporting poles was situated at the entrance to an alley.

# ERUVIN – 2a-26b

(56) Lit., ‘all their years’.

(57) The former regarding it as a valid side-post and the latter denying its validity. From which it follows that the dispute between Abaye and Raba as to the validity of a side-post of accidental origin extends also to one upon which the residents had relied.

(58) Separate ed. of the Mishnah read: ‘R. Jose’.

(59) Any object, even an animate one, that was used to close up a tomb.

(60) Even after it had been removed from the grave.

(61) גבל. Such a covering is subject to the same degree of levitical uncleanness as the corpse itself (cf. Hul. 72a).

## Eruvin 15b

**BUT R. MEIR RULED THAT IT WAS NOT SUSCEPTIBLE TO DEFILEMENT.<sup>1</sup> WOMEN'S LETTERS OF DIVORCE TOO MAY BE WRITTEN ON IT, BUT R. JOSE THE GALILEAN DECLARED IT TO BE UNFIT.**

**GEMARA.** It was taught: R. Meir ruled: No animate object may be used either as a wall for a sukkah,<sup>2</sup> or as a side-post for an alley, [or as one of the] partitions for watering stations or as a covering for a grave.<sup>3</sup> In the name of R. Jose the Galilean it was laid down: Women's bills [of divorce] also may not be written on it.<sup>4</sup> What is R. Jose the Galilean's reason? — Because it was taught: [From the Scriptural expression of] ‘letter’<sup>5</sup> one would only learn that a letters<sup>5</sup> [may be used]; whence, however, [can it be deduced that] all other things are also included? [From] the explicit statement:<sup>7</sup> That he writeth hers [which implies:] On any object whatsoever.<sup>9</sup> If so, why was the expression of ‘letter’ used? To tell you that as a letter is an inanimate object and does not eat, so must any other object [used for the purpose be] one that is inanimate and does not eat.<sup>10</sup> And the Rabbis?<sup>11</sup> — Is it written: ‘In a letter’?<sup>12</sup> Surely only ‘letter’<sup>13</sup> is written, and this refers<sup>14</sup> merely to the recording<sup>15</sup> of the words.<sup>16</sup> As to the Rabbis, however, what exposition do they make of the expression: That he writeth her?<sup>17</sup> —

They require that text [for the deduction that a woman] may be divorced only by writing<sup>18</sup> but not by money.<sup>19</sup> For it might have been presumed that since divorce<sup>20</sup> was compared with betrothal,<sup>21</sup> as betrothal [may be effected] by means of money<sup>22</sup> so may divorce [also be effected] by means of money;<sup>23</sup> hence we were informed [that only by writing<sup>18</sup> can divorce be effected]. And whence does R. Jose the Galilean derive this logical conclusion?<sup>24</sup> — He derives it from [the expression of] ‘A letter of divorcement’<sup>25</sup> [which implies:]<sup>26</sup> The letter causes her divorcement but no other thing may cause it.<sup>27</sup> And the Rabbis?—

They require the expression of<sup>28</sup> ‘A letter of divorcement’<sup>25</sup> to [indicate that the divorce must be] one that completely separates the man from the woman;<sup>29</sup> as it was taught: [Should a husband say to his wife,] ‘Here is your divorce on condition that you never drink any wine’ or ‘on condition that you never go to your father's house’ [such a divorce] is no complete separation;<sup>30</sup> [if he said,] ‘During<sup>31</sup> thirty days’<sup>32</sup> is it regarded as a complete separation.<sup>33</sup> And R. Jose the Galilean?<sup>34</sup> — He derives it from [the use of] kerituth<sup>35</sup> [instead of] kareth.<sup>35</sup> And the Rabbis? — They base no expositions [on the distinction between] kareth and kerituth.<sup>36</sup>

**MISHNAH.** IF A CARAVAN CAMPED IN A VALLEY AND IT WAS SURROUNDED BY THE TRAPPINGS OF THE CATTLE IT IS PERMISSIBLE TO MOVE OBJECTS WITHIN IT, PROVIDED [THE TRAPPINGS] CONSTITUTE A FENCE TEN HAND BREADTHS IN HEIGHT AND THE GAPS<sup>37</sup> DO NOT EXCEED<sup>38</sup> THE BUILT-UP PARTS.<sup>38</sup> ANY GAP WHICH [IN ITS WIDTH DOES NOT EXCEED] TEN<sup>39</sup> CUBITS IS PERMITTED,<sup>40</sup> BECAUSE IT IS LIKE A DOORWAY. IF IT EXCEEDS THIS [MEASUREMENT] IT IS FORBIDDEN.<sup>41</sup>

**GEMARA.** It was stated: If the breaches [in an enclosure] are equal [in area to its] standing parts, the [movement of objects<sup>42</sup> in



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the space within the enclosures], R. Papa ruled, is permitted, and R. Huna the son of R. Joshua ruled: It is forbidden. R. Papa ruled: 'It is permitted', because the All Merciful taught Moses<sup>43</sup> thus: 'Thou must not allow the greater part of a fence to consist of gaps'.<sup>44</sup> R. Huna the son of R. Joshua ruled, 'it is forbidden for it is this that the All Merciful taught Moses: 'Its greater part [must be] fence'.

We learned: **AND THE GAPS DO NOT EXCEED THE BUILT-UP PARTS**, but, [it follows, does it not, that if they were] equal to the built-up parts [movement of objects within the enclosure] is permitted?<sup>45</sup> — Do not infer: 'But [if they were] equal to the built-up parts [the movement of objects] is permitted', but infer: 'If the built-up parts exceed the gaps [the movement of objects] is permitted'. But [if the gaps are] equal to the built-up parts, what [is the law]? [Is the movement of objects]<sup>42</sup> forbidden? If so, however, should not the reading have been, 'The gaps are not equal to the built-up parts'?<sup>46</sup> — This is indeed a difficulty.

Come and hear: If a man covered the roof<sup>47</sup> of his sukkah<sup>48</sup> with spits or with the long [sides] of a bed<sup>49</sup> [the sukkah is] valid if there is as much space between them as that of their own [width]!<sup>50</sup> Here we are dealing [with such] as can be easily moved in and out.<sup>51</sup> Is it, however, possible<sup>52</sup> to be exact?<sup>53</sup> — R. Ammi replied: One might supply more [of the proper roofing].<sup>54</sup> Raba replied: If they<sup>55</sup> were placed crosswise, one puts the suitable material lengthwise, [and if they were placed] lengthwise, one puts it crosswise.<sup>56</sup>

Come and hear: If a caravan camped in a valley and it was surrounded by camels, saddles,

- (1) For the reason, v. Suk. 24a.
- (2) V. Glos.
- (3) If it was used, the wall, the side-post or the partition is invalid and the covering remains insusceptible to levitical uncleanness.

- (4) Suk. 23a.
- (5) Deut. XXIV, 1. ספר 'book', 'letter' or 'scroll'.
- (6) Lit., 'I have only'.
- (7) Lit., 'it is taught to say'.
- (8) Deut. XXIV, 1, emphasis on writeth.
- (9) Lit., 'from any place'.
- (10) Hence R. Jose's ruling that no letter of divorce may be written on an animate object.
- (11) How, in view of this deduction, can they allow the use of an animate object as a writing material for a letter of divorce?
- (12) בספר (with prefix) which would have implied that the noun referred to the material on which the divorce is written.
- (13) ספר without any prefix.
- (14) Lit., 'that it came'.
- (15) ספירות, lit., 'enumeration'.
- (16) ספר and ספירות being of the same rt. The kind of material, however, on which the wording must be recorded was not prescribed. Hence the permissibility to use any writing material or any other object.
- (17) From which it was deduced supra that a divorce may be written on any object. Since the expression sefer (ספר) has no bearing on the question of the writing material, it is obvious that any object is admissible for the purpose. What need then was there to use the expression of 'writeth' (Deut. XXIV, 1) when that of giveth (ibid.) viz., 'That he giveth her the letter of divorcement in her hand', etc. would have been sufficient?
- (18) A written letter of divorce.
- (19) By saying, on the analogy of the formula for betrothal, 'Be thou divorced from me by this money'.
- (20) Lit., 'departing' (ויצאה); 'and she departeth' (Deut. XXIV, 2).
- (21) Lit., 'becoming' (הויה); 'and cometh' (ibid.).
- (22) V. Kid. 2a'
- (23) V. supra note 16.
- (24) That a divorce cannot be effected except by means of a written document.
- (25) ספר כריתות, Deut. XXIV, 1.
- (26) Since ספר ('letter') stands in close proximity to כריתות ('divorcement').
- (27) כורתה (rt. כרת 'to cut'), lit., 'cuts her off (from her husband)'.
- (28) Lit., 'that'.
- (29) Lit., 'that cuts (cf. supra n. 4) between him and her'.
- (30) Since the woman might at any time throughout her life break the condition and consequently annul the divorce.
- (31) Lit., 'all'.
- (32) Sc. he set a limit to the period during which the woman should drink no wine or keep away from her father's house.

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(33) From the moment the woman has received the document; because at the end of the specified period the divorce is free from all conditions and the separation between husband and wife is complete. Suk. 24b, Yoma 13a, Git. 21b, 83b.

(34) Whence does he derive this ruling?

(35) כרימות, in the opinion of R. Jose, is a longer or more forcible expression than כרת.

(36) Cf. previous note.

(37) Though each one is less than ten cubits.

(38) In their total area.

(39) So MS.M. Cur. edd. 'like ten'.

(40) Provided the area of the built-up parts exceeds that of the gaps.

(41) Though all the remainder of the fence is built up.

(42) On the Sabbath.

(43) When he imparted to him the laws concerning partitions (v. supra 4a).

(44) Lit., 'thou shalt not break its greater part'.

(45) An objection against R. Huna.

(46) From which it would have been obvious that if they were equal to, and much more so if they exceeded the built-up parts, the movement of objects would be forbidden; and all ambiguity would thus be avoided.

(47) Or 'laid the roof-beams'.

(48) v. Glos.

(49) Such objects, since they are proper 'instruments', are susceptible to levitical uncleanness and consequently unfit for the roof covering of a sukkah.

(50) Suk. 15a; because the intervening spaces can be filled up with suitable and ritually fit roofing. This Mishnah then seems to show that where the measurement of the suitable and the unsuitable parts are equal, the structure is valid; and, since the same principle would obviously apply also to the validity of an enclosure, in respect of the Sabbath laws, where its built-up parts equal its gaps, does not an objection arise against R. Huna?

(51) Lit., 'when it (freely) enters and goes out', sc. between the parts to be covered with the suitable roofing, so that the width of each spit or bed-side is inevitably less than that of each properly covered intervening space.

(52) So R. Han. Cur. edd., 'surely it is possible', is a different reading (as pointed out by Tosaf. s.v. רשי גריס a.l.).

(53) Sc. is it possible that by supplying a quantity of suitable material equal in width to that of the unsuitable one, the air spaces intervening between the two materials will be duly covered? The answer obviously being in the negative, the question arises: How, in view of the fact that the space of the proper material does not even equal that of the improper one plus the intervening air spaces, could the sukkah be valid? This raises an

objection against R. Huna but also against R. Papa (cf. Tosaf. l.c.).

(54) And thus cover up the intervening air spaces also.

(55) The spits, etc.

(56) So that all the spaces between the improper material are fully covered with the proper one which, according to R. Papa, thus covers as much space as the improper one; and according to R. Huna, since the spits, etc. can be easily moved in and out, the proper roofing covers the larger area.

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saddle-cushions, saddlebags, reeds or stalks [it is permitted to] move objects within it, provided there is no more than the space of one camel between any two camels, that of one saddle between any two saddles, and that of one saddle-cushion between any two saddle-cushions!<sup>1</sup> — Here also [it is a case where each object can be easily] moved in and out.<sup>2</sup>

Come and hear: Thus<sup>3</sup> you might say that there are three categories in the case of partitions. Wherever [in a reed fence the width of each reed is] less than three handbreadths, it is necessary<sup>4</sup> that there shall be no [gap of] three handbreadths between any two reeds<sup>5</sup> so that a kid could not leap headlong [through it].<sup>6</sup> Wherever [the width of each reed is] three, or from three to four<sup>7</sup> handbreadths, it is necessary<sup>8</sup> that [the gap] between any two reeds<sup>9</sup> shall not be as wide as the full width of a reed,<sup>10</sup> in order that the gaps shall not be equal to the standing parts; and if the gaps exceeded the standing parts it is forbidden [to sow corn]<sup>11</sup> even over against the standing parts. Wherever [the width of each reed is] four handbreadths, or from four handbreadths to ten cubits,<sup>12</sup> it is necessary<sup>8</sup> that [the gap] between any two reeds<sup>9</sup> shall not be as wide as a reed,<sup>10</sup> in order that the gaps shall not be equal to the standing parts; and if the gaps were equal to the standing parts it is permitted [to sow seed]<sup>11</sup> over against the standing parts and forbidden over against the gaps.<sup>13</sup> If, however, the standing parts exceeded the gaps it is permitted<sup>14</sup> [to sow seed] over against the gaps also. If there

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was a gap wider than ten cubits, [sowing]<sup>15</sup> is forbidden. If forked reeds were there and a plait was made above them, [sowing] is permitted even [if the gaps between the reeds] exceeded ten cubits.<sup>16</sup> In the first clause at any rate it was taught that [the fence is valid if the width of each reed was] from three to four handbreadths provided the gap between any two reeds was not as wide as a reed. Is not this<sup>17</sup> an objection against R. Papa?<sup>18</sup> —

R. Papa can answer you: By the expression of ‘as wide as’ was meant<sup>19</sup> [the width of the space through which the reed can be easily] moved to and fro.<sup>20</sup> Logical deduction also leads to the same conclusion. For, since it was stated: ‘If the gaps exceeded the standing parts it is forbidden [to sow corn] even over against the standing parts’, it follows that if they were equal to the standing parts [the sowing] is permitted. This proves it.

Must it then be assumed that this<sup>21</sup> presents an objection against R. Huna the son of R. Joshua?<sup>22</sup> — He can answer you: According to your line of reasoning [how will you] explain the final clause, ‘If, however, the standing parts exceeded the gaps it is permitted [to sow seed] over against the gaps also’, from which it follows that if it was equal to the gaps, [sowing] is forbidden?<sup>23</sup> Now then, the final clause is a contradiction to the ruling of R. Papa and the first one to that of R. Huna son of R. Joshua? — The final clause is really no contradiction to the ruling of R. Papa for, since the Tanna used the expression, ‘If the gaps exceeded the standing parts [it is forbidden]’<sup>24</sup> in the first clause, he used the expression, ‘If the standing parts exceeded the gaps [it is permitted]’ in the final clause.<sup>25</sup> The first clause presents no contradiction against R. Huna the son of R. Joshua for, as it was desired to state in the final clause, ‘If the standing parts exceeded the gaps [it is permitted]’,<sup>26</sup> it was also taught in the first clause<sup>27</sup> ‘If the gaps exceeded the standing parts [it is forbidden]’.<sup>28</sup>

According to R. Papa<sup>29</sup> it is quite well, for this reason,<sup>30</sup> that the two cases<sup>31</sup> were not included in one statement.<sup>32</sup>

According to R. Huna son of R. Joshua,<sup>33</sup> however, why should not the two cases be included in one statement thus:<sup>34</sup> Wherever [the width of a reed is] less than three, or [as much as] three, handbreadths it is necessary that [the gap] between any two reeds shall be less than three handbreadths? — Because the cause of the restriction<sup>35</sup> in the first clause is not like that in the second clause. The cause of the restriction in the first clause is that a kid shall not be able to leap headlong [through the gap]; while [the cause of] the restriction in the final clause is that the gaps shall not be equal to the standing parts.<sup>36</sup> Whose [view is expressed in the principle that the gap must be] less than three handbreadths? [Is it not] that of the Rabbis who laid down that [to a gap of] less than three handbreadths the law of labud<sup>37</sup> is applied but that to one of three handbreadths the law of labud is not applied?<sup>38</sup> Read, however, the final clause: ‘Where [the width of each reed is] three, or from three to four’.

- (1) Which shows that where the gaps are equal to the built-up parts, the movement of objects is permitted. An objection against R. Huna.
- (2) Cf. supra note 1 mutatis mutandis.
- (3) Lit., ‘it is found’.
- (4) if vines grow on one side of the fence and it is desired to sow corn in close proximity on the other side.
- (5) Lit., ‘this to this’.
- (6) The law of labud (v. Glos.) is applied in such a case even where the total area of the gaps exceeds that of the reeds. If a gap is wider than three handbreadths, a kid can leap headlong through it and the law of labud cannot consequently apply.
- (7) But not actually four.
- (8) V. p. 104, n. 10.
- (9) Lit., ‘this to this’.
- (10) Lit., ‘like its fullness’.
- (11) If vines were planted on the other side of the fence in close proximity.
- (12) Inclusive, but not wider.
- (13) Thus we have three categories: (i) It is not necessary for each gap to be less in width than a reed where the reeds are less than three handbreadths in width; and even if a gap is as

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wide as or wider than a reed, provided it is not wider than three handbreadths, all the fence is valid. (ii) It is necessary for each gap to be less in width than a reed where the reeds are three, or from three to four handbreadths in width. A gap of three or more handbreadths destroys the validity of the entire fence even that of its standing parts. (iii) Where the standing parts of a fence are considerable, their validity is not affected by the gaps, though it is forbidden to sow over against one side of the gaps if vines grow on the other.

(14) In any of three cases enumerated.

(15) V. supra note 5.

(16) Tosef. Kil. IV; because a gap in the shape of a doorway, even if it is wider than ten cubits, does not impair the validity of a fence.

(17) The ruling that the fence is valid only when the gaps are less than the standing parts.

(18) Who ruled supra that even if the breaches in an enclosure were equal to its standing parts, the movement of objects within it on the Sabbath is permitted or, in other words, the fence of the enclosure is valid.

(19) Lit., 'what its fullness?'

(20) Lit., 'enters and goes out', so that a gap equal to that width is really wider than the actual width of the reed. Where, however, the gaps are exactly equal to the standing parts, the fence is valid in agreement with the view of R. Papa.

(21) The Baraitha just discussed which provides support for R. Papa's ruling.

(22) Who differed from R. Papa (supra 15b).

(23) In agreement with the ruling of R. Huna son of R. Joshua and contrary to that of R. Papa.

(24) An expression which was essential for the inference that if the gaps equaled the standing parts it is permitted to sow even over against the gaps.

(25) As an antithesis; although the ruling here was really unnecessary in view of the statement, 'The gaps shall not be equal to the standing parts', i.e., (as explained supra) the space through which the reeds can move freely to and fro, from which it follows that if the gaps and the standing parts are equal, and much more so if the latter exceed the former, this is permitted. As the final clause is this a mere antithesis, no inference from it may be drawn.

(26) A statement necessary for the purpose of the inference: But if they were equal to the gaps this is forbidden.

(27) As a mere antithesis.

(28) Though it was superfluous in view of the ruling that this is forbidden even where they were equal to the standing parts.

(29) Who recognizes the validity of a fence where gaps and standing parts are equal.

(30) V. previous note.

(31) Reeds of (i) less than three and (ii) of three handbreadths.

(32) Lit., 'he does not mix them and teach them', as, for instance, 'Wherever (the width of a reed is) three, or less than three, handbreadths it is necessary that the gap between any two reeds shall be less than three handbreadths'. Such a statement would be wrong since in the latter case (according to R. Papa) the gap may be three handbreadths wide.

(33) Who does not recognize the validity of a fence where its gaps and standing parts are equal.

(34) Lit., 'let him mix them and teach them'.

(35) Lit., 'disqualification', 'invalidity'.

(36) As the reasons are different the two rulings could not be joined into one statement.

(37) V. Glos.

(38) Apparently it is.

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Does not this represent the view of<sup>1</sup> R. Simeon b. Gamaliel who laid down that the law of labud is applied [to a gap that is] less than four handbreadths?<sup>2</sup> For if [it represents the view of] the Rabbis [how could it be said], 'from three to four' where three and four are subject to the same law?<sup>3</sup>

Abaye replied: Since the first clause [is the view of] the Rabbis the final clause also [must be that of] the Rabbis, but<sup>4</sup> the Rabbis admit that wherever [it is a question of] permitting [to sow corn] over against [a standing part], if it is four handbreadths wide it is deemed [a partition],<sup>5</sup> but not otherwise.

Raba replied: As the final clause is the view of R. Simeon b. Gamaliel the first clause also must be that of R. Simeon b. Gamaliel, but<sup>4</sup> it is only to [a gap] above<sup>6</sup> that he applied the rule of labud but in the case of one below it is like a fence which kids can break through [to which the rule of] labud is not applied.

Come and hear: [The space enclosed by] such walls as consist mostly of floors and windows is permitted, provided the standing parts exceed the gaps.<sup>7</sup> Now, is it possible to imagine [that the reading was] 'mostly'?<sup>8</sup> [The reading] then [must obviously be] '[The space enclosed by walls] in which many<sup>9</sup>



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doors and windows were made is permitted, provided the standing parts exceed the gaps'. Thus it follows [that if the standing parts] equal the gaps it is forbidden. [Is not this then] an objection against R. Papa? — This is indeed an objection. The law, however, is in agreement with R. Papa. 'An objection' and 'the law'!<sup>10</sup> — Yes. Because the inference from our Mishnah is in agreement with his view. For we learned: **THE GAPS DO NOT EXCEED THE BUILT-UP PARTS**, from which it follows [that if they are] equal to the built-up parts it is permitted.

**MISHNAH.** [A CARAVAN IN CAMP]<sup>11</sup> MAY<sup>12</sup> BE SURROUNDED BY THREE ROPES,<sup>13</sup> THE ONE ABOVE THE OTHER, PROVIDED [THE SPACE] BETWEEN THE ONE ROPE AND THE OTHER<sup>14</sup> IS LESS THAN THREE HANDBREADTHS.<sup>15</sup> THE SIZE OF THE ROPES [MUST BE SUCH] THAT THEIR [TOTAL] THICKNESS SHALL BE MORE<sup>16</sup> THAN A HANDBREADTH, SO THAT THE TOTAL HEIGHT<sup>17</sup> SHALL BE TEN HANDBREADTHS. [THE CAMP]<sup>18</sup> MAY ALSO BE SURROUNDED<sup>19</sup> BY REEDS,<sup>20</sup> PROVIDED THERE IS NO [GAP OF] THREE HANDBREADTHS<sup>21</sup> BETWEEN ANY TWO REEDS. [IN LAYING DOWN THESE RULINGS,<sup>22</sup> THE RABBIS] SPOKE ONLY OF A CARAVAN.<sup>23</sup> THIS IS THE VIEW OF R. JUDAH; BUT THE SAGES MAINTAIN THAT THEY SPOKE OF A CARAVAN ONLY BECAUSE [IN ITS CASE THIS<sup>24</sup> IS] A USUAL OCCURRENCE.<sup>25</sup> ANY PARTITION THAT IS NOT [MADE UP OF] BOTH VERTICAL AND HORIZONTAL<sup>26</sup> [STAKES] IS NO VALID PARTITION;<sup>27</sup> SO R. JOSE SON OF R. JUDAH.<sup>28</sup> BUT THE SAGES RULED: ONE OF THE TWO<sup>29</sup> [IS ENOUGH].

**GEMARA.** Said R. Hamnuna in the name of Rab: Behold the Rabbis have laid down<sup>30</sup> that if the standing parts [of a partition made up] of vertical [stakes]<sup>31</sup> exceed the gaps [the fence] is valid.<sup>32</sup> What, however, asked R. Hamnuna, is the ruling in respect of horizontally [drawn ropes]?<sup>33</sup> —

Abaye replied: Come and hear: **THE SIZE OF THE ROPES [MUST BE SUCH] THAT THEIR TOTAL THICKNESS SHALL BE MORE THAN A HANDBREADTH, SO THAT THE TOTAL HEIGHT SHALL BE TEN HANDBREADTHS.** Now if [such a barrier]<sup>34</sup> were valid<sup>35</sup> what need was there<sup>36</sup> [for the TOTAL THICKNESS to be] MORE THAN A HANDBREADTH seeing that one could leave<sup>37</sup> [a distance slightly] less than three handbreadths and [stretch] a rope of any [thickness, and again leave a distance slightly] less than three handbreadths, and [stretch] a rope of any [thickness, and then again leave a distance slightly] less than four handbreadths and [stretch] a rope of any thickness?<sup>38</sup> —

But how do you understand this: Where could one leave<sup>39</sup> less than four [handbreadths of distance]? Were it to be left<sup>39</sup> below,<sup>40</sup> [the barrier] would be like a partition which kids can break through;<sup>41</sup> were it to be left<sup>42</sup> above,<sup>43</sup> the [unlimited] air space on the one side [of the rope]<sup>44</sup> and that on the other<sup>45</sup> would join<sup>46</sup> to annul its validity; and if one were to leave it in the middle,<sup>47</sup> the [virtually] standing parts<sup>48</sup> would be exceeding the gaps [only by combining the parts]<sup>48</sup> on its two sides;<sup>49</sup> or would you infer from this that where the standing parts [of a partition or barrier] exceed a gap in it [only by combining those] on its two sides they are nevertheless valid?<sup>50</sup> But<sup>51</sup> it is this that R. Hamnuna asked: [What is the ruling where one] brought for instance a mat that measured seven handbreadths and a fraction, and cut out in it [a hole of] three handbreadths leaving [untouched the remaining] four handbreadths<sup>52</sup> and fraction,<sup>53</sup> and put it up within [a distance of] less than three handbreadths [from the ground]?<sup>54</sup>

R. Ashi said: His<sup>55</sup> enquiry related to a suspended partition,<sup>56</sup> as did that which R. Tabla addressed to Rab: Does a suspended partition convert a ruin into a permitted domain? And the other replied: A suspended

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partition can effect permissibility only in the case of water<sup>57</sup> because only in respect of water did the Sages relax the law.

[THE CAMP] MAY ALSO BE SURROUNDED BY REEDS, etc. Only in the case of A CARAVAN but not in that of all individual? But was it not taught: R. Judah stated: All [defective] partitions<sup>58</sup> in connection with the Sabbath [laws] were not permitted to an individual [if the space enclosed]<sup>59</sup> exceeded two beth se'ah?<sup>60</sup> — As R. Nahman (or [as] some say: R. Bibi b. Abaye) replied [elsewhere that the ruling] was only required [in respect] of allowing them all [the space] they required, [so may one] here also [explain that the statement<sup>61</sup> referred to the permissibility] of allowing them all [the space] they required.<sup>62</sup> Where was [the reply] of R. Nahman (or [as] some say, [that of] R. Bibi b. Abaye) stated?-

In connection with what we learned: ANY PARTITION THAT IS NOT [MADE UP OF] BOTH VERTICAL AND HORIZONTAL [STAKES] IS NO VALID PARTITION; SO R. JOSE SON OF R. JUDAH. Now [it was objected] could R. Jose son of R. Judah have given such a ruling seeing that it was taught: 'An individual and a caravan are subject to the same law as regards [a barrier] of ropes.<sup>63</sup> But [then] what is the difference [in this respect]<sup>64</sup> between an individual and a caravan? One individual is allowed two beth se'ah, so are two individuals also allowed two beth se'ah, but three become a caravan and are allowed six both se'ah,' so R. Jose son of R. Judah.

But the Sages ruled: Both an individual and a caravan are allowed all [the space] they require provided no area of two beth se'ah remains unoccupied?<sup>65</sup> [To this] R. Nahman (or some say: R. Bibi b. Abaye) replied: [This ruling]<sup>66</sup> was only required in respect of allowing them all [the space] they required.<sup>67</sup> R. Nahman in the name of our Master Samuel gave the following exposition: One individual is allowed two beth se'ah, two

individuals are also allowed two beth se'ah, but three become a caravan and are allowed six beth se'ah. Do you leave the Rabbis<sup>68</sup> [he was asked] and act in agreement with R. Jose son of R. Judah?

Thereupon R. Nahman appointed an Amora on the subject<sup>69</sup> and gave the following exposition: The statement I made to you was an error on my part; it is this indeed that the Rabbis have said: 'An individual is allowed two beth se'ah, two also are allowed two beth se'ah, but three become a caravan and are allowed all [the space] they require.

(1) Lit., 'we came to'.

(2) By making a distinction between four and less than four, in which latter case where the gap exceeds the standing part it is forbidden to sow even over against the standing part, whereas in the former it is permitted — the Mishnah presumably follows R. Simeon b. Gamaliel (Rashi).

(3) Lit., 'is one'.

(4) As to the objection raised.

(5) Against which corn may be sown.

(6) As in the case of a cross-beam.

(7) Supra 11a.

(8) שריון, lit., 'most of which'; obviously not, since the standing parts of such walls cannot possibly exceed the gaps.

(9) שריבה, lit., 'that he made many'.

(10) Can the law be in agreement with the view of R. Papa when an objection has been raised against it?

(11) Cf. Mishnah supra 15b of which this is a continuation.

(12) In order that it may be permitted to move objects within it on the Sabbath.

(13) Attached to reeds, or any stakes.

(14) And between the lowest one and the ground.

(15) A gap of less than three handbreadths being regarded by the rule of labud (v. Glos.) as non-existent, the height of the rope barrier is thus virtually nine handbreadths minus three small fractions (v. following two notes and text).

(16) By the three fractions mentioned in the previous note ad fin.

(17) Of the rope barrier.

(18) V. supra note 1.

(19) V. supra note 2.

(20) Driven in the ground in a vertical position.

(21) So that the rule of labud can be applied.

(22) That a barrier of ropes drawn horizontally or a fence of reeds driven in the ground vertically is a valid enclosure in respect of the Sabbath laws.

# ERUVIN – 2a-26b

(23) In whose case the Rabbis relaxed the law, but not of an individual whose barrier or fence must be provided with both horizontal and vertical (v. our Mishnah infra) stakes, reeds or ropes.

(24) The putting up of a barrier round the camp.

(25) But the same laws apply also to camps of individuals.

(26) Lit., 'warp and woof'.

(27) Even in the case of a caravan.

(28) Who differs from his father's view supra.

(29) Either vertical or horizontal stakes or poles and the like.

(30) In the Mishnah supra 15b.

(31) And the like. The trappings of cattle (v. previous note) are usually arranged in a vertical position.

(32) Lit., 'a standing'.

(33) Is such a barrier valid where it contains gaps wider than three handbreadths to which, unlike the rope barrier spoken of in our Mishnah, the rule of labud cannot be applied?

(34) V. previous note.

(35) Lit., 'there is'.

(36) Lit., 'wherefore to me'.

(37) Lit., 'let him make'.

(38) Two of the gaps, each being less than three handbreadths, would by the law of labud be deemed closed and this would, together with the ropes, provide a 'standing part' of six handbreadths that exceeds the third gap of four handbreadths. As this, however, was not permitted it may be concluded that in the case of horizontally drawn ropes, the barrier is invalid even where the standing parts exceed the gaps.

(39) Lit., 'set', 'place'.

(40) Between the lowest rope and the ground.

(41) Which, as a suspended partition, is invalid even if its properly standing parts are ten handbreadths high.

(42) Lit., 'set', 'place'.

(43) The other gaps; i.e., between the second rope from the ground and the topmost one.

(44) Its upper side.

(45) The space between this rope and the middle one.

(46) Lit., 'come'.

(47) Above the lowest, and under the middle rope.

(48) Sc. the spaces of three handbreadths each below it and above it to which the rule of labud is applied.

(49) Which, is not admissible.

(50) Lit., 'is a standing', but this is contrary to the law.

(51) The question in the present form being untenable.

(52) On one side of the gap.

(53) On its other side.

(54) With the fractional section below the gap in the mat and the four handbreadths one above it.

In such a case the lowest gap (the distance between the ground and the fractional section of the mat) is regarded as labud (v. Glos.) while the three handbreadths gap in the mat is exceeded by the remaining four handbreadths of the mat all of which are on one side of the gap. The air spaces on the two sides of this section cannot annul its validity since it exceeds at least the air space on the one side below it.

(55) R. Hammuna's.

(56) A mat measuring ten handbreadths, for instance, that was suspended at a distance of more than three, and less than ten handbreadths from the ground. Does the 'standing part' (the mat), R. Hammuna asked, annul the distance between it and the ground because it exceeds it or not?

(57) I.e., as regards the permissibility of drawing water from a river or a lake on the Sabbath (cf. infra 87b).

(58) That were with difficulty allowed where a number of people were concerned.

(59) Though the enclosure was put up for the purpose of using its interior as a dwelling.

(60) V. Glos., but if it did not exceed this measurement such defective partitions were permitted to an individual also. How then is R. Judah's statement in the Baraitha to be reconciled with his statement in our Mishnah.

(61) Of R. Judah, that the Rabbis in our Mishnah SPOKE ONLY OF CARAVAN.

(62) Though it exceeded two beth se'ah. Where, however, such an area is not exceeded the same privilege is extended to an individual also.

(63) It is permissible in either case though no vertical stakes were put up.

(64) Where a barrier is defective as in this case (v. previous note).

(65) Sc. exceeded actual requirements. Now since R. Jose distinctly recognized here the validity of a barrier made of ropes without stakes how could he rule in our Mishnah to the contrary?

(66) Of R. Jose in our Mishnah, according to which a barrier of ropes is not admissible.

(67) The respective areas specified in the Baraitha however, are allowed even where the barrier was made only of horizontally drawn ropes.

(68) Who represent a majority.

(69) To expound to the public R. Nahman's discourse.

## Eruvin 17a

Is then the first clause<sup>1</sup> [in agreement with] R. Jose<sup>2</sup> and the final clause [only in agreement with the] Rabbis?<sup>3</sup> — Yes, because his father<sup>4</sup> adopts<sup>5</sup> the same line.<sup>6</sup> R. Giddal stated in the name of Rab: Three [persons are sometimes] forbidden<sup>7</sup> in five [beth se'ah,

## ERUVIN – 2a-26b

and sometimes] permitted<sup>7</sup> [even] in an area of seven. ‘Did Rab’, they asked him, ‘really say so?’ — ‘[By] the Law, the Prophets and the Writings, [I can answer]’, he said to them, ‘that Rab did say, so’.

Said R. Ashi: But what is the difficulty?<sup>8</sup> It is possible that he meant this: If they required six beth se'ah and they surrounded<sup>9</sup> an area of seven they are permitted<sup>10</sup> even in all the seven;<sup>11</sup> and if they required only one of five<sup>12</sup> beth se'ah but surrounded<sup>9</sup> one of seven<sup>13</sup> they are forbidden<sup>14</sup> even the five beth se'ah. But then what of what was taught: ‘Provided there be no two beth se'ah unoccupied’, does not this mean: Unoccupied by human beings?<sup>15</sup> —

No; unoccupied by objects.<sup>16</sup> It was stated: [On the question of the extent of the area permitted<sup>17</sup> where there were]<sup>18</sup> three persons and one of them died,<sup>19</sup> or two<sup>18</sup> and their number was increased,<sup>19</sup> R. Huna and R. Isaac [are in dispute]. One maintains that Sabbath is the determining factor<sup>20</sup> and the other maintains that the determining factor is [the number of actual] tenants.<sup>21</sup> You may conclude that it is R. Huna who held that the determining factor was the Sabbath. For Rabbah stated: ‘I enquired of R. Huna (and also of Rab Judah) as to what [was the law where] an ‘erub<sup>22</sup> was laid in reliance on<sup>23</sup> a certain door<sup>24</sup> and that door was<sup>25</sup> blocked up, or on a certain window<sup>24</sup> and that window was<sup>25</sup> stopped up,<sup>26</sup> and he replied: Since permission for the Sabbath was once granted the permissibility continues<sup>27</sup> [until the day is concluded]’.<sup>28</sup> This is conclusive.

Must it be assumed that R. Huna and R. Isaac differ on the same principle as that on which R. Jose and R. Judah differed? For we learned: If a breach was made<sup>29</sup> in two sides of a courtyard<sup>30</sup> and so also if a breach was made in two sides of a house, or if the cross-beam<sup>31</sup> or side-post<sup>31</sup> of an alley was removed<sup>29</sup> [the tenants] are permitted [their use] for that Sabbath<sup>32</sup> but forbidden on future [Sabbaths]; so R. Judah. R. Jose

ruled: Whatever<sup>33</sup> they are permitted for that Sabbath they are permitted for future [Sabbaths], and whatever<sup>33</sup> they are forbidden for future [Sabbaths] they are also forbidden for that Sabbath.<sup>34</sup>

Must it then be assumed that R. Huna is of the same opinion as R. Judah while R. Isaac is of that of R. Jose?<sup>35</sup> — R. Huna can tell you, ‘I can maintain my view even in accordance with that of R. Jose; for R. Jose maintained his view there only because there were no partitions, but here there are partitions’. And R. Isaac can tell you, ‘I can maintain my view even in agreement with R. Judah; for R. Judah upheld his view there only because the tenants were in existence, but here there was not a [sufficient number of] tenants’.

AND THE SAGES RULED: ONE OF THE TWO [IS ENOUGH]. Is not this ruling precisely the same as that of the first Tanna?<sup>36</sup> — The practical difference between them is the case of an individual in an inhabited area.<sup>37</sup>

*MISHNAH.* [OF] FOUR OBLIGATIONS WAS EXEMPTION GRANTED [TO WARRIORS] IN A CAMP: THEY MAY BRING WOOD FROM ANYWHERE, THEY ARE EXEMPT FROM THE WASHING OF THE HANDS,<sup>38</sup> FROM [THE RESTRICTIONS OF] DEMAI<sup>39</sup> AND FROM THE DUTY OF PREPARING AN ‘ERUB.<sup>40</sup>

*GEMARA.* Our Rabbis learned: An army that goes out to an optional war<sup>41</sup> are permitted to commandeer dry<sup>42</sup> wood. R. Judah b. Tema ruled: They may also encamp in any place, and are to be buried where they are killed.<sup>43</sup> ‘Are permitted to commandeer dry wood’. Was not this, however, an enactment of Joshua,<sup>44</sup> for a Master stated that Joshua laid down ten stipulations [which included the following:] That [people] shall be allowed to feed their cattle in the woods<sup>45</sup> and to gather wood from their<sup>45</sup> fields?<sup>46</sup> —



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[The enactment] there related to thorns and shrubs [while the ruling] here refers to other kinds of wood. Or else: There<sup>47</sup> [it is a case of trees] that are attached [to the ground,<sup>48</sup> while the ruling] here [refers to such] as were [already] detached.<sup>49</sup> Or else: There<sup>47</sup> [it is a case] of fresh, and here [it is one] of dry [wood]. ‘R. Judah b. Tema ruled: They may also encamp in any place, and are to be buried where they are killed’. Is not this<sup>50</sup> obvious, since [a killed warrior is] a meth mizwah<sup>39</sup> and a meth mizwah acquires [the right to be buried on] the spot where it is found?<sup>51</sup> —

[This ruling was] required only [for the following case:] Although

- (1) The ruling accepted by R. Nahman in his exposition.
- (2) Who allows an individual no more than two beth se'ah. According to the Rabbis he should be allowed all the space he requires.
- (3) Since R. Jose allows only an area of six beth se'ah. Now, would R. Nahman agree with an individual opinion when it differs from that of the majority?
- (4) R. Judah.
- (5) Lit., ‘stands’.
- (6) He also allows an individual no more than two beth se'ah where a partition is made of vertical or horizontal stakes or ropes only.
- (7) The carrying of objects on the Sabbath.
- (8) That caused them to doubt that Rab had made the statement.
- (9) With stakes only, i.e., with the vertical, and not with the horizontal parts of an enclosure.
- (10) The carrying of objects on the Sabbath.
- (11) Since the unoccupied area is less than two beth se'ah.
- (12) For a variant reading, v. Elijah Wilna's glosses.
- (13) So that two beth se'ah remained unoccupied, and the barrier was consequently invalid.
- (14) The carrying of objects on the Sabbath.
- (15) Three persons, e.g., each being entitled to an area of two beth se'ah only, would not jointly be allowed the use of  $(3 \times 2 + 2 =)$  eight beth se'ah, since, after allowing the  $(3 \times 2 =)$  six to which they are jointly entitled there still remain two beth se'ah without an occupier; but if the area measured only seven beth se'ah all of it is permitted to them since only  $(7 - 3 \times 2 =)$  one beth se'ah remains unoccupied. How then is Rab's statement that ‘three persons are sometimes forbidden in five’, to be explained?

(16) Even several persons are not entitled to use an area of twice as many beth se'ah as their number (cf. previous note) but only as many beth se'ah as they actually require plus an area less than two beth se'ah.

(17) In the case of a defective enclosure.

(18) When the Sabbath began.

(19) On the Sabbath.

(20) The extent of the area permitted is dependent on the number of persons alive at the moment Sabbath began. If at that time the three were alive the survivors may continue to use the full area throughout the Sabbath even according to R. Judah. If, however, two persons only were present when the Sabbath began and they enclosed an area larger than two beth se'ah they are, according to R. Judah, forbidden its use even if their number had been augmented during the Sabbath.

(21) If an area larger than two beth se'ah had been enclosed its use is permitted if the number of tenants was three, though when the Sabbath began it was only two, and forbidden if the number was two though it was three when the Sabbath began.

(22) V. Gos.

(23) Lit., ‘by the way of’.

(24) That communicated between two courtyards inhabited by different tenants.

(25) Owing to the collapse of some structure on the Sabbath.

(26) Is it permissible to carry objects through any other window that, measuring less than four handbreadths (v. infra 76a), could not be used for the purpose of an ‘erub?

(27) Lit., ‘is permitted’.

(28) Infra 93b.

(29) During the Sabbath.

(30) This is explained infra 94b.

(31) Sing. So Rashi's MS. supported by Tosaf. s.v. קורותיו a.l. Cur. edd. use the pl.

(32) On which the accident occurred. Since these were permitted when the Sabbath began their permissibility continues until its conclusion.

(33) Lit., ‘if’ (v. next note).

(34) Infra 94a, i.e., (as explained infra 5a) as they are forbidden for future Sabbaths so are they forbidden for that one also though they were permitted when the Sabbath began.

(35) Is it likely, however, that Amoras would be merely repeating a dispute of Tannas?

(36) The Rabbis, who, earlier in the Mishnah, stated **THEY SPOKE OF A CARAVAN ONLY BECAUSE... A USUAL OCCURRENCE**, so that the same relaxation of the law applied also to an individual.

(37) According to the first Tanna a defective partition is permitted to an individual only where he, like a CARAVAN, finds himself underway

# ERUVIN – 2a-26b

where he cannot procure the materials for a proper one. According to the Sages, however, who objected to the ruling of R. Jose son of R. Judah, according to whom a defective partition is invalid both for a caravan and an individual, underway and in an inhabited area, such a partition is valid both for a caravan and an individual, underway and in an inhabited area.

(38) Before a meal.

(39) V. Glos.

(40) If a door communicated between two enclosures in the camp and it was desired to carry objects from one into the other.

(41) Sc. any war other than those against the peoples of Canaan in the days of Joshua.

(42) And much more so fresh.

(43) Tosef. 'Er. II.

(44) When he entered Canaan.

(45) Of other people.

(46) B.K. 80bf.

(47) The enactment of Joshua.

(48) Such trees are permitted to all.

(49) The owner having cut them for fuel. Such wood is permitted to an army only.

(50) The second ruling of R. Judah b. Tema.

(51) Lit., 'its place'. This is another of the ten enactments of Joshua. Sot. 45b, B.K. 81a, Sanh. 47b.

## Eruvin 17b

he<sup>1</sup> has friends who would bury [him he is to be buried where he was killed]. For it was taught: Who is deemed a meth mizwah? Any person who has no one<sup>2</sup> to bury him. Were he, however, to call [for help] and others answer him, he is not [to be regarded as] a meth mizwah.<sup>3</sup> But does a meth mizwah acquire [the right to be buried on] the spot where it is found? Was it not in fact taught: If a man found a corpse lying in the road, he may remove it to the right of the road or to the left of the road: [if on the one side there was] an uncultivated, and [on the other] a fallow field, he should remove it to the uncultivated field;<sup>4</sup> a fallow field and a field with seeds, he should remove it to the fallow field;<sup>4</sup> if both fields were fallow, sown, or uncultivated he may remove it to whichever side he wishes?<sup>5</sup> — R. Bibi replied: Here we are dealing with a corpse that lay across a narrow path,<sup>6</sup> and since permission was granted to remove it from the path<sup>7</sup> one may also move it to whichever side one pleases.

**THEY ARE EXEMPT FROM THE WASHING OF THE HANDS.** Abaye stated: This was taught only in respect of the washing before a meal,<sup>8</sup> but the washing after a meal<sup>9</sup> is obligatory. R.<sup>10</sup> Hiyya b. Ashi stated: Why did the Rabbis rule that washing after a meal<sup>9</sup> is obligatory? Because there exists a certain Sodomitic salt that causes blindness.<sup>11</sup> And, said Abaye, it is found in the proportion of one grain to a kor<sup>12</sup> [in any kind of salt]. Said R. Aha son of Raba to R. Ashi: What [is your ruling where] one has measured out any salt?<sup>13</sup> This,<sup>14</sup> the other replied, is perfectly obvious.<sup>15</sup>

**FROM [THE RESTRICTIONS OF] DEMAI,** for we learned: Poor men and billeted troops<sup>16</sup> may be fed with demai.<sup>17</sup> R. Huna stated: One taught: Beth Shammai ruled: Poor men and billeted troops may not be fed with demai, and Beth Hillel ruled: Poor men and billeted troops may be fed with demai.

**AND FROM THE DUTY OF PREPARING AN 'ERUB.** It was stated at the schoolhouse of R. Jannai: [This ruling] was taught only in regard to an 'erub<sup>18</sup> of courtyards but their obligation to an 'erub of boundaries remains unaffected, since R. Hiyya taught: For [transgressing the laws of] 'erub of boundaries flogging is incurred [in accordance with] Pentateuchal Law.<sup>19</sup> R. Jonathan demurred: Is flogging incurred on account of a prohibition<sup>20</sup> implied in AI?<sup>21</sup> R. Aha b. Jacob demurred:<sup>22</sup> Now then,<sup>23</sup> since it is written in Scripture: Turn ye not<sup>24</sup> unto them that have familiar spirits, nor unto the wizards,<sup>25</sup> should no flogging be incurred in that case also?<sup>26</sup> — It was this difficulty that R. Jonathan felt: [Is not this]<sup>27</sup> a prohibition that was given to [authorize] a warning of death at the hands of Beth din<sup>28</sup> and for any prohibition given to [authorize] a warning of death no flogging is incurred?<sup>29</sup> — R. Ashi replied: Is it written in Scripture, 'Let no man carry out ?<sup>30</sup> It is [in fact] written: Let no man go out.<sup>31</sup>

# ERUVIN – 2a-26b

## CHAPTER II

**MISHNAH.** WELLS<sup>32</sup> MAY BE PROVIDED<sup>33</sup> WITH STRIPS OF WOOD<sup>34</sup> [BY FIXING] FOUR CORNER-PIECES<sup>35</sup> THAT HAVE THE APPEARANCE OF EIGHT [SINGLE STRIPS];<sup>36</sup> SO R. JUDAH. R. MEIR RULED: EIGHT [STRIPS THAT] HAVE THE APPEARANCE OF TWELVE [MUST BE SET UP], FOUR BEING CORNER-PIECES AND FOUR SINGLE [STRIPS].<sup>37</sup> THEIR HEIGHT [MUST BE] TEN HANDBREADTHS, THEIR WIDTH SIX, AND THEIR THICKNESS [MAY BE] OF ANY SIZE WHATSOEVER. BETWEEN THEM [THERE MAY BE] AS MUCH<sup>38</sup> [SPACE AS TO ADMIT] TWO TEAMS OF THREE OXEN EACH; SO R. MEIR; BUT R. JUDAH SAID: OF FOUR [OXEN EACH, THESE TEAMS BEING] TIED TOGETHER AND NOT APART<sup>39</sup> [BUT THERE MAY BE SPACE ENOUGH FOR] ONE<sup>40</sup> TO ENTER WHILE THE OTHER GOES OUT.<sup>41</sup> IT IS PERMITTED TO BRING [THE STRIPS] CLOSE TO THE WELL, PROVIDED A COW CAN BE WITHIN [THE ENCLOSURE WITH] ITS HEAD AND THE GREATER PART OF ITS BODY WHEN DRINKING.<sup>42</sup> IT IS PERMITTED

- (1) The warrior.
- (2) Rashi: Heirs.
- (3) Yeb. 89b, Naz. 43b.
- (4) In order to avoid or reduce any possible damage to the crops.
- (5) B.K. 81b. Now if a meth mizwah must be buried on the spot in which it is found, why was his removal allowed in this Baraitha?
- (6) Blocking it entirely so that it is impossible to pass through without stepping over the corpse.
- (7) So as to enable priests and others who observe levitical purity to use the path without contracting defilement.
- (8) Lit., 'first water'.
- (9) Lit., 'last water'.
- (10) MS.M., 'for R. Judah son of R. Hiyya'. Cf. also Tosaf. Hul. 105a, s.v. מים.
- (11) And the washing after the meal removes it from the fingers that may have touched it (cf. Ber. 40a).
- (12) V. Glos.
- (13) Sc. handled it for some purpose other than that of eating it. Is the washing of the hands obligatory in such a case also?
- (14) That washing is required.
- (15) Lit., 'it is not (to be) asked'. At the present time it is no longer customary to wash the hands

after a meal because Sodomitic salt is uncommon or because no one now dips his fingers in salt after a meal (Tosaf. s.v. מים a.l.).

- (16) Even if they are Jews.
- (17) Dem. III, 1; Ber. 47a; Shab. 127b; infra 31a. The laws of demai, being only Rabbinical, have been relaxed in these cases.
- (18) V. Glos.
- (19) Cf. infra 51a.
- (20) לאו lit., 'not'.
- (21) לא. This negative, it is now assumed, does not express emphatic prohibition as the negative particle.
- (22) Against R. Jonathan's demur.
- (23) If no flogging is to be incurred for a prohibition expressed by al.
- (24) לא.
- (25) Lev. XIX, 31.
- (26) But the fact is that flogging is in that case incurred.
- (27) The injunction, 'Let no man go out' (Ex. XVI, 29) from which the prohibitions of both (a) walking beyond the Sabbath limits and (b) carrying from one Sabbath domain into another are inferred (v. Tosaf. s.v. לאו a.l.).
- (28) For the carrying of objects from one Sabbath domain into another the penalty is not flogging but death (cf. Shab. 96b).
- (29) Even where the penalty of death is not inflicted as, for instance, where the witnesses gave their warning in respect of flogging. How then could it be ruled by R. Hiyya that 'for transgressing the laws of 'erub of boundaries', which are derived from the same text (cf. supra p. 118 n. 15), 'flogging is incurred'?
- (30) Which would explicitly have referred to the carrying of objects. Had this been the case, and as walking beyond the Sabbath limits is inferred from the same text, as no flogging is incurred for the carrying of objects so could none be incurred for walking beyond the Sabbath limits.
- (31) Ex. XVI, 29. Since the expression used is actually that of going out, flogging is rightly incurred for acting against this prohibition (cf. Tosaf. loc. cit. Rashi has a different interpretation).
- (32) That are situated in a public domain and are no less than ten handbreadths deep and four handbreadths wide and, in consequence, subject to the status of a private domain.
- (33) In order that water may be drawn from them on the Sabbath.
- (34) No proper enclosure being necessary (v. infra).
- (35) Or deyomads (cf. note supra 15a), each consisting of two upright boards of the prescribed measurements (v. infra) with their ends joined at right angles to each other.

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(36) So that each of the four sides of the well is screened at each of its two ends by a strip of wood of the prescribed size, and the space around it within the enclosure is thus converted into a private domain into which water from the well may be drawn (cf. supra n. 2).

(37) One between each two corner-pieces (cf. previous note).

(38) Lit., 'like the fullness of'.

(39) This is a restriction: The space must not be wider than that.

(40) Team (v. infra 19a ad fin.).

(41) A relaxation of the law: They need not be brought so closely together as to leave no room for them to move freely.

(42) If the space is smaller, the drawing of water is forbidden on the Sabbath, since the cow might back out of the enclosure and one might carry the bucket after her and thus be guilty of carrying from a private, into a public domain.

## Eruvin 18a

**TO REMOVE [THE STRIPS]<sup>1</sup> TO ANY [DISTANCE]<sup>2</sup> PROVIDED ONE INCREASES THE STRIPS.<sup>3</sup> R. JUDAH SAID: [THE ENCLOSURE MAY BE ONLY] AS LARGE AS<sup>4</sup> TWO BETH SE'AH,<sup>5</sup> BUT THEY<sup>6</sup> SAID TO HIM: [THE LIMIT OF] TWO BETH SE'AH WAS PRESCRIBED FOR A GARDEN OR A KARPAF<sup>7</sup> ONLY,<sup>8</sup> BUT IF [THE ENCLOSURE] WAS A CATTLEPEN,<sup>9</sup> A FOLD,<sup>10</sup> A BACKYARD OR A COURTYARD<sup>11</sup> IT MAY BE [AS BIG AS] FIVE OR TEN BETH KOR.<sup>5</sup> AND<sup>12</sup> [FOR THIS REASON] IT IS PERMITTED TO REMOVE [THE STRIPS FROM THE WELL TO] ANY DISTANCE PROVIDED ONE INCREASES THE NUMBER OF THE STRIPS.<sup>13</sup>**

**GEMARA.** Must one assume that our Mishnah is not in agreement [with a ruling of] Hanania; for it was taught: Strips of wood may be put up round a cistern<sup>14</sup> and ropes<sup>15</sup> around a caravan,<sup>16</sup> but Hanania ruled: Ropes [may be put up] round a cistern but not strips of wood?<sup>17</sup> —

It may be said [to agree] even [with the ruling of] Hanania for a cistern and a well belong to two different categories.<sup>18</sup> There are [others] who read: Since it was not stated<sup>19</sup> Hanania ruled: 'Ropes must be put up round a cistern

and strips of board [may be put up] round a well', it may be inferred that [according] to the view] of Hanania both in the case of a cistern and in that of<sup>20</sup> a well, only ropes are permitted but not strips of wood; must one then assume that our Mishnah<sup>21</sup> is not in agreement [with the ruling of] Hanania? —

It may be said [to agree] even [with the ruling of] Hanania, for he<sup>22</sup> only replied to that<sup>23</sup> of which the first Tanna had spoken.<sup>24</sup> Must it be assumed that our Mishnah is at variance with [a ruling of] R. Akiba; for we learned: 'Strips of wood may be provided<sup>25</sup> for a public well, a public cistern as well as<sup>26</sup> for a private well, but for a private cistern a screen ten handbreadths high must be provided; so R. Akiba',<sup>27</sup> whereas here it was stated [that such strips of wood may be provided] for WELLS. [Does it not then follow:] only<sup>28</sup> for WELLS but not for cisterns?<sup>29</sup> —

It may be said [to be in agreement] even with R. Akiba, for it only taught of a well of living water because [the law in its case is] definite, there being no difference whether it was public or private, but it did not teach concerning a cistern containing collected [water] since [the law in its case] is not definite.<sup>30</sup> Need it be suggested that our Mishnah is at variance with a ruling of R. Judah b. Baba; for we learned, 'R. Judah b. Baba ruled: Strips of wood may be set up round a public well only',<sup>27</sup> whereas here it was stated [that such strips may be set up] for WELLS, implying<sup>31</sup> that there is no difference whether they were public or private? —

It may be said to agree even with R. Judah b. Baba, for by WELLS were meant [public] wells in general.<sup>32</sup> What is the meaning of deyomadin?<sup>33</sup> R. Jeremiah b. Eleazar replied: Deyo 'amudin.<sup>34</sup>

(Mnemonic:<sup>35</sup> *Two, under a ban, praise, dove, house, two, was cursed, by a relationship three.*)



## ERUVIN – 2a-26b

We learned elsewhere: R. Judah ruled: All wild figs<sup>37</sup> are exempt [from the restrictions of demai]<sup>38</sup> excepting those of deyufrā.<sup>39</sup> What [is the meaning of] ‘deyufrā’? — Ulla replied: A tree that bears fruit twice a year.<sup>40</sup>

R. Jeremiah b. Eleazar said: The first man<sup>41</sup> had two full faces, for it is said in Scripture: Thou hast shaped me<sup>42</sup> behind and before.<sup>43</sup> It is written: And the Lord God builded the side<sup>44</sup>, etc.<sup>45</sup> Rab and Samuel [differ on the meaning of ‘side’]. One explains: A full face<sup>46</sup> and the other explains: A tail.<sup>46</sup> According to him who explained: ‘a full face’, it was quite proper for Scripture to state: Thou hast shaped me behind and before;<sup>47</sup> but according to him who explained: ‘A tail’, what [could be the meaning of] Thou hast shaped me behind and before?<sup>47</sup> —

As R. Ammi explained, for R. Ammi said: [Adam was] behind [last] in the work of the creation<sup>48</sup> and before [the others] for retribution. One may well concede that he was ‘behind in the work of the creation’, since he was not created before the Sabbath eve;<sup>49</sup> what means, however, ‘Before [the others] for retribution’? Shall I say [it refers] to the curse,<sup>50</sup> surely, [it could be objected] was not the serpent cursed first,<sup>51</sup> Eve afterwards<sup>52</sup> and Adam last?<sup>50</sup> —

But [it refers] to the flood; for it is written in Scripture: And He blotted out every living substance which was upon the face of the ground, both man and cattle, etc.<sup>53</sup> According to him who explained: ‘a full face’ it is easy to see why And He formed [wa-yizer]<sup>54</sup> was written in Scripture<sup>55</sup> with two yods;<sup>56</sup> according to him, however, who explained: ‘A tail’ what [could be the significance of] ‘And he formed’?<sup>57</sup> —

[It may be explained] in agreement with R. Simeon b. Pazzi, for R. Simeon b. Pazzi said,<sup>58</sup> ‘Woe to me on account of my evil inclination;<sup>59</sup> woe to me on account of my creator’,<sup>60</sup> According to him who explained: ‘A full face’ it was quite correct for

Scripture<sup>61</sup> to write: Male and female created He them;<sup>62</sup> but according to him who explained: ‘A tail’, what [could be the interpretation of] ‘Male and female created He them’? — [The text was required] for [an explanation] like that of R. Abbahu. For R. Abbahu pointed out an incongruity: It is written in Scripture: Male and female created He them.<sup>62</sup> Previously it is written: In the image of God created He him;<sup>63</sup> [and he explained:] At first it was the intention that two<sup>64</sup> should be created but ultimately only one was created.<sup>65</sup> According to him who explained: ‘A full face’, the expression of ‘And closed up the place with flesh instead thereof’,<sup>66</sup> is quite intelligible; but according to him who explained: ‘A tail’, what [could be the meaning of] ‘And closed up the place with flesh instead thereof’? —

R. Zebid (or as some say: R. Nahman b. Isaac) replied: The text refers only<sup>67</sup> to the place of the cut. According to him who explained: ‘A tail’ it was quite proper for Scripture to write: And He builded,<sup>68</sup> but according to him who explained: ‘A full face’, what [could be the significance of] ‘And He builded’?<sup>69</sup> —

In agreement with that which has been stated by R. Simeon b. Menassia. For R. Simeon b. Menassia made the following exposition: ‘And the Lord God builded the side’<sup>70</sup> teaches that the Holy One, blessed be He, plaited Eve's hair<sup>71</sup> and then brought her to Adam,<sup>72</sup> for in the sea-towns a plait<sup>73</sup> is called ‘building’.<sup>74</sup> Another interpretation of ‘And the Lord God builded’:<sup>70</sup> R. Hisda stated [or, as others say, it was taught in a Baraita]: This<sup>75</sup> teaches that the Holy One, blessed be He, built Eve in the shape<sup>76</sup>

(1) From the well.

(2) And thus extend the space enclosed.

(3) So that no gap in the enclosure is wider than ten cubits according to R. Meir, or thirteen and a third cubits according to R. Judah. V. Gemara.

(4) Lit., ‘until’.

(5) V. Glos.

(6) The Rabbis.

# ERUVIN – 2a-26b

- (7) קרפף, an enclosure for the storage of wood or the like outside a settlement.
- (8) Since these are not made to serve as habitations.
- (9) Which is shifted from place to place in the fields, its main purpose being the collection of sufficient manure for the respective spots on which it is set up.
- (10) For town cattle.
- (11) Which may be regarded as an enclosure for human habitation.
- (12) Since the water of a well may be used for human beings as for cattle, and the enclosure around it assumes, in consequence, the nature of a human habitation.
- (13) V. supra note 2.
- (14) Cf. notes on our Mishnah ab init. It is not necessary to provide a proper enclosure. (The reason is given infra).
- (15) But not strips of wood (cf. previous note).
- (16) Cf. supra 16b notes.
- (17) Now, since a cistern and a well are equally private domains, does not our Mishnah, which allows strips of wood for the latter, obviously differ from the ruling of Hanania which does not allow them for the former?
- (18) Lit., 'a cistern alone and a well alone'. In the case of a cistern, unlike that of a well, it is possible for the water to be completely used or dried up, and for an empty pit, an enclosure of strips of wood with gaps between them is invalid.
- (19) In the Baraitha just cited.
- (20) Lit., 'there is no difference'.
- (21) Which allows boards for the latter.
- (22) Hanania in his ruling.
- (23) A cistern.
- (24) The question of a well not having arisen, there was no need for him to mention it.
- (25) V. supra p. 121, n. 13.
- (26) Lit., '(it is all) one'.
- (27) Infra 22b.
- (28) Lit., 'yes'.
- (29) Even if they were public; contrary to R. Akiba who does permit such boards for public cisterns.
- (30) There being in agreement with R. Akiba, a difference between a public, and a private one.
- (31) By the use of the plural.
- (32) Private ones, however, are, in agreement with R. Judah b. Baba, excluded.
- (33) דיומדין rendered supra 'CORNER-PIECES'.
- (34) דיו עמודין 'two pillars'. Cf. the Greek parallel, \*\*, and note supra 15a.
- (35) Containing striking words or phrases of each of the following sayings of R. Jeremiah b. Eleazar.
- (36) The last three terms are the reading of Elijah Wilna in place of one unintelligible term in cur. edd.
- (37) Since they are cheap and an 'am ha-ares does not mind the small loss he incurs in tithing them.
- (38) V. Glos.
- (39) Because they are expensive (cf. prev. note). דיופרא cf. Gr. \*\*, Dem. I, 1.
- (40) A play upon the word: דיו = 'two', פרא = פרי 'fruit'.
- (41) Or 'Adam (who was) the first (man)'.
- (42) צרתני צר is compared with צורה 'shape (of the face)'. E.V., beset me; A.J.T. 'hemmed me in'.
- (43) Ps. CXXXIX, 5.
- (44) E.V., rib.
- (45) Gen. II, 22.
- (46) From which Eve was formed.
- (47) Cf. supra notes 10 and 11
- (48) Lit., 'beginning'.
- (49) Lit., 'the entering of the Sabbath', when all else was already created (cf. Gen. I).
- (50) Gen. III, 17ff
- (51) Ibid. 14ff.
- (52) Ibid. 16.
- (53) Gen. VII, 23; in the destruction, man was mentioned before cattle.
- (54) וייצר.
- (55) Gen. II, 7.
- (56) The two yods in the verb of the rt. צור signifying 'formation' or 'shaping' of a face ( צורה) and alluding to the two faces.
- (57) Cf. supra nn. 2-4.
- (58) Ber. 61a.
- (59) וייצרי of the same rt. As וייצר.
- (60) ייצרי, cf. prev. note. Hence the two yods. There is woe in either case. If he followed the one he incurred the wrath or annoyance of the other.
- (61) Since, from the very beginning, one face was that of a man and the other that of a woman. The face is presumed to have been part of a complete body that formed Adam's back.
- (62) Gen. V, 2.
- (63) Ibid. I, 27, emphasis on him (sing.).
- (64) Male and female; hence Gen. V, 2.
- (65) Hence Gen. I, 27. Keth. 8a, Ber. 61a.
- (66) Gen. II, 21.
- (67) Lit., 'it was only required'.
- (68) Gen. II, 22. A tail well requires 'building' before it is converted into the shape of a woman.
- (69) Cf. supra p. 124, n. 9.
- (70) Gen. II, 22.
- (71) 'Dressed Eve' (Jast.).
- (72) Lit., 'the first man'.
- (73) Or 'network'.
- (74) Ber. 61a, Nid. 45b, Shab. 95a. בני בנייתא rt. בני 'to build'.
- (75) The expression 'builded'.
- (76) בניין 'like a building'.

# ERUVIN – 2a-26b

## Eruvin 18b

of a storehouse. As a storehouse is [made] wide below and narrow above so that it may contain the produce,<sup>1</sup> so was [the womb of] a woman [made] wide below and narrow above so that it may contain the embryo. ‘And brought her to Adam’ teaches that the Holy One, blessed be He, acted as groomsman<sup>2</sup> for the first man. From here [you may infer] that a great man should act as groomsman for a minor person and feel no regrets about it. With reference to the view of him who explained: ‘A full face’<sup>3</sup> which of them<sup>4</sup> walked first? —

**R. Nahman b. Isaac replied:** It is reasonable to assume that the male walked first; for it was taught: No man should walk on a road behind a woman, even if she is his own wife. If she happened [to be in front of] him on a bridge he should leave her on one side;<sup>5</sup> and whosoever crosses a river behind a [married]<sup>6</sup> woman has no share in the world to come.<sup>7</sup>

**Our Rabbis taught:** A man who counts out money for a woman from his hand into hers or from her hand into his, in order that he might look at her, will not be free from the judgment of Gehenna even if he is [in other respects] like our Master Moses who received the law at Mount Sinai; and concerning him Scripture said: Hand to hand,<sup>8</sup> he will not be free from evil<sup>9</sup> [which means,] he will not be free from the judgment of Gehenna.

**R. Nahman said:** Manoah was an ignorant man,<sup>10</sup> since it is said: And Manoah arose, and went after his wife.<sup>11</sup>

**R. Nahman b. Isaac demurred:** Now then, since in the case of Elkanah it is written ‘And Elkanah went after his wife’,<sup>12</sup> was he<sup>13</sup> also [an ignorant man]?<sup>14</sup> Or in the case of Elisha, since it is written in Scripture: And he arose, and followed her,<sup>15</sup> was he<sup>13</sup> also an ignorant man?<sup>16</sup> But [the meaning is] ‘after her words and her counsel’ so here also<sup>17</sup> [could it not

be explained:] ‘After her words and her counsel’?<sup>18</sup>

**Said R. Ashi:** On R. Nahman's assumption that<sup>19</sup> Manoah was an ignorant man,<sup>20</sup> he did not attend even a school for Scripture, for it is written: And Rebekah arose, and her damsels, and they rode upon the camels, and followed the man,<sup>21</sup> but they did not precede the man.

**R. Johanan remarked:** [Let one walk] behind a lion but not behind a [married] woman; behind a [married] woman but not behind an idol,<sup>22</sup> behind an idol but not behind a synagogue at the time the congregation<sup>23</sup> is praying.<sup>24</sup>

**R. Jeremiah b. Eleazar further stated:** In all those years<sup>25</sup> during which Adam<sup>26</sup> was under the ban he begot ghosts and male demons and female demons,<sup>27</sup> for it is said in Scripture: And Adam lived a hundred and thirty years and begot a son in his own likeness, after his own image,<sup>28</sup> from which it follows that until that time he did not beget after his own image.

**An objection was raised:** R. Meir said: Adam was a great saint. When he saw that through him death was ordained as a punishment he spent a hundred and thirty years in fasting, severed connection with his wife for a hundred and thirty years, and wore clothes of fig [leaves] on his body for a hundred and thirty years.<sup>29</sup> — That statement<sup>30</sup> was made in reference to the semen which he emitted accidentally.

**R. Jeremiah b. Eleazar further stated:** Only a part of a man's praise may be said in his presence, but all of it in his absence. ‘Only a part of a man's praise... in his presence’, for it is written in Scripture: For thee have I seen righteous before Me in this generation;<sup>31</sup> ‘but all of it in his absence’, for it is written in Scripture: Noah was in his generations a man righteous and wholehearted.<sup>32</sup>

# ERUVIN – 2a-26b

R. Jeremiah b. Eleazar further stated: What [was signified] when it was written: And lo in her mouth an olive-leaf freshly plucked?<sup>33</sup> The dove said to the Holy One, blessed be He, 'May my food be as bitter as the olive but entrusted to your hand rather than sweet as honey and dependent on a mortal';<sup>34</sup> for here<sup>33</sup> it is written 'freshly plucked'<sup>35</sup> and elsewhere it is written: Feed me<sup>36</sup> with mine allotted bread.<sup>37</sup>

R. Jeremiah b. Eleazar further stated: Any house in which the words of the Torah are heard at night<sup>38</sup> will never be destroyed; for it is said in Scripture: But none saith: 'Where is God my Maker<sup>39</sup> who<sup>40</sup> giveth songs<sup>41</sup> in the night'.<sup>42</sup>

R. Jeremiah b. Eleazar further stated: Since the Sanctuary was destroyed<sup>43</sup> it is enough for the world<sup>44</sup> to use<sup>45</sup> only two letters<sup>46</sup> [of the Tetragrammaton],<sup>47</sup> for it is said in Scripture: Let every thing<sup>48</sup> that hath breath praise the Lord,<sup>46</sup> praise ye the Lord.<sup>49</sup>

R. Jeremiah b. Eleazar further stated: When Babylon was cursed, her neighbors also were cursed,<sup>50</sup> but when Samaria was cursed her neighbors were blessed.<sup>50</sup> 'When Babylon was cursed her neighbors also were cursed', for it is written: I will also make it a possession for the bittern, and pools of water;<sup>51</sup> 'but when Samaria was cursed her neighbors were blessed', for it is written: Therefore I will make Samaria a heap in the field,

- (1) Were its shape to be reversed the heavy weight of the stored produce would weigh down the walls.
- (2) שושבינות, cf. B.B., Sonc. ed., p. 618, n. 10.
- (3) Supra 18a.
- (4) The male or female.
- (5) And pass her (Rashi).
- (6) So Rashi.
- (7) He is guilty of immorality.
- (8) Sc. one who counts money from his hand into a woman's hand or vice versa, even if he is as great as Moses who received the Law in his hand from God's hand.
- (9) Prov. XI, 21. E.V. give different renderings.
- (10) 'Am ha-arez. (v. Glos.).

(11) Judg. XIII, 11. Had he been learned, he would have known that it was improper to walk behind a woman.

(12) This text is found nowhere in M.T. (cf. Tosaf. Ber. 61a, s.v. אלא).

(13) Lit., 'thus'.

(14) But the fact is that he was a prophet (as stated in Seder 'Olam) who could not possibly be an ignorant man.

(15) II Kings IV, 30.

(16) Cf. supra n. 7.

(17) The case of Manoah,

(18) Of course it could. An objection against R. Nahman.

(19) Lit., 'and to what R. Nahman said'.

(20) Taking 'after' in its literal sense.

(21) Gen. XXIV, 61.

(22) The risk of idolatry is greater.

(23) So Bah. Absent from cur. edd.

(24) If at such a time a man fails to join in prayer and passes on his way behind the place of worship he publicly declares himself cut off from the congregation of Israel.

(25) Hundred and thirty years after his expulsion from the Garden of Eden (v. infra).

(26) Lit., 'the first man'.

(27) Or 'night demons'.

(28) Gen. V, 3.

(29) How in view of this statement could R. Jeremiah b. Eleazar maintain his?

(30) Of R. Jeremiah.

(31) Gen. VII, 1. In speaking to Noah, God describes him as 'righteous' only.

(32) Ibid. VI, 9. In his absence he is described as both 'righteous and wholehearted'.

(33) Ibid. VIII, 11.

(34) Noah. Lit., 'flesh and blood'.

(35) טרף.

(36) הטריפני, of the same rt. As טרף supra.

(37) Prov. XXX, 8.

(38) When the voice is carried far.

(39) Sc. he has no need to complain of God's neglect of him.

(40) I.e., 'the man who'.

(41) The words of the Torah.

(42) Job XXXV, 10.

(43) And the priests discontinued the use of the Tetragrammaton (cf. Hag. 16a).

(44) MS.M., man.

(45) In extolling the Deity or in greeting a fellow-man.

(46) יה.

(47) יהוה.

(48) Emphasis on 'everything', sc. all the world or all man.

(49) Ps. CL, 6.

(50) As a consequence of its curse.

(51) Isa. XIV, 23; such a curse is also a bane to the neighborhood.



# ERUVIN – 2a-26b

## Eruvin 19a

a place for planting of vineyards.<sup>1</sup>

R. Jeremiah b. Eleazar further stated: Come and see that human<sup>2</sup> relationship is not like that with the Holy One, blessed be He. In human<sup>2</sup> relationship when a man is sentenced to death for [an offence against] a government, a hook must be placed in his mouth in order that he shall not [be able to] curse the king, but in the relationship with the Holy One, blessed be He, when a man incurs [the penalty of] death for [an offence against] the Omnipresent he keeps silence, as it is said: Towards Thee silence<sup>3</sup> is praise;<sup>4</sup> and he, furthermore, offers praise, for it is stated: ‘praise’; and not only that but he also regards it<sup>5</sup> as if he offered a sacrifice, for it is said<sup>6</sup> in Scripture: And unto Thee the vow is performed.<sup>7</sup>

This is exactly in line with what R. Joshua b. Levi has said: What [is the meaning of] what is written: Passing through the valley of Baca they make it a place of springs; yea, the early rain clotheth it with blessings,<sup>9</sup> ‘passing’ is an allusion to<sup>10</sup> men who transgress<sup>11</sup> the will of the Holy One, blessed be He; ‘valley’ [is an allusion to these men] for whom Gehenna is made deep;<sup>12</sup> ‘of Baca’ [signifies] that they weep and shed tears;<sup>13</sup> ‘they make it a place of springs’,<sup>14</sup> like the constant flow<sup>15</sup> of the altar drains;<sup>16</sup> ‘Yea, the early rain clotheth it with blessings’, they acknowledge the justice<sup>17</sup> of their punishment and declare before Him, ‘Lord of the universe,<sup>18</sup> Thou hast judged well, Thou hast condemned well, and well provided Gehenna for the wicked and Paradise for the righteous’. But this<sup>19</sup> is not [so]?

For did not R. Simeon b. Lakish state: The wicked do not repent even at the gate of Gehenna, for it is said: And they shall go forth and look upon the carcasses of the men, that rebel<sup>20</sup> against me, etc.;<sup>21</sup> it was not said: ‘that have rebelled’,<sup>22</sup> but ‘that rebel’<sup>20</sup>

[implying] that they go on rebelling forever?<sup>23</sup> This is no contradiction, since the former<sup>24</sup> refer to transgressors in Israel and the latter<sup>25</sup> to transgressors among idol worshippers. Logical argument also leads to this conclusion, since otherwise<sup>26</sup> a contradiction would arise between two statements of Resh Lakish.

For Resh Lakish stated: The fire of Gehenna has no power over the transgressors in Israel, as may be inferred a minori ad majus from the golden altar: If the golden altar [the layer] on which was only of the thickness of a denar lasted for many years and the fire had no power over it, how much more would that be the case with the transgressors in Israel who are as full of good deeds as a pomegranate [with seed], as it is said in Scripture: Thy temples are like a pomegranate,<sup>27</sup> and R. Simeon b. Lakish remarked, ‘Read not, “Thy temples”<sup>28</sup> but “Thy empty ones”<sup>29</sup> [signifying] that even the worthless<sup>30</sup> among you are as full of good deeds as a pomegranate [with seed]’.<sup>31</sup> What, however, about what is written: Passing through the valley of Baca?<sup>32</sup> —

That [refers to the fact] that [the wicked] are at that time under sentence to suffer in Gehenna,<sup>33</sup> but our father Abraham comes, brings them up, and receives them, except such an Israelite as had immoral intercourse with the daughter of an idolater, since his foreskin is drawn and so he cannot be discovered.<sup>34</sup> R. Kahana demurred: Now that you laid down that [the Scriptural expression,] ‘That rebel’<sup>35</sup> implies ‘that they go on rebelling’<sup>35</sup> would you also maintain<sup>36</sup> that where it is written in Scripture: That brings out<sup>37</sup> or That brings up,<sup>38</sup> [the meaning is] ‘that always brings up’ or ‘that always brings out’?<sup>39</sup> You must consequently admit<sup>40</sup> that [the meaning is] ‘That brought up’ or ‘That brought out’ so [may one render here] also, ‘who rebelled’.<sup>41</sup>

R. Jeremiah b. Eleazar further stated: Gehenna has three gates; one in the

## ERUVIN – 2a-26b

wilderness, one in the sea and one in Jerusalem. 'In the wilderness', since it is written in Scripture: So they, and all that appertaineth to them, went down alive into the pit.<sup>42</sup> 'In the sea', since it is written in Scripture: Out of the belly of the nether world cried I, and Thou heardest my voice.<sup>43</sup> 'In Jerusalem', since it is written in Scripture: Saith the Lord, whose fire is in Zion, and his furnace in Jerusalem,<sup>44</sup> and the school of R. Ishmael taught: 'Whose fire is in Zion' refers to Gehenna, 'And His furnace in Jerusalem' refers to the gate of Gehenna. Are there, however, no more [gates]?<sup>45</sup> Has not R. Meryon in fact stated in the name of R. Joshua b. Levi (or, as others say: Rabbah b. Meryon learned [in a Baraitha of the compilation] of the school of R. Johanan b. Zakkai):<sup>46</sup> There are two palm-trees in the Valley of Ben Hinnom and between them smoke rises, and it is [in connection with] this [spot] that we have learnt: 'The stone-palms of the iron mountain are fit',<sup>47</sup> and this is the gate of Gehenna? — It is possible that [this gate] is the same as the one in Jerusalem'.<sup>48</sup>

R. Joshua b. Levi stated: Gehenna has seven names, and they are: Nether-world,<sup>49</sup> Destruction, Pit,<sup>50</sup> Tumultuous Pit, Miry Clay, Shadow of Death and the Underworld. 'Nether-world', since it is written in Scripture: Out of the belly of the nether-world cried I, and Thou heardest my voice;<sup>51</sup> 'Destruction', for it is written in Scripture: Shall Thy Mercy be declared in the grave? Or thy faithfulness in destruction;<sup>52</sup> 'Pit',<sup>50</sup> for it is written in Scripture: For Thou wilt not abandon thy soul to the nether-world; neither wilt Thou suffer Thy godly one to see the pit;<sup>53</sup> 'Tumultuous Pit' and 'Miry Clay', for it is written in Scripture: He brought me up also out of the tumultuous pit, out of the miry clay;<sup>54</sup> 'Shadow of Death', for it is written in Scripture: Such as sat in darkness and in the shadow of death;<sup>55</sup> and the [name of] 'Nether-world' is a tradition. But are there no more [names]?<sup>56</sup> Is there not in fact that of Gehenna? —

[This means,] a valley that is as deep as the valley of Hinnom<sup>57</sup> and into which all go down for gratuitous<sup>58</sup> acts.<sup>59</sup> Is there not also the name of Hearth, since it is written in Scripture: For a hearth is ordered of old?<sup>60</sup>—

That [means] that whosoever is enticed<sup>61</sup> by his evil inclination will fall therein. [As to] Paradise, Resh Lakish said: If it is in the Land of Israel its gate is Beth Shean;<sup>62</sup> if it is in Arabia<sup>63</sup> its gate is Beth Gerem,<sup>64</sup> and if it is between the rivers<sup>65</sup> its gate is Dumaskanin.<sup>66</sup> In Babylon, Abaye praised the fruit of Eber Yamina<sup>67</sup> and Raba praised the fruit of Harpania.<sup>68</sup>

BETWEEN THEM [THERE MAY BE] AS MUCH [SPACE AS TO ADMIT TWO, etc. Is not this<sup>69</sup> obvious, for, since it was stated that they are to be TIED TOGETHER, do we not know that they would not be APART? — It might have been presumed that TIED TOGETHER implies: 'As if they were TIED TOGETHER' but not actually so, hence we were told: AND NOT APART. ONE TO ENTER WHILE THE OTHER GOES OUT. A Tanna taught: One team<sup>70</sup> to enter while the other team goes out.

Our Rabbis taught: How much [is the total length of] the head and the greater part [of the body] of a cow?<sup>71</sup> Two cubits. And what is the extent of a cow's thickness? A cubit and two-thirds of a cubit

(1) Micah I, 6; plantations of vineyards are a boon to neighbors.

(2) Lit., 'the measure (character) of flesh and blood'.

(3) Emphasis on 'silence'.

(4) Ps. LXV, 2. E.V. have different renderings.

(5) The affliction of the penalty.

(6) In the conclusion of the text cited.

(7) Ps. LXV, 2.

(8) The statement on the resignation of the wicked to, and their acknowledgment of the justice of the divine judgment.

(9) Ps. LXXXIV, 7.

(10) Lit., 'these are'.

(11) שְׁעוּבְרֵי of the rt. עבר 'to pass'.

(12) שְׁמַעְמִיקָיִן rt. עמק the same as that of 'valley' (עמק).

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- (13) 'Baca' בַּכּא is compared with בַּכּה 'to weep' by interchange of א and ה.
- (14) So MS.M. Cur. edd. omit.
- (15) Lit., 'spring'.
- (16) In which the libations of wine were poured all through the year (cf. Suk. 4a). שִׁיתוּךְ 'altar drains' is of the same rt. As יִשְׁתוּהוּ 'they make it'.
- (17) This is implied in the expression 'blessings'.
- (18) מוֹרֵה ('the early rain'), is also the term for 'master'.
- (19) The statement just made (v. supra p. 128, n. 17).
- (20) הַפּוֹשְׁעִים, pr. particip. E.V., have rebelled.
- (21) Isa. LXVI, 24.
- (22) שֶׁפֶשַׁע perfect.
- (23) Which is contrary to the statement of R. Joshua b. Levi and R. Jeremiah b. Eleazar supra that the wicked acknowledge the justice of the divine judgment.
- (24) The statements of R. Joshua b. Levi and R. Jeremiah b. Eleazar.
- (25) That of Resh Lakish.
- (26) Lit., 'for if so', if Resh Lakish also speaks of transgressors in Israel.
- (27) Cant. VI, 7.
- (28) רִיקָתְךָ
- (29) רִיקָתְךָ (from רִיק 'empty').
- (30) Lit., 'empty'.
- (31) Hag. 27a.
- (32) Ps. LXXXIV, 7, from which it was deduced supra that the wicked in Israel do suffer in Gehenna. How is this statement to be reconciled with the last cited one of Resh Lakish?
- (33) Hence the 'passing through' it, and 'the weeping'. MS.M.: 'are sentenced to be in Gehenna for one hour, but, etc.'
- (34) By Abraham who mistakes him for a heathen.
- (35) supra q.v. notes.
- (36) Lit., 'but from now'.
- (37) הַמּוֹרֵיָא pr. particip. Cf. Lev. XXII, 33.
- (38) הַמְעֵלָה also pr. particip. Ibid. XI, 45.
- (39) Which is absurd.
- (40) Lit., 'but'.
- (41) Supra q.v. notes.
- (42) Num. XVI, 33, and this happened in the wilderness.
- (43) Jonah II, 3, and this was said under the sea.
- (44) Isa. XXXI, 9.
- (45) To Gehenna.
- (46) V. Rashi.
- (47) For the lulab (v. Glos.).
- (48) The valley of Ben Hinnom lies immediately behind the wall of Jerusalem.
- (49) Or 'Sheol'.
- (50) Or, 'pit of destruction'.
- (51) Jonah II, 3.
- (52) Ps. LXXXVIII, 12.
- (53) Ibid. XVI, 10.
- (54) Ibid. XL, 3.

- (55) Ibid. CVII, 10.
- (56) To Gehenna.
- (57) גֵּי הַנֶּגַם = גֵּיהֶנּוֹם 'Gehenna'.
- (58) הַנֶּגַם the same rt. As הַנֶּגַם by interchange of ה and ה.
- (59) Incest.
- (60) Isa. XXX, 33.
- (61) הַמְתַּפְתֵּה rt. פֶּתַח, the same that of תַּפְתֵּה 'hearth'.
- (62) A town in an exceedingly fertile district to the south of Tiberias in the Jordan plain. V. Keth., Sonc. ed., p. 725 n. 11. 'Its fruits are the sweetest in all Palestine' (Rashi).
- (63) Prob. Arabia Petraea on the eastern side of the Jordan (v. S. Horowitz, Palestine, p. 130).
- (64) Possibly Wadi Girm Al-Moz, a richly fertile valley facing Beth Shean on the other side of the Jordan and irrigated by an enormous fountain formed by the confluence of nineteen springs flowing south of Fahl and terminating in the Jordan (v. loc. cit.).
- (65) Perhaps Amanah and Pharpar (cf. II Kings V, 12).
- (66) Damascus.
- (67) Or 'the right hand side', sc. the south side of the Euphrates (v. Rashi).
- (68) A rich industrial and agricultural town in the Mesene district, South Babylon.
- (69) That the cows must not be apart (v. our Mishnah).
- (70) The numeral referring to the teams and not to the individual cows which must be so tied together as not to admit any space between them.
- (71) Referred to in our Mishnah.

## Eruvin 19b

so that the extent<sup>1</sup> [of all the cows is] about ten cubits;<sup>2</sup> so R. Meir, but R. Judah said: About thirteen or about fourteen cubits.<sup>3</sup> 'About ten' [you say], but are they not in fact ten exactly?<sup>4</sup> As it was desired to state 'about thirteen' in the final clause 'about ten' was stated in the first clause also.<sup>5</sup> 'About thirteen' [you said] but are there not more? — ['About' was used] because it was desired to state 'about fourteen'. But there are not really 'about fourteen', [are there]?<sup>6</sup> — R. Papa replied: [The meaning is:] More than thirteen but less than<sup>7</sup> fourteen.

R. Papa stated: In respect of a cistern that is eight [cubits wide]<sup>8</sup> no one disputes the ruling<sup>9</sup> that no single boards are required.<sup>10</sup> In respect of a cistern that is twelve [cubits wide]<sup>11</sup> no one disputes the ruling<sup>12</sup> that

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single boards also are required.<sup>13</sup> They only differ [in the case of a cistern that was] from eight to twelve [cubits in width]. According to R. Meir single boards are required<sup>14</sup> and according to R. Judah no single boards are required. What [new principle], however, does R. Papa teach us? Did we not learn [what he said] in our Mishnah?<sup>15</sup> R. Papa did not hear of the Baraitha<sup>16</sup> and he told us<sup>17</sup> [the same measurements] as the Baraitha.<sup>18</sup>

(Mnemonic:<sup>19</sup> *Extended more in a mound fence of a courtyard that dried up*)

Abaye enquired of Rabbah: What is the ruling according to R. Meir where one extended the corner-piece [so that the excess of their width<sup>20</sup> was] equal to the required width of the single boards?<sup>21</sup> — The other replied: You have learnt this: PROVIDED ONE INCREASES THE STRIPS OF WOOD, [which means,] does it not, that one extends [the width of] the corner-pieces? — No; [it might mean] that one provides more single boards. If so, instead of<sup>22</sup> ‘Provided one increases the strips’<sup>23</sup> [should not the reading] have been, ‘Provided<sup>24</sup> one increases the number of the strips’? — Read:<sup>25</sup> PROVIDED<sup>26</sup> ONE INCREASES THE NUMBER OF STRIPS. There are others who read: The other replied: You have learnt it: PROVIDED ONE INCREASES THE STRIPS [which means,] does it not, that one must provide more single boards? — No; that one extends [the width of] the corner-pieces. By deduction also one arrives at the same conclusion, since it was stated: ‘PROVIDED ONE INCREASES THE STRIPS’.<sup>23</sup> This is decisive.

Abaye enquired of Rabbah: What is the ruling according to R. Judah<sup>27</sup> where [the distance between the corner-pieces was] more than thirteen and a third cubits? [Is it necessary] to provide [additional] single boards<sup>28</sup> or must one rather extend [the width of] the corner-pieces?<sup>29</sup> — The other replied: You have learnt it: How near<sup>30</sup> may they<sup>31</sup> be? As the length of the head and the

greater part of the body of a cow. And how far may they be? Even [as far as to enclose an area in which] a kor<sup>32</sup> and even two kors [of seed may be sown]. R. Judah ruled: [An area of] two beth se'ah<sup>32</sup> is permitted but one that exceeds two beth se'ah is forbidden. Do you not admit, the Rabbis said to R. Judah, that if [the enclosure] was a cattle-pen or a cattle-fold, a rearcourt or a courtyard it may be [as big as] five or even ten [beth] kor?<sup>32</sup> This,<sup>33</sup> he — replied, is [one that has a complete] partition<sup>34</sup> but those<sup>35</sup> are [isolated] boards.<sup>36</sup> Now, if that were so<sup>37</sup> should they [not have objected:] The one as well as the other<sup>38</sup> is a proper partition?<sup>39</sup> — It is this that he<sup>40</sup> meant: The one<sup>41</sup> is subject to the law of a partition, and gaps in it [must not be wider] than ten cubits,<sup>42</sup> but those<sup>43</sup> are subject to the law of strips of wood and gaps of thirteen and a third cubits between them, [are allowed].<sup>44</sup>

Abaye enquired of Rabbah: Is a mound that rises to a height of<sup>45</sup> ten [handbreadths] within an area of<sup>46</sup> four [cubits]<sup>47</sup> treated as a corner-piece<sup>48</sup> or not? — The other replied: You have learnt it: R. Simeon b. Eleazar ruled: If a four sided stone was present<sup>49</sup> we must consider this: If on being cut<sup>50</sup> there would remain a cubit length for either side<sup>51</sup> it may be regarded as a valid corner-piece, otherwise it cannot be so regarded. R. Ishmael son of R. Johanan b. Beroka ruled: If a round stone was present<sup>49</sup> we consider this: If on being chiselled<sup>52</sup> and cut<sup>50</sup> there would remain a cubit length for either side<sup>51</sup> it may be regarded as a valid corner-piece, otherwise it cannot be so treated.<sup>53</sup> On what principle do they differ? — One Master<sup>54</sup> is of the opinion that one imaginary act<sup>55</sup> may be assumed<sup>56</sup> [as having been effected] but not two,<sup>57</sup> and the other Master<sup>58</sup> is of the opinion that two imaginary acts may also be assumed [to have been effected].<sup>59</sup>

Abaye enquired of Rabbah: Is a fence of reeds<sup>60</sup> [in which the distance between] any two reeds was less than three handbreadths regarded as a valid corner-piece or not? —



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The other replied: You have learnt this: If there was present a tree or a wall or a fence of [growing] reeds it may be treated as a corner-piece.<sup>61</sup> Does not [this refer to a fence in which the distance between] any two reeds was less than three handbreadths? — No; [it may refer to] a hedge of reeds.<sup>62</sup> If so, is it not exactly [of the same nature as] a tree?<sup>63</sup> —

What then [would you suggest? That it referred to a fence in which the distance between] any two reeds was less than three handbreadths? Is not this [one could well retort] exactly [of the same nature as] a wall?<sup>63</sup> What then could you reply?<sup>64</sup> [That there are] two kinds of wall? [Well then] in this case also [one might reply that there are] two kinds of tree.<sup>65</sup> There are [others] who say that he<sup>66</sup> enquired concerning a hedge of reeds<sup>67</sup> What [he asked, is the ruling in respect of] a hedge of reeds?<sup>68</sup> — The other replied: You have learnt this: If there was present a tree or a wall or a fence of [growing] reeds it may be treated as a corner-piece. Does not this refer to a hedge of reeds? — No; [it may refer to a fence in which the distance between] any two reeds was less than three handbreadths. If so, is it not exactly [of the same nature as] a wall?<sup>69</sup> —

What then [would you suggest? That it refers to] a hedge of reeds? Is not this exactly [of the same nature as] a tree?<sup>69</sup> What then could you say in reply

(1) Lit., 'which are'.

(2) The extent of the thickness of one cow being in cubits that of two teams of three cows each amounts to  $(1 \frac{2}{3} \times 2 \times 3 = )$  ten cubits. The expression 'about' is discussed infra.

(3) According to R. Judah each team may consist of four cows so that the total extent of their thicknesses amounts to  $(1 \frac{2}{3} \times 2 \times 4 = )$  thirteen and a third cubits.

(4) Cf. supra n. 10.

(5) So Bah. Cur. edd. omit 'about ten was stated... also'.

(6) Obviously not. As the number thirteen and a third was said to be 'about thirteen' because it exceeded the latter by one third only, was it proper to describe it also in the same context, as 'about fourteen' which exceeds it by two thirds?

(7) Lit., 'and they do not reach'.

(8) In which case the length of each side of the space enclosed by the corner-pieces is twelve cubits: Eight cubits (the width of the cistern) plus twice two cubits (the length of the head and the greater part of a cow's body on each side of the cistern).

(9) Lit., 'that all the world do not differ', sc. even R. Meir agrees.

(10) Since the gaps between the corner-pieces that screen the space of one cubit at the extremity of each side do not exceed  $(12 - 2 = )$  ten cubits, and may in consequence be regarded as doorways, even according to R. Meir.

(11) So that each side of the enclosure is sixteen cubits wide: Twelve cubits (the width of the cistern) plus twice two (as supra n. 3).

(12) Even R. Judah admits.

(13) Because the distances between the corner-pieces are  $(16 - 2 = )$  fourteen cubits and represent gaps which even R. Judah does not allow.

(14) In addition to the corner-pieces.

(15) Sc. in accordance with the measurements laid down in the Baraitha just discussed, his statement follows naturally from the respective rulings of R. Meir and R. Judah in our Mishnah. For as the former allows a space for six oxen, corresponding to a distance of  $(6 \times 1 \frac{2}{3} = )$  ten cubits, and the latter allows one for eight oxen, corresponding to a distance of  $(8 \times 1 \frac{2}{3} = )$  thirteen and a third cubits, it is obvious that R. Meir does not require single boards in the case of a cistern that is eight cubits wide where the gaps in the enclosure are not wider than ten cubits and that R. Judah does require such boards where a cistern is twelve cubits wide and the gaps in the enclosure are bigger than thirteen and a third cubits.

(16) Just discussed, which lays down the measurements of the length and thickness of a cow.

(17) Independently of the Baraitha, by his own exposition of our Mishnah.

(18) These measurements being derived from his exposition.

(19) Embodying striking words or phrases in Abaye's enquiries of Rabbah that follow.

(20) Above that of one cubit in extent at the extremities of each side of the well enclosure.

(21) Is the reduction of the gaps to ten cubits in this manner effective, or is it necessary, once a gap was wider than the permitted ten cubits, to reduce it by the fixing of two special boards on each side of the enclosure and at the same distance from each corner-piece so that the additional single boards might be distinguishable?

(22) Lit., 'that'.

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- (23) This is the literal meaning of the original בַּפְּסֵי in our Mishnah, 'in the strips', sc. the corner-pieces themselves.
- (24) Lit., 'until'.
- (25) As actually rendered.
- (26) So with marginal note. Cur. edd. 'until'.
- (27) Who, unlike R. Meir, did not mention single boards at all.
- (28) At a slight distance from the corner-pieces so as to make a proper display of the means whereby the gaps are reduced.
- (29) The erection of additional single boards being inadmissible on account of the gaps on either side of them that would virtually annul their existence.
- (30) To the well.
- (31) The boards forming the enclosures round it.
- (32) V. Glos.
- (33) Any of the enclosures specified.
- (34) Hence the permissibility of an unlimited area.
- (35) The boards in a well enclosure.
- (36) With gaps between them. Tosef. 'Er. I.
- (37) That the corner-pieces may be extended and no single boards are required.
- (38) Lit., 'this ... this'.
- (39) Extended corner-pieces, surely, are as good a partition as any of the others.
- (40) R. Judah in his reply to the Rabbis.
- (41) V. supra n. 5.
- (42) Lit., 'within (the limit of) ten'.
- (43) The boards in a well enclosure.
- (44) As such a partition is obviously much inferior than the others, only a limited area of two beth se'ah was allowed.
- (45) Lit., 'that collects itself'.
- (46) Lit., 'from the midst of'.
- (47) Where the area is larger, and a height of ten handbreadths is in consequence not well pronounced (v. next note), the question does not arise, because a mound of such dimensions is regarded as a piece of solid ground forming a part of the domain in which it is situated.
- (48) Since such a mound, owing to its pronounced proportional height, has, in respect of the Sabbath laws, the status of a private domain (cf. Shab. 100a).
- (49) At one of the corners of a well enclosure.
- (50) Lit., 'divided', sc. shaped into a corner-piece.
- (51) Lit., 'and there is in it a cubit towards here', etc.
- (52) To alter its circular shape into a square.
- (53) Tosef. 'Er. I.
- (54) R. Simeon b. Eleazar.
- (55) The cutting of the stone.
- (56) Lit., 'one (assumption of) "we see" we say'.
- (57) Chiseling and cutting.
- (58) R. Ishmael son of R. Johanan b. Beroka.
- (59) The mound under discussion being circular in shape has the same status as a round stone and its admissibility as a corner-piece depends, therefore,

on the respective opinions of R. Simeon and R. Ishmael.

- (60) Growing on the two sides of the corner of a well enclosure.
- (61) Supra 15a q.v. notes.
- (62) All growing from the same stem.
- (63) Which was already mentioned in the same context.
- (64) To this objection.
- (65) No answer, therefore, may be derived from these rulings to Abaye's enquiry.
- (66) Abaye.
- (67) All growing from the same stem.
- (68) Is it a valid corner-piece?
- (69) V. supra p. 136, n. 15.

## Eruvin 20a

that there are two kinds of trees? [Well then] in this case also [one might submit that there are] two kinds of wall.

Abaye enquired of Rabbah: If a courtyard opened out on one side<sup>1</sup> into [an area] between the strips of wood [around a well], is it [permitted] to move objects from its interior into that between the strips and from between the strips to its interior? The other replied: This is permitted.<sup>2</sup> 'What if two [courtyards opened out<sup>3</sup> in a similar manner]?' — 'It is forbidden',<sup>4</sup> the other replied. Said R. Huna: [In the case of] two [courtyards the movement of objects is] forbidden even [where the tenants]<sup>5</sup> have prepared an 'erub,<sup>6</sup> this being a preventive measure against the possible assumption<sup>7</sup> that an 'erub is effective in the case of a space enclosed by strips of wood.<sup>8</sup> Raba said: If [the tenants]<sup>9</sup> prepared<sup>10</sup> an 'erub<sup>11</sup> [the movement of objects<sup>12</sup> is] permitted.<sup>13</sup>

Said Abaye to Raba: '[A ruling] was taught which provides support to your view: If a courtyard opens out on one side<sup>14</sup> into [an area] between the strips of wood [around a well] it is permitted to move objects from its interior into that between the strips and from between the strips to the interior, but if two [courtyards opened out in this manner the movement of objects<sup>12</sup> is] forbidden. This, however, applies only where [the tenants] prepared no 'erub but where they<sup>10</sup> did

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prepare an ‘erub’ they are allowed [to move their objects].<sup>12</sup> Must it be said that this<sup>15</sup> presents an objection against R. Huna? — R. Huna can answer you: There<sup>15</sup> [it is a case] where [a breach]<sup>16</sup> also combined them.<sup>17</sup>

Abaye enquired of Raba: What [is the ruling<sup>18</sup> where] the water dried up on the Sabbath?<sup>19</sup> The other replied: [The enclosure] was recognized<sup>20</sup> [as a valid] partition only on account of the water, [and since] no water is here available, there is here no [validity] in the partition either.

Rabin enquired: What [is the ruling<sup>18</sup> where] the water dried up on the Sabbath and on [the same] Sabbath [other water] appeared?<sup>21</sup> —

Abaye replied: Where they were dried up on the Sabbath you have no need to ask, for I have already asked [this question] from the Master<sup>22</sup> and he made it plain to me that it<sup>23</sup> was forbidden. [As regards water that] appeared [on the Sabbath] you have also no need to enquire, for [the enclosure] would thus be a partition made on the Sabbath, concerning which it was taught: Any partition that was put up on the Sabbath is valid whether [this was done] unwittingly, intentionally, under compulsion or willingly.<sup>24</sup> But has it not been stated in connection with this ruling that R. Nahman said: This<sup>25</sup> applied only<sup>26</sup> to throwing<sup>27</sup> but not to moving?<sup>28</sup> R. Nahman's statement was made only in respect of [a partition that was put up]<sup>29</sup> intentionally.<sup>30</sup>

R. Eleazar said: One who throws [any object]<sup>31</sup> into [the area] between strips [of wood] around wells is liable.<sup>32</sup> [Is<sup>33</sup> not this] obvious, for if [the strips had] not [Pentateuchally constituted a valid] partition how could it have been permitted to draw water?<sup>34</sup> —

[The ruling]<sup>35</sup> was necessary only [for this purpose:] That [a man] who put up, in a public domain, [an enclosure]<sup>36</sup> similar to

that of strips of wood around wells, and threw an object into it, is liable.<sup>32</sup> But is not this also obvious, [for if such an imperfect enclosure] would not [have been regarded as a valid] partition elsewhere,<sup>37</sup> how could one be permitted to move any objects [within such an imperfect enclosure] in the case of a cistern? —

[The ruling]<sup>38</sup> was rather necessary [for this purpose:] Although many people cross the enclosure [it is regarded as a private domain].<sup>39</sup> What [principle,] however, does he thereby teach us? That even [the passage of] many people does not destroy [the validity of] a partition? But [this, it may be contended, was already] once said [by] R. Eleazar. For have we not learnt: R. Judah ruled: If a public road cuts through then,<sup>40</sup> it should be diverted to [one of the] sides,<sup>41</sup> and the Sages ruled: This was not necessary;<sup>42</sup> and both R. Johanan and R. Eleazar remarked: Here they<sup>43</sup> informed you of the unassailable validity<sup>44</sup> of partitions?<sup>45</sup> —

If [the principle had to be derived] from there<sup>46</sup> it might have been presumed that only ‘Here [etc.]’;<sup>47</sup> but that he himself is not of the same opinion; hence we were told<sup>48</sup> [that not only] ‘Here [etc.]’ but he himself also is of the same opinion. Then why did he not state this ruling and there would have been no need for the other?<sup>49</sup> — The one was derived from the other.

IT IS PERMITTED TO BRING [THE STRIPS] CLOSE TO THE WELL, etc. Elsewhere we learned: A man must not stand in a public domain and drink in a private domain, or in a private one and drink in a public one, unless he puts his head and the greater part of his body into the domain in which he drinks,

(1) Lit., ‘whose head enters’.

(2) Since both are private domains and the enclosure around the well has no tenants who might affect the ‘erub of the tenants of the courtyard.

(3) Side by side, there being a partition between them.

# ERUVIN – 2a-26b

- (4) To move objects from these yards into the well enclosure.
- (5) By relying on a door that communicated between the two yards.
- (6) Whereby their domains were united into one.
- (7) On the part of people who were unaware that a door communicated between the two courtyards.
- (8) Into which two courtyards opened, even where there was no door between the yards. Such an 'erub is ineffective because courtyards can be combined in this manner only where there was a door between them or where they opened out into a proper alley whose length exceeds its width. A well enclosure was not given the status of an alley because it is rectangular and open on its four sides.
- (9) Of the two courtyards.
- (10) V. supra p. 137, n. 9.
- (11) Whereby their domains were united into one.
- (12) From these yards into the well enclosure and vice versa.
- (13) No preventive measure having been enacted against the possibility assumed by R. Huna.
- (14) Lit., 'whose head enters'.
- (15) The Baraitha cited by Abaye.
- (16) In the walls of the courtyards on the sides that were opposite those adjoining the well enclosure.
- (17) The breach makes it manifest that the two yards are combined into one domain.
- (18) As regards moving objects on the Sabbath within a well enclosure.
- (19) Is movement permitted because the enclosure was a private domain when the Sabbath began, or is it forbidden because the permissibility of the imperfect enclosure was solely due to the existence of the water in the well which is now no longer available?
- (20) Lit., 'made'.
- (21) Is the original permissibility restored?
- (22) Rabbah, who was his teacher and guardian.
- (23) V. p. 138, n. 9.
- (24) Shab. 101b, infra 25a.
- (25) That the enclosed area is a private domain.
- (26) Lit., 'they only learned'.
- (27) Sc. it is forbidden to throw any object into it from a public domain, since the partition which is Pentateuchally valid causes it to become a private domain.
- (28) Because the moving of objects within it is forbidden Rabbinically. How then could Abaye maintain that the partition is in all respects valid?
- (29) On the Sabbath.
- (30) The prohibition of the moving of objects being a penalty imposed in Rabbinic law for one's willful transgression. As this penalty does not apply to an unwitting act it cannot obviously apply to a partition of which Abaye spoke, which came into existence automatically.
- (31) From a public domain.

- (32) To bring a sin-offering; because the area is regarded as a properly constituted private domain.
- (33) 'He said to him' is In cur. edd. enclosed in parenthesis.
- (34) Lit., 'to fill' (Sc. the cattle troughs or buckets) from the well which is a private domain. By so doing one would be guilty of carrying from a private domain into a public domain since an enclosed area that is not a private domain even Pentateuchally must assume the status of the public domain in which it is situated. MS.M. reads: 'how could the Rabbis permit the movement (of objects)'.
- (35) Of R. Eleazar.
- (36) In which there was no well.
- (37) Cf. previous note.
- (38) Of R. Eleazar.
- (39) And the man who throws any object into it on the Sabbath is liable to a sin-offering.
- (40) The boards around a well.
- (41) Since, otherwise, the validity of the enclosure as a private domain would be destroyed on account of the public road.
- (42) Shab. 6b, infra 22a.
- (43) So MS.M. and Rashi. Cur. edd. 'he, etc.'
- (44) Lit., 'their strength'.
- (45) Infra 22a; which even the crossing by many people does not affect. Why then should R. Eleazar repeat the same principle?
- (46) The statement attributed to R. Johanan and R. Eleazar.
- (47) Sc. that R. Eleazar was merely pointing out the implication of the view of the Sages.
- (48) By his ruling here.
- (49) 'Here, etc.'

## Eruvin 20b

and the same [ruling applies to one drinking from, or] in a wine-press.<sup>1</sup> Now in the case of a human being it has been laid down that it is necessary for his head and the greater part of his body [to be in the domain from which he drinks], is it necessary in the case of a cow also<sup>2</sup> that its lead and the greater part of its body [shall be in the domain from which it drinks] or not? Wherever [the keeper] holds the vessel<sup>3</sup> and does not hold the animal there can be no question that it is necessary for its head and the greater part of its body to be within [the private domain].<sup>4</sup> The question only arises where he holds the vessel and also the animal. Now what is the ruling? —



## ERUVIN – 2a-26b

The other replied: You have learnt it: **PROVIDED A COW CAN BE WITHIN [THE ENCLOSURE WITH] ITS HEAD AND THE GREATER PART OF ITS BODY WHEN DRINKING.** [This refers,] does it not, to a case where [the keeper] holds both the cow and the vessel? — No, [it may refer to one] who holds the vessel but not the cow. But is it at all permitted<sup>5</sup> [to give drink to a cow on the Sabbath] where one holds the vessel and not the animal? Was it not in fact taught: A man must not<sup>6</sup> fill [a vessel with] water and hold it<sup>7</sup> before his beasts on the Sabbath but he fills [his bucket] and pours it out [into a trough] and the cow drinks of its own accord?<sup>9</sup> —

Surely, in connection with this ruling<sup>10</sup> it was stated: Abaye explained: Here [we are dealing] with a manger that stands in a public domain, that is ten handbreadths high and four handbreadths wide<sup>11</sup> and one of whose sides projects into [the area] between the strips of wood,<sup>12</sup> a preventive measure<sup>13</sup> having been enacted against the possibility that the man might observe that the manger was damaged<sup>14</sup> and, proceeding to repair it, would carry the bucket with him<sup>15</sup> and thus carry an object from a private into a public domain.<sup>16</sup> But does one incur guilt<sup>17</sup> in such circumstances?<sup>18</sup> Has not R. Safra in the name of R. Ammi who had it from R. Johanan in fact said: If a man was removing his things<sup>19</sup> from one corner into another<sup>20</sup> and then changed his mind and carried them out [into a public domain] he is exempt, since the lifting up [of the objects] was not originally intended for this purpose?<sup>21</sup> —

Rather [this is the explanation:]<sup>22</sup> Sometimes he might, after he repaired the manger, carry [the bucket] back again<sup>23</sup> and thus he would carry from the public into a private domain.<sup>24</sup> Some there are who say:<sup>25</sup> In the case of a human being it had definitely been laid down that it was enough if his head and the greater part of his body [were in the domain from which he drinks]. Is it enough, however, in the case of a cow, that its head

and the greater part of its body [should be in the domain from which it drinks] or not? Wherever [the keeper] holds the vessel and also the cow, there can be no question that it is enough for its head and the greater part of its body to be [within the private domain].<sup>26</sup> The question only arises where he holds the vessel but not the cow.<sup>27</sup> Now what is the ruling? —

The other replied: You have learnt it: **PROVIDED A COW CAN BE WITHIN [THE ENCLOSURE WITH] ITS HEAD AND THE GREATER PART OF ITS BODY WHEN DRINKING.** [This refers,] does it not, to a case where [the keeper] holds the vessel but not the cow? — No, [it may refer to one] who holds both the vessel and the cow. And this may also be justified logically; for if he held the vessel only and not the cow, would [the supply of the water have been] permitted seeing that it was in fact taught: A man must not fill [a vessel with] water to hold it before his beast [on the Sabbath],<sup>28</sup> but he fills [his bucket] and pours it out [into a trough] and the cow drinks of its own accord?

Surely, in connection with this ruling it was stated: Abaye explained: Here [we are dealing] with a manger that stands in a public domain, that is ten handbreadths high and four handbreadths wide, and one of whose sides projects into [an area] between the strips of wood [where it is possible] that the man might sometimes observe that the manger was damaged and, proceeding to repair it, would carry the bucket with him and thus carry an object from a private into a public domain. Does one, however, incur guilt in such circumstances? Has not R. Safra in the name of R. Ammi who had it from R. Johanan in fact said: If a man was removing his things from one corner into another and then changed his mind and carried them out [into a public domain] he is exempt, since the lifting up [of the objects] was not originally intended for this purpose? —

# ERUVIN – 2a-26b

Rather, [this is the explanation:] Sometimes he might, after he had repaired the manger, carry [the bucket] back again, and would thus carry from the public into a private domain.

Come and hear: A camel whose head and the greater part of its body is within [a private domain] may be crammed within [that domain]. Now is not the act of cramming, the same as holding the bucket and the animal,<sup>29</sup> and yet it is required that its head and the greater part of its body [shall be within the private domain].<sup>30</sup> R. Aha son of R. Huna replied in the name of R. Shesheth: A camel is different since its neck is long.<sup>31</sup>

Come and hear: A beast whose head and the greater part of its body is within [a private domain] may be crammed within [that domain]. Is not cramming the same as holding the bucket and the animal,<sup>29</sup> and yet it was required that its head and the greater part of its body [shall be within the private domain].<sup>30</sup> [It may be objected] that by the expression of ‘beast’, also<sup>32</sup> a camel [was meant]. Were not, however, both camel and beast separately mentioned?<sup>33</sup> — Were they mentioned in juxtaposition?<sup>34</sup> So<sup>35</sup> it was also taught: R. Eleazar forbids this<sup>36</sup> in the case of a camel, because its neck is long.

R. Isaac b. Adda<sup>37</sup> stated: Strips [of wood] around wells were permitted to festival pilgrims<sup>38</sup> only. But was it not taught: Strips [of wood] around wells were permitted for cattle only? — By<sup>39</sup> cattle [was meant] the cattle of the festival pilgrims, but a human being<sup>40</sup>

- (1) Shab. 11a, infra 99a; where wine may be drunk before it is tithed.
- (2) Where it stands in a public domain and its keeper in a private domain.
- (3) From which the cow drinks.
- (4) Since otherwise it might pull its head sideways or backwards and thus drag the vessel with the man into the public domain.
- (5) In the case of enclosures around wells, even where the animal's head and the greater part of its body were within the enclosure.

- (6) In an enclosure round a well.
- (7) Lit., ‘and give’.
- (8) While it drinks, even (since the Baraita bears on our Mishnah) where its head and the greater part of its body were within the enclosure. It must also refer to a case where the animal was not held by its keeper; for, if the prohibition extended to the case where the animal was held, there could be no point in ever requiring its head and the greater part of its body to be within the enclosure when one is always forbidden to hold the vessel for it. Our Mishnah, on the other hand, which permits the drinking refers to a case where the cow is held by its keeper.
- (9) Infra 21a.
- (10) Of the Baraita cited.
- (11) So that it has the status of a private domain.
- (12) The cow eating from it at its other end in the public domain.
- (13) Not to hold the bucket of water over the top of the manger within the enclosure.
- (14) In the section within the public domain.
- (15) Forgetting, in his anxiety to repair the damage, that he carried it.
- (16) The prohibition to hold the bucket for the cow is consequently not due to the reason previously assumed; and the ruling in our Mishnah that the cow is allowed to drink if its head and the greater part of its body were within the enclosure might, therefore, apply to a case where the man did not hold the animal. (Cf. Rashi and Tosaf s.v. וְכִי וְהִתְנִיחָא a.l.).
- (17) According to Pentateuchal law.
- (18) Where one lifted up an object with the intention of putting it down in another part of the same private domain and forgetfully carried it out into a public domain.
- (19) On the Sabbath.
- (20) Within a private domain.
- (21) A sin-offering is incurred only where a man intended to do a certain work but forgot that the day was Sabbath or that such work was forbidden on the Sabbath. In the case of the bucket under discussion, therefore, since the keeper when he lifted it up, had no intention of carrying it out into the public domain, no sin-offering would be incurred even if he eventually did carry it out. Why then, should a preventive measure be enacted against a possible act which even if committed would involve no Pentateuchal obligation?
- (22) Why the keeper may not hold a bucket of water for the animal to drink.
- (23) Into the enclosure.
- (24) Which might involve him in the Pentateuchal obligation of a sin-offering, since the bucket was lifted up with the intention of carrying it from the public into the private domain.
- (25) Cf. supra p. 141, n. 1 and text.

# ERUVIN – 2a-26b

(26) Since this case must have been referred to by our Mishnah: For if he did not hold the bucket, what need was there for the head, etc. of the cow to be within the enclosure?

(27) It being uncertain whether our Mishnah refers to a case where the cow was or was not held by its keeper.

(28) So MS.M.

(29) Since it is impossible to cram unless one holds the animal's neck.

(30) Would not this then provide a reply to the first enquiry in the first version?

(31) If the greater part of its body were to remain in the public domain it might, by a turn of its neck, drag its keeper after it and thus cause him to carry the bucket from the private into the public domain. In the case of any other animal, however, whose neck is not so long this need not be provided against and a keeper might well be permitted to hold its bucket though the greater part of its body remained outside the private domain.

(32) Lit., 'what (is the meaning of) beast that was taught'.

(33) Lit., 'but it was taught beast', etc.

(34) They were not. The author of the one Baraitha did not teach the other, and what the one described as camel the other described by the general term of beast.

(35) That a camel is subject to a law different from that of other beasts.

(36) Holding a bucket of water to an animal's mouth in a private domain while its body remains without.

(37) Var. lec.: Ammi (Asheri).

(38) עולי רגלים, lit., 'those who go up (to the Temple) to (celebrate) the major festivals'.

(39) Lit., 'what'.

(40) Who desires to drink from a well on the Sabbath.

but a human being must climb up or climb down. If, however, they [the wells] were wide they are permitted for a human being also. No man may fill [a bucket with] water to hold it before his cattle, but one may fill [a bucket with water] and pour [it into a trough] before cattle which drink of their own accord.

R. Anan demurred: If so,<sup>7</sup> what was the use of strips [of wood] around wells? — 'What was the use' [you ask, surely] to [enable people to] draw water from the wells!<sup>8</sup> — This rather [is the question:] Of what use is it that the head and the greater part of the body of the cow [is within the enclosure]? Abaye replied: Here we are dealing with a manger that stood in a public domain, that was ten handbreadths high and four handbreadths wide, and one of whose sides projected into [an area] between strips [of wood], etc.<sup>9</sup>

R. Jeremiah b. Abba laid down, in the name of Rab: [The law of] isolated huts<sup>10</sup> is not [applicable] to Babylon nor [that of] strips [of wood] around wells to [any country]<sup>11</sup> outside the Land of Israel. '[The law of] isolated huts is not [applicable] to Babylon' because there the bursting of dams is common;<sup>12</sup> 'nor [that of] strips of wood around wells to [any country] outside the Land of Israel' because there colleges are rare.<sup>13</sup> The reverse, however, is applicable.<sup>14</sup>

## Eruvin 21a

must climb up<sup>1</sup> or climb down.<sup>2</sup> But this is not [so]? Did not R. Isaac<sup>3</sup> in the name of Rab Judah who had it from, Samuel actually state: Strips [of wood] around wells were permitted only where a well is one of spring water;<sup>4</sup> now if [strips of wood were permitted] for cattle only, what difference is there whether [the water was] springing or collected? — It is required that the water should be fit for human consumption.

[To turn to] the main text.<sup>5</sup> Strips [of wood] around wells were permitted for cattle only,

Others say that R. Jeremiah b. Abba laid this down in the name of Rab: [The laws of] isolated huts and strips [of wood] around wells are not [applicable] either to Babylon or to other countries outside the Land of Israel. [The law of] isolated huts [is inapplicable] to Babylon because the bursting of dams is of frequent occurrence. In other countries outside the Land of Israel also it is not [applicable] because there thieves<sup>15</sup> are common. [The law of] strips [of wood] around wells is not [applicable] to Babylon because it has water in abundance.<sup>16</sup> In [other countries] outside the Land of Israel

## ERUVIN – 2a-26b

also it is not [applicable] because there colleges are rare.<sup>13</sup>

Said R. Hisda to Mari son of R. Huna the son of R. Jeremiah b. Abba: People say that you walk on the Sabbath from Barnish to Daniel's Synagogue<sup>17</sup> which is [a distance of] three parasangs; what do you rely upon?<sup>18</sup> On the isolated huts? But did not the father of your father lay down in the name of Rab [that the law of] isolated huts is not [applicable] to Babylon? — The other, thereupon, went out [with him and] showed him certain [ruined] settlements that were contained within the radius of seventy cubits and a fraction<sup>19</sup> [from the town].

R. Hisda stated: Mari b. Mar made the following exposition: It is written,<sup>20</sup> I have seen an end to every purpose; but Thy commandment is exceeding broad.<sup>21</sup> This statement<sup>22</sup> was made by David but he did not explain it;<sup>23</sup> Job made a similar statement<sup>24</sup> and did not explain it;<sup>23</sup> Ezekiel also made a similar statement<sup>24</sup> and did not explain it,<sup>23</sup> [and the exact magnitude remained unknown] until Zechariah the son of Iddo came and explained it. 'It was made by David but he did not explain it' for it is written in Scripture: I have seen an end to every purpose; but Thy commandment is exceeding broad.<sup>21</sup> 'Job made a similar statement and did not explain it,' for it is written in Scripture: The measure thereof is longer than the earth, and broader than the sea.<sup>25</sup> 'Ezekiel also made a similar statement and did not explain it', for it is written in Scripture: And he spread it<sup>26</sup> before me, and it was written within and without; and there was written therein lamentations, and meditation of joy<sup>27</sup> and woe;<sup>28</sup> 'lamentation' refers to the retribution of the just in this world, for so<sup>29</sup> it is said: This is the lamentation wherewith they shall lament;<sup>30</sup> 'and meditation of joy' refers to the reward of the righteous in the hereafter for so it is said: With the joy<sup>31</sup> of solemn sound upon the harp;<sup>32</sup> 'and woe'<sup>33</sup> refers to the retribution of the wicked in the hereafter for so it is said:

Calamity<sup>34</sup> shall come upon calamity;<sup>35</sup> 'until Zechariah the son of Iddo came and explained it,' for it is written: And he said unto me: 'What seest thou?' And I answered: 'I see a folded<sup>36</sup> roll; the length thereof is twenty cubits, and the breadth thereof ten cubits',<sup>37</sup> and, when you unfolded it, [its extent] is twenty by twenty [cubits], and since it is written: 'It was written within and without',<sup>38</sup> what will be [its size] when you split it?<sup>39</sup> Forty by twenty cubits.<sup>40</sup> But, as it is written: Who hath measured the waters in the hollow of his hand, and meted out heaven with the span<sup>41</sup>, etc. it follows<sup>42</sup> that the entire universe is [equal to] a three thousand and two hundredths part of the Torah.<sup>43</sup>

R. Hisda further stated: Mari b. Mar made this exposition: What [is the significance] of the Scriptural text: And behold two baskets of figs set before the temple of the Lord;<sup>44</sup> one basket had very good figs, like the figs

- (1) The walls of the well.
- (2) He is not allowed, however, to draw the water in a bucket from the well to carry it into the imperfect enclosure made up of the strips of wood.
- (3) MS.M., 'Joseph'. Cf. infra 23a ab init. and Bah a.l.
- (4) Infra 23a.
- (5) To which reference was made supra 20b q.v. notes.
- (6) And one is unable to climb them (Rashi).
- (7) That a bucket of water must not be held before cattle.
- (8) Lit., 'to fill from them'.
- (9) V. supra 20b.
- (10) בורגנין, sing. בורגין Cf. Gr. \*\*, 'isolated dwelling'. If such units are situated within a radius of seventy and two thirds cubits from a town they are regarded as its suburbs and the Sabbath limit of two thousand cubits begins from the end of the last hut (cf. infra 55b).
- (11) Other than Babylon.
- (12) And the hut may at any moment be swept away by the floods.
- (13) And no students, therefore, pass from town to town in pursuit of their studies. As the relaxation of the laws of a private domain in respect of enclosures around wells is entirely due to considerations of the needs of festival pilgrims and other wayfarers who are similarly engaged in the performance of pious acts, it could not be extended in the interests of ordinary travelers.



# ERUVIN – 2a-26b

(14) Lit., 'we do'; the law of isolated huts may be applied to countries other than Palestine and that of strips of wood around wells to Babylon.

(15) Who steal the huts.

(16) And there is no need, as in the case of Palestine where water is scarce, to make provision for the use of the limited number of scattered wells or cisterns.

(17) Cf. Daniel VI, 10, 11. This synagogue was situated in Sura, v. Obermeyer, p. 302.

(18) In walking a distance more than two thousand cubits from the town (the permitted Sabbath limit).

(19) Lit., 'and remnants', Sc. two thirds of a cubit (cf. infra 57a). Ruins in the neighborhood of a town within the limit mentioned are regarded as an extension of the town (cf. infra 55b).

(20) Lit., 'what (is the significance of that) which is written'.

(21) Ps. CXIX, 96.

(22) On the magnitude of God's commandment, sc. the Torah.

(23) Sc. the exact measurements.

(24) Lit., 'said it'.

(25) Job XI, 9.

(26) A scroll of the Oral Law.

(27) So homiletically. E.V. moaning.

(28) Ezek. 11, 10.

(29) That 'lamentation' is an allusion to retribution.

(30) Ezek. XXXII, 16.

(31) Homiletical rendering.

(32) Ps. XCII, 4.

(33) יהי.

(34) יהי, of the same rt. As יהי.

(35) Ezek. VII, 26.

(36) So homiletically. E.V., flying.

(37) Zech. V, 2.

(38) Ezek. 11,10.

(39) And place the written surfaces face upwards side by side.

(40) Which equal  $40 \times 20 \times 4 = 3200$  quarter sq. cubits or sq. spans (v. infra n. 5).

(41) Isa. XL, 12.

(42) As a span equals half a cubit and as a sq. span consequently equals a quarter of sq. cubit, and since the size of the entire universe is only one span sq.

(43) Cf. supra n. 3.

(44) Jer. XXIV, 1.

wicked in every respect. But in case you should imagine that their hope is lost and their prospect is frustrated, it was explicitly stated: The baskets<sup>2</sup> give forth fragrance,<sup>3</sup> both<sup>4</sup> will in time to come give forth fragrance.

Raba made the following exposition: The Scriptural text:<sup>5</sup> The mandrakes give forth fragrance<sup>3</sup> is an allusion to the young men of Israel who never felt the taste of sin; and at our doors are all manner of precious fruits<sup>3</sup> is an allusion to the daughters of Israel who tell their husbands about their doors.<sup>6</sup> Another reading: Who close<sup>7</sup> their doors for their husbands.<sup>8</sup> New and old, which I have laid up for thee, O my beloved;<sup>3</sup> the congregation of Israel said to the Holy One, blessed be He, 'Lord of the universe: I have imposed upon myself more restrictions than Thou hast imposed upon me, and I have observed them.'

R. Hisda asked one of the young Rabbis who was reciting aggadoth in his presence in a certain order: 'Did you hear what [was the purport of the expression,] 'New and old'?<sup>9</sup> — 'The former'<sup>10</sup> the other replied: 'are the minor, and the latter<sup>10</sup> are the major commandments'. 'Was then the Torah,' the former asked: 'given on two different occasions?<sup>11</sup> But the latter<sup>12</sup> [are those derived] from the words of the Torah while the former are those derived from the words of the Scribes.'

Raba made the following exposition: What is the purport of the Scriptural text: And, furthermore my son, be admonished: Of making many books, etc.<sup>13</sup> My son, be more careful<sup>14</sup> in [the observance of] the words of the Scribes than in the words of the Torah, for in the laws of the Torah there are positive and negative precepts;<sup>15</sup> but, as to the laws of the Scribes, whoever transgresses any of the enactments of the Scribes incurs the penalty of death. In case you should object: If they are of real value why were they not recorded [in the Torah]? Scripture stated: 'Of making

## Eruvin 21b

that are first-ripe, and the other basket had very bad figs, which could not be eaten, they were so bad?<sup>1</sup> 'Good figs' are an allusion to those who are righteous in every respect; 'bad figs' are an allusion to those who are

## ERUVIN – 2a-26b

many books there is no end'.<sup>13</sup> And much study is a weariness of flesh.<sup>13</sup> R. Papa son of R. Aha b. Adda stated in the name of R. Aha b. Ulla: This<sup>16</sup> teaches that he who scoffs at the words of the Sages will be condemned to boiling excrements. Raba demurred: Is it written: 'scoffing'? The expression is 'study'!<sup>17</sup> Rather this is the exposition: He who studies them feels the taste of meat.<sup>18</sup>

Our Rabbis taught: R. Akiba was once confined in a prison-house and R. Joshua the grits-maker<sup>19</sup> was attending on him. Every day, a certain quantity of water was brought in to him. On one occasion he<sup>20</sup> was met by the prison keeper who said to him, 'Your water to-day is rather much; do you perhaps require it for undermining the prison?' He poured out a half of it and handed to him the other half. When he<sup>21</sup> came to R. Akiba the latter said to him, 'Joshua, do you not know that I am an old man and my life depends on yours?'<sup>22</sup> When the latter told him all that had happened [R. Akiba] said to him, 'Give me some water to wash my hands'. 'It will not suffice for drinking', the other complained, 'will it suffice for washing your hands?' 'What can I do', the former replied: 'when for [neglecting] the words of the Rabbis<sup>23</sup> one deserves death? It is better that I myself should die than that I should transgress against the opinion of my colleagues'.<sup>24</sup> It was related that he tasted nothing until the other had brought him water wherewith to wash his hands. When the Sages heard of this incident they remarked: 'If he was so [scrupulous] in his old age how much more must he have been so in his youth; and if he so [behaved] in a prison-house how much more [must he have behaved in such a manner] when not in a prison-house'.

Rab Judah stated in the name of Samuel: When Solomon ordained the laws of 'erub<sup>25</sup> and the washing of the hands a bath kol<sup>26</sup> issued and proclaimed: My son, if thy heart be wise, my heart will be glad, even mine;<sup>27</sup> and, furthermore, it is said in Scripture: My

son, be wise, and make my heart glad, that I may answer him that taunteth me.<sup>28</sup>

Raba made the following exposition: What [are the allusions] in the Scriptural text: Come, my beloved, let us go forth into the field; let us lodge in the villages, let its get up early to the vineyards; let us see whether the vine hath budded, whether the vine-blossom be opened and the pomegranates be in flower; there will I give thee my love?<sup>29</sup> 'Come, my beloved, let its go forth in to the field'; the congregation of Israel spoke before the Holy One, blessed be He: Lord of the universe, do not judge me as [thou wouldst] those who reside in large towns who indulge in robbery, in adultery, and in vain and false oaths; 'let us go forth into the field', come, and I will show Thee scholars who study the Torah in poverty; 'let us lodge in the villages' read not, 'in the villages'<sup>30</sup> but 'among the disbelievers',<sup>31</sup> come and I will show Thee those upon whom Thou hast bestowed much bounty and they disbelieve in Thee; 'let us get up early in the vineyards' is an allusion to the synagogues and schoolhouses; 'let us see whether the vine hath budded' is an allusion to the students of Scripture; 'whether the vine-blossom be opened' alludes to the students of the Mishnah; 'and the pomegranates be in flower' alludes to the students of the Gemara; 'there will I give thee my love', I will show Thee my glory and my greatness, the praise of my sons and my daughters.

R. Hamnuna said: What [are the allusions in what was written in Scripture: And he spoke three thousand proverbs; and his songs were a thousand and five?<sup>32</sup> This teaches that Solomon uttered three thousand proverbs for every single word of the Torah and one thousand and five reasons for every single word of the Scribes.

Raba made this exposition: What [are the implications of] what was written in Scripture: And besides that Koheleth was wise, he also taught the people knowledge;

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yea, he pondered, and sought out, and set in order many proverbs?<sup>33</sup> 'He [also] taught the people knowledge implies that he taught it with notes of accentuation and illustrated it by simile;<sup>34</sup> 'Yea, he pondered, and sought out, and set in order many proverbs' [alludes to the fact], said Ulla in the name of R. Eleazar,<sup>35</sup> that the Torah was at first like a basket which had no handles, and when<sup>36</sup> Solomon came he affixed handles<sup>37</sup> to it. His locks are curled.<sup>38</sup> This, said R. Hisda in the name of Mar 'Ukba, teaches that it is possible to pile up mounds of expositions on every single stroke [of the letters of the Torah];<sup>39</sup> and black as a raven:<sup>38</sup> With whom do you find these? With him

- (1) Ibid. 2.
- (2) **הדודאים** an allusion to the 'baskets' **דודאי** supra. E.V., mandrakes.
- (3) Cant. VII, 14.
- (4) Lit., 'these and these', the wicked as well as the righteous.
- (5) Lit., 'what is (the significance of) what is written'.
- (6) Euphemism. They are thus enabled to abstain during the woman's menstrual periods.
- (7) Lit., 'bind'.
- (8) Chastity. They are ever faithful.
- (9) Cant. VII, 14.
- (10) Lit., 'these'.
- (11) Lit., 'twice, twice', first the major (old) and then the minor (new) commandments?
- (12) Lit., 'those', the 'old'.
- (13) Eccl. XII, 12.
- (14) **הסתר**, the identical word used for 'be admonished'.
- (15) And the penalties vary.
- (16) The expression **להג** ('study') which is similar to that of **לעג** ('scoffing').
- (17) **לעג** not **להג**.
- (18) **יגיעת** (in **יגיעת בשר** 'weariness of the flesh') contains the letters **עת** which, by transposition and interchange suggests **טעם** 'taste'.
- (19) Or 'dealer'. Aliter: Of a place called Geres (Rashi).
- (20) R. Joshua.
- (21) R. Joshua.
- (22) No one else was allowed, or able to bring him any food or drink.
- (23) Lit., 'them'.
- (24) Who ordained the washing of the hands before meals.
- (25) For courtyards.
- (26) V. Glos.
- (27) Prov. XXIII, 15.

- (28) Ibid. XXVII, II.
- (29) Cant. VII, 12f.
- (30) **בכפרים**.
- (31) **בכופרים**. **בכופרים** is of the same rt. As **כפרים**.
- (32) I Kings V, 12.
- (33) Eccl. XII, 9.
- (34) V. Jast.
- (35) So MS.M. Cur. edd. Eliezer.
- (36) Lit., 'until'.
- (37) **אזן** sing. **אזנים**, 'ear' or 'handle'. The Heb. for 'he pondered' **אזן** is regarded as a denominative of **אזן** 'he made handles', i.e., added restrictions. Cf. Yeb., Sonc. ed., p. 123, n. 13.
- (38) Cant. V, 11.
- (39) The word for 'his locks', **קווצותיו**, is regarded as coming from the same rt. as that of 'stroke' **קוץ** (lit., 'thorn') and that of 'curled', **תלתלים** as being identical with that of 'mound' **תל**, and the reduplication. **תלתלים** is rendered, 'many mounds or piles'.

## Eruvin 22a

who for their sake rises early [to go] to, and remains late in the evening [before returning home from] the schoolhouse.<sup>1</sup> Rabbah explained: [You find these only] with him who for their sake blackens his face like a raven.<sup>2</sup>

Raba explained: With him who can bring himself to be cruel to his children and household like a raven,<sup>3</sup> as was the case with<sup>4</sup> R. Adda b. Mattenah. He was about to go away to a schoolhouse when his wife said to him, 'What shall I do with your children?' — 'Are there', he retorted: 'no more<sup>5</sup> herbs<sup>6</sup> in the marsh?' And repayeth them that hate Him to His face, to destroy him.<sup>7</sup>

R. Joshua b. Levi remarked: Were it not for the written text one could not possibly have said it. Like a man, as it were, who carries a burden on his faces and wants to throw it off. He will not be slack to him that hateth Him.<sup>9</sup>

R. Il'a explained: He will not be slack to those that hate Him, but He will be slack to those who are just in all respects; and this is in line with that which R. Joshua b. Levi stated: What [is the implication of] what was written: Which I command thee this day to do them?<sup>10</sup> 'This day [you are] to do them'

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but you cannot postpone doing them for tomorrow;<sup>11</sup> ‘this day [you are in a position] to do them’ and tomorrow<sup>11</sup> [is reserved] for receiving reward for [doing] them.

R. Haggai<sup>12</sup> (or as some say: R. Samuel b. Nahmani) stated: What [was the purpose] when Scripture wrote: Long-suffering<sup>13</sup> [in the dual form]<sup>14</sup> where the singular<sup>15</sup> might well have been used? But [this is the purport:]<sup>16</sup> Long-suffering towards the righteous and long-suffering also towards the wicked.

**R. JUDAH SAID: [THE ENCLOSURE MAY BE ONLY] AS LARGE AS TWO BETH SE'AH, etc.** The question was raised: Does he<sup>17</sup> mean the [area of the] cistern together with [that between] the strips [of wood]<sup>18</sup> or does he mean the cistern alone exclusive of the [area between] the strips?<sup>19</sup> Does a man regard<sup>20</sup> his cistern [as the permitted area]<sup>21</sup> and, consequently,<sup>22</sup> it is not necessary to restrict [the permitted area] as a preventive measure against the possibility of one's moving of objects in a karpaf<sup>23</sup> that is larger than two beth se'ah, or does a man rather regard<sup>24</sup> his partition and, consequently, it was necessary to restrict [the permitted area]<sup>25</sup> as a preventive measure against the possibility of assuming<sup>26</sup> [that an area of] more than two beth se'ah [is permitted] in the case of a karpaf<sup>23</sup> also? —

Come and hear: How near<sup>27</sup> may [the strips of wood] be? As near as [to admit] the head and the greater part of the body of a cow. And how far may they be? Even [so far as to enclose a beth] kor or even two beth kor.

R. Judah ruled: [An area of] two beth se'ah is permitted but one larger than two beth se'ah is forbidden. ‘Do you not admit’, they said to R. Judah, ‘that in the case of a cattle-pen or cattle-fold, a rearcourt or a courtyard even [an area as large as] five or ten beth kor is permitted?’ He replied: This<sup>28</sup> is [a proper] partition but those are mere strips [of wood].

R. Simeon b. Eleazar said: A cistern [the area of which is] two beth se'ah by two beth se'ah is permitted, and [the Rabbis] permitted<sup>29</sup> to remove [the strips of wood from, it] only so far [as to admit] the head and the greater part of the body of a cow. Now, since R. Simeon b. Eleazar spoke of the cistern exclusive of the strips [of wood] it follows, does it not, that R. Judah spoke of the cistern together with the strips? — [In fact,] however, this is not [correct]. R. Judah spoke of the cistern exclusive of the [area between it and] the strips. If so, [is not his ruling] exactly the same as that of R. Simeon b. Eleazar? — The practical difference between them is [an enclosure that is] long and narrow.<sup>30</sup>

R. Simeon b. Eleazar laid down a general rule: Any [enclosed] space<sup>31</sup> used as a dwelling as, for instance, a cattle-pen or cattle-fold, a rearcourt or a courtyard is permitted even if it is as large as five or even ten beth kor, and any dwelling that is used for [service in] the air [outside] as, for instance, field huts<sup>32</sup> is permitted [only if its area is] two beth se'ah but if it is more than two beth se'ah it is forbidden.

**MISHNAH. R. JUDAH RULED: IF A PUBLIC ROAD CUTS THROUGH THEM<sup>33</sup> IT SHOULD BE DIVERTED TO ONE SIDE;<sup>34</sup> BUT THE SAGES RULED: THIS IS NOT NECESSARY.**

**GEMARA.** Both R. Johanan and R. Eleazar stated: Here they<sup>35</sup> informed you of the unassailable validity of partitions.<sup>36</sup> ‘Here [etc.]’ [seems to imply that] he<sup>37</sup> is of the same opinion; but did not Rabbah b. Bar Hana state in the name of R. Johanan: Jerusalem,<sup>38</sup> were it not that its gates were closed at night,<sup>39</sup> would have been subject to the restrictions of a public domain?<sup>40</sup> —

Rather: ‘Here [etc.]’, but he himself is not of the same opinion. An incongruity, however, was pointed out between two rulings of R. Judah and between two rulings of the Rabbis. For it was taught: A more [lenient rule] than



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this did R. Judah lay down: If a man had two houses on two sides [respectively] of a public domain he may<sup>41</sup> construct one side-post on one side [of any of the houses] and another on the other side, or one cross-beam on the one side and another on its other side and then he may move things about<sup>42</sup> in the space between them;<sup>43</sup> but they said to him: A public domain cannot be provided with an 'erub in such a manner.<sup>44</sup> Now does not this present a contradiction between one ruling of R. Judah and another ruling of his<sup>45</sup> and between one ruling of the Rabbis and another ruling of theirs?<sup>46</sup> —

There is really no contradiction between the two rulings of R. Judah. There<sup>47</sup> [it is a case] where two proper walls are available, but here<sup>48</sup> two proper walls are not available. There is no contradiction between the two rulings of the Rabbis either, since here<sup>48</sup> the name of four partitions at least is available,<sup>49</sup> but there<sup>50</sup> even the name of four partitions does not exist.

R. Isaac b. Joseph stated in the name of R. Johanan: In the Land of Israel no guilt is incurred on account of [moving objects in] a public domain. R. Dimi sitting at his studies recited this traditional ruling. Said Abaye to R. Dimi. What is the reason?

- (1) The Heb. for 'black' שחורית is similar to that for 'early' שחרית and that for 'raven' עורב to that for 'evening' ערבית.
- (2) Suffers deprivation and hunger for the sake of his studies. Cf. previous note.
- (3) On the raven's neglect of its brood; v. Keth. 49b and B.B. 8a.
- (4) Lit., 'like that of'.
- (5) Lit., 'are they finished'.
- (6) קורמי (MS.M. קירמי). Aliter: A plant, the core of which can be ground and its flour used for the making of bread. Aliter: A water plant bearing a fruit, the kernels of which may, by first cooking them, be made fit for human consumption.
- (7) Deut., VII, 10. E.V., And repayeth... to their face, to destroy them.
- (8) 'His (sc. the divine) face'.
- (9) Deut. VII, 10.
- (10) Ibid. II.
- (11) After death.
- (12) MS.M., Haga.

- (13) Ex. XXXIV, 6.
- (14) ארך אפים.
- (15) ארך אף.
- (16) Of the dual form אפים, lit., 'two faces'.
- (17) By limiting the permitted area to two beth se'ah.
- (18) Which are two cubits distant from the cistern.
- (19) So that the full area of the enclosure may be two beth se'ah in addition to the two cubits on each side of cistern.
- (20) Lit., 'puts his eye'.
- (21) And ignores the space enclosed around it.
- (22) Since the cistern is not wider than two both se'ah.
- (23) V. Glos.
- (24) Lit., 'puts his eye'.
- (25) By allowing only two beth se'ah for the full enclosure inclusive of the area of the cistern and the space around it.
- (26) Lit., 'to change'.
- (27) To the well or cistern.
- (28) The wall or screen round any of the last mentioned enclosures.
- (29) Lit., 'said'.
- (30) According to R. Judah this is permitted while according to R. Simeon b. Eleazar the area must be square shaped.
- (31) Even if it has no roof.
- (32) Which watchmen use for shelter only while their services are needed in the fields around.
- (33) The boards forming an enclosure round a well.
- (34) Otherwise the validity of the enclosure as a private domain is impaired.
- (35) THE SAGES. So Bomb. ed. This is also the reading of MS.M. in the parallel passage supra 20a. Cur. edd. הודיעך ('he informed you').
- (36) That even a public road cannot affect it.
- (37) R. Johanan.
- (38) Whose public roads extended from one end of the town to the other and had all the other characteristics of a public domain.
- (39) In consequence of which it assumed the status of a courtyard.
- (40) Supra 6b q.v. notes. This shows that the passage of the public does invalidate a private domain.
- (41) Since the two houses provide walls on two sides.
- (42) Lit., 'and carries and gives', as if it had been a private domain.
- (43) Lit., 'in the middle'.
- (44) Shab. 6a, supra 6a.
- (45) According to his ruling in our Mishnah a public road impairs the validity of a private domain, and according to his ruling in the Baraitha cited it does not.
- (46) Cf. previous note mutatis mutandis.
- (47) The Baraitha cited.

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(48) Our Mishnah.

(49) Since the extremity of each side is screened by a board that is one cubit wide.

(50) The Baraitha cited.

## Eruvin 22b

If it be suggested: Because the Ladder of Tyre<sup>1</sup> surrounds it on one side and the declivity of Geder<sup>2</sup> on the other side,<sup>3</sup> Babylon too [it could be retorted] is surrounded by the Euphrates on one side and the Tigris on the other side; the whole world, in fact, is surrounded by the ocean.<sup>4</sup> Perhaps you mean the ascents and descents [of Palestine].<sup>5</sup> ‘Genius’,<sup>6</sup> the other replied: ‘I saw your chief<sup>7</sup> between the pillars<sup>8</sup> when R. Johanan discoursed on this traditional ruling’.

So it was also stated: When Rabin came<sup>9</sup> he stated in the name of R. Johanan (others say: R. Abbahu stated in the name of R. Johanan): No guilt is incurred for [the carrying of objects in] a public domain [in the case of] the ascents and descents of the Land of Israel, because they are not [as accessible] as [the domain on which] the standards<sup>10</sup> in the wilderness [marched].<sup>11</sup>

Rehaba enquired of Raba: In the case of a mound that rises to a height of<sup>12</sup> ten handbreadths on a base of<sup>13</sup> four cubits, across which many people make their way, does one incur the guilt of [carrying in] a public domain or is no guilt incurred? This question does not arise according to the view of the Rabbis,<sup>14</sup> for<sup>15</sup> if there,<sup>16</sup> where the use [of the road] is quite easy, the Rabbis ruled that the public do not impair the validity of the enclosure, how much more is that the case here<sup>17</sup> where the use [of the road] is not easy. The question arises only according to R. Judah. Does he<sup>18</sup> [maintain his view only] there<sup>16</sup> because the use [of the road] is easy, but here, where its use is not easy, the public [he maintains] do not impair the validity of the [legal] partition,<sup>19</sup> or is there perhaps no difference? — The other replied: Guilt is

incurred. ‘Even’ [the first asked,] ‘if people ascend by means of a rope?’ —

‘Yes’, the other replied. [‘Is this the ruling’, the first asked,] ‘even in respect of the ascents of Beth Maron?’<sup>20</sup> —

‘Yes’, the other replied. He raised an objection against him: A courtyard into which many people enter<sup>21</sup> from one side and go out<sup>21</sup> from the other [is regarded as] a public domain in respect of levitical defilement and as a private domain in respect of the Sabbath.<sup>22</sup> Now whose [view is here expressed]? If it be suggested: [That of the] Rabbis; it might be objected:<sup>23</sup> If there,<sup>24</sup> where the use [of the road] is easy, the Rabbis<sup>25</sup> ruled that the public cannot come and impair the validity of the partition, how much more is that the case here<sup>26</sup> where its use is not easy.<sup>27</sup> Consequently<sup>28</sup> it [must be, must it not, the view of] R. Judah?<sup>29</sup> —

No; it may in fact [represent the view of] the Rabbis, but<sup>30</sup> the statement was required [on account of the ruling], ‘And a public domain in respect of levitical defilement’.<sup>31</sup>

Come and hear: Alleys that open out in cisterns, ditches or caves [have the status of] a private domain in respect of Sabbath and that of a Public one in respect of levitical defilement.<sup>32</sup> Now can you imagine [a reading] ‘in cisterns’?<sup>33</sup> [The reading must] consequently be, ‘towards<sup>34</sup> cisterns’<sup>35</sup> [and about such alleys it was ruled that they have the status of] ‘a private domain in respect of Sabbath and that of a public one in respect of levitical defilement’. Now, whose [view is here expressed]? If it be suggested: That of the Rabbis; it could be objected:<sup>36</sup> If there,<sup>37</sup> where the use [of the road] is easy, they ruled that the public cannot come and annul its validity, how much more should this be the case here where its use is not easy. Consequently [it must be, must it not, the view of] R. Judah?<sup>38</sup> —

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No; it may in fact [be the view of] the Rabbis,<sup>39</sup> but<sup>40</sup> the statement was required [on account of the ruling,] ‘And a public domain in respect of levitical defilement’.<sup>41</sup>

Come and hear: The paths of Beth Gilgul<sup>42</sup> and such as are similar to them [have the status of] a private domain in respect of the Sabbath and that of a public domain in respect of levitical defilement. And what [paths may be described as] the ‘paths of Beth Gilgul’? At the school of R. Jannai it was laid down: Any [path along] which a slave carrying a se'ah of wheat is unable to run before an officer.<sup>43</sup> Now, whose view [is this]? If it be suggested [that it is that of] the Rabbis, it might be objected: If there, where the use [of the road] is easy, the Rabbis ruled that the public cannot come and impair the validity of the partition, how much more would that be the case here where the use [of the paths] is not easy. Consequently [it must be, must it not, the view of] R. Judah?<sup>38</sup> —

The other replied: You speak of the paths of Beth Gilgul [which have a status of their own, for] Joshua, being a friend of Israel, undertook the task of providing<sup>44</sup> for them roads and highways,<sup>45</sup> and those<sup>46</sup> that were easy of access<sup>47</sup> he assigned for public use and those that were not easily accessible he assigned for private use.<sup>48</sup>

**MISHNAH.** STRIPS [OF WOOD] MAY BE PROVIDED FOR A PUBLIC CISTERN,<sup>49</sup> A PUBLIC WELL<sup>49</sup> AS WELL AS A PRIVATE WELL, BUT FOR A PRIVATE CISTERN<sup>50</sup> A PARTITION TEN HANDBREADTHS HIGH MUST BE PROVIDED; SO R. AKIBA. R. JUDAH B. BABA RULED: STRIPS [OF WOOD] MAY BE SET UP ROUND A PUBLIC WELL ONLY<sup>51</sup> WHILE FOR THE OTHERS<sup>52</sup> A [ROPE] BELT TEN HANDBREADTHS IN HEIGHT MUST BE PROVIDED.

(1) Scala Tyrionum, on the south of Tyre in the north of Palestine.

(2) Possibly Geder of Josh. XII, 13, or Gedar of I Chron. IV, 39-41 in the south of the country. Cf. Horowitz, Palestine, s.v. גדר II and גדר n. 1.

(3) The promontory and the declivity being no less than ten handbreadths high and low respectively constituting legally valid walls.

(4) And yet is not regarded as a private domain. Why then should Palestine be so regarded?

(5) Not being easily traversed, and being infrequently used, they might well be treated as private domains.

(6) קרקפנא (from קרקף ‘head’). Aliter: Distinguished man.

(7) Rabbah, who was Abaye's teacher (v. Tosaf. s.v. קרקפנא a.l.).

(8) Of R. Johanan's schoolhouse.

(9) From Palestine to Babylon.

(10) Sc. the divisions of the tribes of Israel arranged under different standards.

(11) The latter was level and suitable for public use while the ascents and descents of Palestine, as explained supra, are not easily accessible and are consequently unsuitable as public thoroughfares.

(12) Lit., ‘that gathers itself’.

(13) Lit., ‘from the midst of’.

(14) The SAGES.

(15) Lit., ‘now’.

(16) Enclosures around the wells spoken of in our Mishnah.

(17) In the case of a mound.

(18) Lit., ‘what’.

(19) Which the mound constituted.

(20) Which were very steep and the paths across them so narrow that two persons could not walk abreast. Cf. R.H. 18a.

(21) Through doors or breaches.

(22) Tosef. Toh. VII, supra 8a q.v. notes.

(23) Lit., ‘now’.

(24) V. p. 156, n. 13.

(25) The SAGES.

(26) A courtyard.

(27) On account of the narrow door passages or breaches and the raised thresholds or rugged remnants of fallen walls. What need then was there to state what was so obvious?

(28) Lit., ‘but not?’

(29) Who thus admits that the passage of the public does not impair the status of a private domain where access is not easy. An objection against Raba.

(30) In reply to the objection, what need was there for them to state that which was obvious.

(31) And the other ruling was mentioned merely as an antithesis.

(32) Toh. VI, 6, where, however, ‘paths’ is substituted for ‘alleys’.

(33) Obviously not. An alley would not be made to terminate in a cistern.

(34) The difference between this reading and that of ‘in cisterns’ is represented in the original by the slight change of beth (ב) to lamed (ל).

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(35) Sc. a cistern is situated at one end of the alley, access to which is gained by walking on a narrow ledge on one side of the cistern.

(36) Lit., 'now'.

(37) Enclosures around wells spoken of in our Mishnah.

(38) V. supra p. 157, n. 10.

(39) The SAGES.

(40) V. supra p. 157, n. 11.

(41) And the other ruling was mentioned merely as an antithesis.

(42) The modern village of Gilgilyah on the left of the road between Jerusalem and Shechem, twenty-eight km. north of the former. The paths of Beth Gilgul were steep and narrow and difficult to traverse and consequently were avoided by the general public. Cf. Horowitz, op. cit. s.v. גלגל III.

(43) Toh. VI, 6. טרדייט cf. Gr. \*\*, a Greek or Roman officer.

(44) Lit., 'he stood up and prepared'. After his conquests in Canaan.

(45) Aliter: Stations. Read with MS.M. the pl. אסטריאיות. Cur. edd. פרטיא.

(46) Lit., 'wherever'.

(47) Lit., 'use'.

(48) Hence the status of the paths of Beth Gilgul which are among the difficult paths of Palestine and similarly with all other ascents and descents in the Land of Israel. This, therefore, provides no proof for difficult roads in other countries which did not come under Joshua's enactments.

(49) Supra 18a where the order, however, is reversed.

(50) Since the water might be used up and the fact might escape the individual's attention, who would thus continue to use the enclosure as a private domain though it had lost the status on account of the disappearance of the water. In the case of a well no provision was necessary against the remote possibility of its drying up, while in the case of a public cistern the people would remind one another of the absence of the water should it ever all be used up.

(51) Because (a) its flow is constant and (b) should it ever dry up the people would remind one another of its change of status.

(52) Where only either (a) or (b) is applicable; v. previous note.

the case of a well of living water. And [both these statements were] required. For if we had only been told, 'The halachah is in agreement with R. Judah b. Baba' it might have been assumed that [in the case] of public [water he allows strips of wood] even [where the water is] collected, and that the reason why he mentioned A PUBLIC WELL was to express disagreement<sup>1</sup> with the view of R. Akiba,<sup>2</sup> hence we were told that 'strips of wood around wells were permitted only in the case of a well of living water'.<sup>3</sup> And if only 'a well of living water' had been mentioned [it might have been assumed that] there is no difference between a public and a private one,<sup>4</sup> hence we were told 'the halachah is in agreement with R. Judah b. Baba'.<sup>5</sup>

**MISHNAH.** R. JUDAH B. BABA FURTHER RULED: IT IS PERMITTED TO MOVE OBJECTS<sup>6</sup> IN A GARDEN OR A KARPAF<sup>7</sup> WHOSE [AREA DOES NOT EXCEED] SEVENTY CUBITS AND A FRACTION<sup>8</sup> BY SEVENTY CUBITS AND A FRACTION AND WHICH ARE SURROUNDED BY A WALL TEN HANDBREADTHS HIGH, PROVIDED THERE IS IN IT A WATCHMAN'S HUT OR A DWELLING PLACE<sup>9</sup> OR IT IS NEAR TO A TOWN.<sup>10</sup> R. JUDAH RULED: EVEN IF IT CONTAINED ONLY A CISTERN, A DITCH OR A CAVE IT IS PERMITTED TO MOVE OBJECTS<sup>11</sup> WITHIN IT. R. AKIBA RULED: EVEN IF IT CONTAINED NONE OF THESE IT IS PERMITTED TO MOVE OBJECTS<sup>11</sup> WITHIN IT, PROVIDED ITS AREA [DOES NOT EXCEED] SEVENTY CUBITS AND A FRACTION<sup>12</sup> BY SEVENTY CUBITS AND A FRACTION. R. ELIEZER RULED: IF ITS LENGTH EXCEEDED ITS BREADTH EVEN BY A SINGLE CUBIT IT IS NOT PERMITTED TO MOVE ANY OBJECTS WITHIN IT.<sup>13</sup> R. JOSE RULED: EVEN IF ITS LENGTH IS TWICE ITS BREADTH IT IS PERMITTED TO MOVE EFFECTS WITHIN IT. R. ILA'I STATED: I HEARD FROM R. ELIEZER,<sup>14</sup> EVEN IF IT IS AS LARGE AS A BETH KOR. I LIKewise HEARD FROM HIM THAT IF ONE OF THE TENANTS OF A COURTYARD FORGOT TO JOIN IN THE 'ERUB,<sup>15</sup> HIS

## Eruvin 23a

**GEMARA.** R. Joseph stated in the name of Rab Judah who had it from Samuel: The halachah is in agreement with R. Judah b. Baba. R. Joseph further stated in the name of R. Judah who had it from Samuel: Strips [of wood] around wells were permitted only in



# ERUVIN – 2a-26b

HOUSE IS FORBIDDEN TO HIM FOR THE TAKING IN OR THE TAKING OUT OF ANY OBJECT<sup>16</sup> BUT IS PERMITTED TO THEM.<sup>17</sup> I HAVE LIKEWISE HEARD FROM HIM THAT PEOPLE MAY FULFIL THEIR DUTY<sup>18</sup> AT PASSOVER BY EATING HART'S-TONGUE.<sup>19</sup> WHEN, HOWEVER, I WENT ROUND AMONG ALL HIS DISCIPLES SEEKING A FELLOW STUDENT<sup>20</sup> I FOUND NONE.<sup>21</sup>

*GEMARA.* What did he<sup>22</sup> already teach that, in consequence, he<sup>23</sup> used the expression of FURTHER? If it be suggested: Because he taught one restrictive ruling<sup>24</sup> and then he taught the other<sup>25</sup> he therefore used the expression of FURTHER, surely [it could be retorted] did not R. Judah<sup>26</sup> teach one restrictive ruling<sup>27</sup> and then he taught another one<sup>28</sup> and yet he<sup>29</sup> did not use the expression 'further'? —

There<sup>30</sup> the Rabbis interrupted him<sup>31</sup> but here the Rabbis did not interrupt him.<sup>32</sup> [Is it then suggested] that wherever the Rabbis interrupted one's statements the expression of 'further'<sup>33</sup> not used? Surely, [it may be objected] was not R. Eliezer, in the case of a law about sukkah, interrupted by the Rabbis and the expression 'further' was nevertheless used?<sup>34</sup> There<sup>35</sup> they interrupted him with [a ruling on] his own subject but here they made the interruption with another subject.<sup>36</sup>

**R. AKIBA RULED: EVEN IF IT CONTAINED NONE OF THESE IT IS PERMITTED TO MOVE OBJECTS WITHIN IT.**

- (1) Lit., 'to bring out'.
- (2) Who permitted strips of wood in the case of a PRIVATE WELL; R. Judah b. Baba being mainly concerned to lay down that the water, whether springing or collected, must not be private but public if strips of wood around it are to be permitted.
- (3) But not collected water.
- (4) Sc. even a private well may be permitted with strips of wood.
- (5) Who lays down two restrictions viz. (a) PUBLIC, and (b) WELL.
- (6) On the Sabbath.
- (7) V. Glos.

- (8) Lit., 'and a remnant', viz. two thirds of a cubit.
- (9) Lit., 'house', so that the enclosure round the garden or karpaf may be regarded as put up for dwelling purposes.
- (10) In which the owner lives. Being near to his residence he would frequently use it and consequently it may be regarded as a dwelling place.
- (11) On the Sabbath.
- (12) Lit., 'and a remnant', viz. two thirds of a cubit.
- (13) Though the area does not exceed the prescribed seventy and two third cubits square. Only a square space was permitted where the enclosure around it was not made for dwelling purposes.
- (14) So MS.M. Cur. edd. Eleazar.
- (15) And on the Sabbath he renounced his share to the other tenants.
- (16) By way of the common courtyard.
- (17) They may carry their utensils to and from his house.
- (18) Of eating bitter herbs (v. Ex. XII, 8).
- (19) Or 'palm-ivy'.
- (20) Who might corroborate the three statements he made in the name of their master.
- (21) They disagreed with him, maintaining that the master gave different rulings.
- (22) R. Judah b. Baba.
- (23) The Tanna of our Mishnah.
- (24) In the preceding Mishnah, that only a public well may be provided with strips of wood (supra 22b).
- (25) The first ruling in our Mishnah which restricts the permitted space within an enclosure, though set up for dwelling purposes, to seventy and two-thirds cubits square.
- (26) Sc. R. Judah b. Il'a.
- (27) That only an area of two beth se'ah is permitted (supra 18a ab init.).
- (28) That a public road through an enclosure round a well must be diverted to one of the sides (supra 22a).
- (29) The Tanna of the Mishnah, supra 22a.
- (30) The rulings of R. Judah b. Il'a.
- (31) Their statement (supra 18a ab init.) intervenes between R. Judah's two rulings.
- (32) R. Judah b. Baba's rulings immediately follow one another in the Mishnah (cf. supra 22b ad fin. and the first clause of our Mishnah).
- (33) Though the two statements have a logical connection.
- (34) V. Suk. 27a.
- (35) The rulings of R. Eliezer about sukkah.
- (36) R. Judah spoke of wells' enclosures and they spoke of a garden, a karpaf and the like. After such an interruption the expression of 'further' is obviously unsuitable.

# ERUVIN – 2a-26b

## Eruvin 23b

Is not R. Akiba [laying down] the same ruling as the first Tanna?<sup>1</sup> The difference between them is a small area.<sup>2</sup> For it was taught: R. Judah stated, [two beth se'ah] exceed seventy cubits and a fraction [square] by a very small margin but the Sages did not indicate its exact dimensions. And what [is the area of] the size of two beth se'ah? — One like that of the courtyard of the Tabernacle.<sup>3</sup> Whence is this<sup>4</sup> deduced? —

Rab Judah replied: From Scripture which said: The length of the court shall be a hundred cubits, and the breadth fifty everywhere,<sup>5</sup> the Torah<sup>6</sup> having thus ordained, 'Take away fifty<sup>7</sup> and surround [with them the other] fifty'.<sup>8</sup> What, however, is<sup>9</sup> the ordinary meaning of the text?<sup>10</sup> —

Abaye replied: Put up the Tabernacle at the edge of fifty cubits so that there might be [a space of] fifty cubits<sup>11</sup> in front of it and one of twenty cubits on every side.<sup>12</sup>

**R. ELIEZER RULED: IF ITS LENGTH EXCEEDED,** etc. Was it not taught, however, that R. Eliezer ruled: If its length was more than twice its breadth, even if only by one cubit, it is forbidden to move objects within it? —

R. Bebai b. Abaye replied: What we learned in our Mishnah we learned [in respect of an enclosure whose length] was more than twice its width. If so, is not this ruling exactly the same as that of R. Jose?<sup>13</sup> — The difference between them is the squared area which the Rabbis have prescribed.<sup>14</sup>

**R. JOSE RULED,** etc. It was stated:<sup>15</sup> R. Joseph laid down in the name of Rab Judah who had it from Samuel: The halachah is in agreement with R. Jose;<sup>16</sup> and R. Bebai laid down in the name of Rab Judah<sup>17</sup> who had it from Samuel: The halachah is in agreement with R. Akiba.<sup>18</sup> And both [these rulings] are on the side of leniency; and [both were]

required. For if we had only been told, 'The halachah is in agreement with R. Jose' it might have been assumed [that the permissibility was dependent] on the existence of<sup>19</sup> a watchman's hut or a dwelling place,<sup>20</sup> hence we were informed that 'the halachah is in agreement with R. Akiba'.<sup>21</sup> And if we had been told, 'The halachah is in agreement with R. Akiba' it might have been assumed that [an enclosed area that was] long and narrow is not [permitted],<sup>22</sup> hence we were also informed that 'the halachah is in agreement with R. Jose'.<sup>23</sup> If a karpaf<sup>24</sup> bigger than two beth se'ah,<sup>24</sup> is fenced round for dwelling purposes, then if the greater part of it is sown [with seed] it is regarded as a garden<sup>25</sup> and it is forbidden [to carry any objects within it],<sup>26</sup> but if the greater part of it is planted [with trees]<sup>27</sup> it is regarded as a courtyard [and the movement of objects within it] is permitted. 'If the greater part of it is sown [etc.]'.

Said R. Huna son of R. Joshua: This applies only [where the area sown was] bigger than two beth se'ah<sup>28</sup> but one of two beth se'ah<sup>29</sup> is permitted.<sup>30</sup> In agreement with whose view? Is it in agreement with that of R. Simeon; for we learned: R. Simeon ruled: Roofs, courtyards and karpafs<sup>31</sup> are equally regarded as one domain in respect of [carrying from one into another] objects that were kept within them when Sabbath began, but not in respect of objects that were in the house when the Sabbath began?<sup>32</sup> But [it may be objected] even according to R. Simeon, since the major part of it was sown [with seed] would not the minor part

(1) The Rabbis, who (supra 18a ab init.) contended that it is permissible to move objects in a garden and the like (which were not enclosed for dwelling purposes) if the area is not more than two beth se'ah i.e., about seventy and two-thirds cubits square (Rashi).

(2) By which area of two beth se'ah exceeds that of seventy and two-thirds cubits square (cf. infra n. 8). According to the first Tanna the area may be as large as two beth se'ah while according to R. Akiba it must not exceed that of 70 2/3 cubits square.

# ERUVIN – 2a-26b

(3) Which Moses made in the wilderness, sc. 100 X 50 cubits (Ex. XXVII, 18).

(4) That the dimensions of the court of the Tabernacle are to be squared to fix the area in connection with the moving of objects on Sabbath.

(5) Ex. XXVII, 18; lit., 'fifty by fifty'.

(6) By the addition of the apparently superfluous 'by fifty' (cf. prev. note) to the dimensions of a hundred by fifty.

(7) The excess of the length (hundred cubits) over the breadth (fifty cubits), thus leaving a square area of fifty by fifty cubits.

(8) Sc. the square (cf. previous note). Rashi: Surrounding the square with equal strips cut from the remaining area of 50 X 50 cubits, a larger square area is the result. The area of two beth se'ah is consequently equal to 100 X 50 square cubits which (since a cubit 6 = handbreadths) equals  $100 \times 50 \times 6 \times 6 = 180,000$  sq. handbreadths. An area of  $(70 \text{ and } 2/3)$  squared cubits =  $(70 \times 6 + 4)$  squared =  $424$  squared =  $179,776$  sq. handbreadths. The difference between the first Tanna and R. Akiba is thus the small area of  $180,000 - 179,776 = 224$  sq. handbreadths (or  $224/36 = 6 \text{ and } 2/9$  sq. cubits) which if split up into small strips to surround with them the perimeter of  $(70 \text{ and } 2/3)$  squared cubits would be small indeed. [For a full mathematical discussion of this passage v. Feldman, op. cit. pp. 54ff].

(9) Lit., 'about what is it written'.

(10) Which speaks of the Tabernacle. What point was there in adding 'by fifty' to the dimension of length and breadth already given?

(11) Sc. fifty by fifty (v. next note).

(12) The Tabernacle was thirty cubits long and ten cubits wide. Dividing the length of the court (hundred cubits) in two sections and setting up the Tabernacle in one of these, its eastern front touching the dividing line, and its southern side removed twenty cubits from the south wall of the court there would remain (since the width of the court was fifty cubits) the following distance between the Tabernacle and the walls of the court.  $(100 - 50) \times 50 = 50 \times 50$  cubits in front of it,  $50 - 30 = 20$  at its back, and  $(50 - 10)/2 = 20$  cubits on its sides.

(13) Who also ruled: EVEN IF ITS LENGTH IS TWICE ITS BREADTH.

(14) Lit., 'made square'. R. Eliezer maintains that the authorized length is twice the breadth and no longer, but a squared area is also permitted; while R. Jose holds that the authorized area is a square although one whose length equals twice its breadth is also permitted. (V. Rashi. Cf., however, R. Han. in Tosaf. s.v. א"י א.ל.).

(15) By Amoras.

(16) That a non-squared area is also permitted.

(17) Var. lec. Nahman (Alfasi and Asheri).

(18) That it is not necessary for an enclosure to be put up especially for dwelling purposes.

(19) Lit., 'until there is', sc. in the enclosure.

(20) So that the enclosure may be regarded as put up for dwelling purposes.

(21) V. 163, n. 9.

(22) Since R. Akiba required a squared area.

(23) That a non-squared area is also permitted.

(24) V. Glos.

(25) Which people do not use as a dwelling place.

(26) Even in the part that was not sown; because its status is merged in that of the greater part.

(27) Among which people can, and do shelter.

(28) Such a large area, not having been fenced round for dwelling purposes, has the status of a karmelith (v. Glos.) while the unsown part has the status of a courtyard whose one complete side is fully open into a karmelith and both sections are consequently forbidden domains for the movement of objects on the Sabbath.

(29) Though the sown part is subject to the restrictions of a karpaf and the unsown one to those of a courtyard that fully opens out into a karpaf (cf. previous note).

(30) Since both belong to the same owner.

(31) Even if they belonged to different owners.

(32) In relation to a house, these are regarded as different domains even if they belong to one man, and any object taken out on Sabbath from the house to the courtyard must not be moved thence to the karpaf or roof (Rashi).

## Eruvin 24a

lose its own status to the major part and [the entire area<sup>1</sup> would thus] become a karpaf that is bigger than two beth se'ah<sup>2</sup> [the movement of objects in which] is forbidden?<sup>3</sup>—

The fact, however, is that if the statement has at all been made it must have been in the following terms: But<sup>4</sup> [it follows that] if its lesser part [only was sown, the movement of objects within it] is permitted. Said R. Huna son of R. Joshua, this applies only [where the sown area was] less than two beth se'ah<sup>5</sup> but [if it was] two beth se'ah [the movement of objects within the entire area] is forbidden.<sup>6</sup> In agreement with whose view?<sup>7</sup> — In agreement with that of the Rabbis.<sup>8</sup>

R. Jeremiah of Difti, however, taught it<sup>9</sup> on the side of leniency:<sup>10</sup> But<sup>11</sup> [it follows that] if

## ERUVIN – 2a-26b

its lesser part [only was sown the movement of objects within it] is permitted.

Said R. Huna son of R. Joshua: This applies only [where the sown area was no more than] two beth se'ah but if it was more than two beth se'ah<sup>12</sup> [the movement of objects within it] is forbidden. In agreement with whose view?<sup>13</sup> — In agreement with that of R. Simeon.<sup>14</sup> 'But if the greater part of it was planted [with trees] it is regarded as a courtyard and [the movement of objects within it] is permitted'.

Said Rab Judah in the name of Abimi: This [is the case only] where they are arranged in colonnade formation;<sup>15</sup> but R. Nahman said: Even if they were not arranged as a colonnade.

Mar Judah once happened to visit R. Huna b. Judah's when he observed certain [trees] that were not arranged as a colonnade<sup>16</sup> and people were moving objects between them. 'Does not the Master', he asked: 'uphold the view of Abimi?'<sup>17</sup> — 'I', the other replied: 'hold the same view as R. Nahman'.

R. Nahman laid down in the name of Samuel: If a karpaf that was bigger than two beth se'ah was not originally enclosed for dwelling purposes,<sup>18</sup> how is one to proceed?<sup>19</sup> A breach wider than ten [cubits] is made in the surrounding fence,<sup>20</sup> and this is fenced up so as to reduce it to<sup>21</sup> ten cubits<sup>22</sup> and [then the movement of objects]<sup>23</sup> is permitted.<sup>24</sup> The question was raised: What is the ruling where one cubit [width of fence] was broken down and the same cubit [of breach] was fenced up and [then the next] cubit [width of fence] was broken down and was equally fenced up [and so on] until [the breaking down and the re-fencing] of more than ten [cubits width of the fence] was completed?<sup>25</sup>—

[This case], came the reply,<sup>26</sup> is<sup>27</sup> exactly [the same in principle as the one about] which we learned: All [levitically defiled wooden]

utensils of householders [become clean if they contain holes] of the size of pomegranates;<sup>28</sup> and when Hezekiah asked: 'What is the ruling where one made a hole of the size of<sup>29</sup> an olive and stopped it up and then made another hole of the size of an olive and stopped it up [and so on] until one completed [a hole] of the size of<sup>29</sup> a pomegranate?'<sup>30</sup>

R. Johanan replied: Master, you have taught us [the case of] a sandal, for we learned:<sup>31</sup> 'A sandal<sup>32</sup> one of the straps of which was torn off and repaired retains its midras<sup>33</sup> defilement.<sup>34</sup> If the second strap was torn off and repaired [the sandal] becomes free from the midras<sup>33</sup> defilement<sup>35</sup> but<sup>36</sup> is unclean<sup>37</sup> [on account of its] contact with midras'.<sup>38</sup> And you asked in connection with this, 'Why is it<sup>39</sup> [that the absence of the] first [strap does not affect the status of the sandal? Obviously] because the second strap was then available [but then the absence of the] second strap also [should not affect the status of the sandal] since the first<sup>40</sup> was then available?' And then you explained this to us [that 'in the latter case] the object had assumed a new appearance;<sup>41</sup> well, in this case<sup>42</sup> also [it may be explained that] the object had assumed a new appearance; [and Hezekiah] made concerning him<sup>43</sup> the following remark: 'This [scholar] is no [ordinary] man'<sup>44</sup> [or as] some say: 'Such [a scholar] is [the true type of] man'.

R. Kahana ruled: In an open area<sup>45</sup> that [is situated] at the back of houses<sup>46</sup> objects may be moved<sup>47</sup> within a distance of four cubits only.<sup>48</sup> In connection with this R. Nahman ruled: If a [house] door was opened out into it, the movement of objects is permitted throughout the entire area, [since] the door causes it to be a permitted domain.<sup>49</sup> This,<sup>50</sup> however, applies only<sup>51</sup> where the door was made first<sup>52</sup> and [the area] was enclosed subsequently, but not where it was first enclosed and the door was made afterwards. 'Where the door was made first and [the area] was enclosed subsequently', [is it not]



# ERUVIN – 2a-26b

obvious [that the movement of objects in the area is permitted]? —

[This ruling was] required only in the case where it<sup>53</sup> contained a threshing floor.<sup>54</sup> As it might have been assumed that [the door] was made in order to give access<sup>55</sup> to the threshing floor,<sup>56</sup> we were therefore informed [that no such assumption is made]. Where a karpaf [whose area] exceeded two beth se'ah was originally enclosed for dwelling purposes but was subsequently filled with water, the Rabbis intended to rule [that water is subject to the same law] as seed<sup>57</sup> and [that movement of objects in the enclosure] is, therefore, forbidden, but R. Abba<sup>58</sup> the brother<sup>59</sup> of Rab<sup>60</sup> son of R. Mesharsheya said: Thus we rule in the name of Raba: Water [is subject to the same law] as plants,<sup>61</sup> and [the movement of objects within the enclosure] is consequently permitted.

- (1) The sown part that was less than two beth se'ah and the unsown part that may be bigger than two beth se'ah.
- (2) Which is subject to the restrictions of a garden.
- (3) Even where it was enclosed for dwelling purposes, and even if all of it belonged to one owner.
- (4) Since the prohibition was laid down in connection with a karpaf, the greater part of which was sown.
- (5) So that it was not of sufficient importance to be given a status of its own.
- (6) Because the sown portion has the status of a karpaf that was not enclosed for dwelling purposes. Such a karpaf, provided it is not bigger than two beth se'ah, is a permitted domain only where it is not abutting on any other domain; but here, since it opens out into a kind of courtyard, one side of which is fully exposed to it, the two domains are a mutual cause of prohibition, and no object may be carried from the one into the other.
- (7) Was R. Huna's statement made.
- (8) Who hold that two domains, though they are the property of one man and though none is inhabited, may be a mutual cause of prohibition (cf. infra 8).
- (9) R. Huna's statement just discussed.
- (10) Sc. that even if the area of the lesser part was two beth se'ah, it is regarded as a permitted domain as if it had not opened out at all into a broken yard.
- (11) V. supra note 4.

- (12) Since the enclosure was not put up for dwelling purposes.
- (13) Was R. Huna's statement made.
- (14) Sc. even R. Simeon agrees in such a case.
- (15) So that one can rest there in comfort.
- (16) The area which was larger than two beth se'ah, was originally enclosed for dwelling purposes and later planted with trees.
- (17) That unless the trees are arranged in colonnade formation the movement of objects between them is forbidden.
- (18) And a house was subsequently built with a door opening into it.
- (19) If it is desired to move objects from the karpaf to the house and vice versa.
- (20) Lit., 'in it'. Thereby the validity of the fence is annulled.
- (21) Lit., 'and he makes it stand on'.
- (22) Thereby turning the breach into a doorway of the permitted legal size.
- (23) V. supra n. 5.
- (24) Since the reconstruction of the fence took place after the house was built, the entire karpaf may be regarded as having been enclosed for dwelling purposes.
- (25) Is the karpaf regarded as enclosed for dwelling purposes on account of the new section of fence that was put up after the house had been built or must the prescribed breach of more than ten cubits be made in the fence before any part of it is re-built?
- (26) [Lit., 'he said'. It is difficult to say to whom 'he' refers, and these words are best omitted with MS.M.]
- (27) Lit., 'not'?
- (28) Kel. XVII, 1. With such big holes the object loses the status of utensil and assumes that of a broken one which is not susceptible to levitical defilement.
- (29) Lit., 'like one that brings out'.
- (30) Is the utensil regarded as a broken one because the total space of the small holes was of the size required, or must a utensil contain such a hole at one and the same time before it can be regarded as a broken object that is unsusceptible to levitical defilement?
- (31) So Bah. Absent from cur. edd.
- (32) That was levitically defiled.
- (33) מדרס (rt. דרס 'to tread') defilement imparted through treading on an object by any of those enumerated in Lev. XII, 2; XV, 2, 25. The object thus defiled communicates defilement to human beings and vessels.
- (34) Because the sandal can still be used for its original purpose as footwear.
- (35) Since it is no longer fit for its original use as a sandal.
- (36) Since it may still be used for other purposes.

# ERUVIN – 2a-26b

(37) In a minor degree, communicating defilement to foodstuffs and liquids only, but not to human beings and vessels.

(38) Sc. with the sandal as it was before the strap was torn off when it was an object of midras defilement. At the moment the strap was severed, the damaged sandal was in contact with the undamaged one.

(39) Lit., 'what is the difference?'

(40) Having been repaired.

(41) Lit., 'new face came here', the present repaired straps are not the original ones. As the original ones were torn off, the former defilement ceased, and as no new midras or 'treading' occurred after the new ones were attached, the repaired sandal remains free from the midras defilement.

(42) Where a number of small holes that equal in their totality, the prescribed large one have been individually stopped up.

(43) R. Johanan.

(44) His genius is supernatural.

(45) That was bigger than two beth se'ah and surrounded by a fence.

(46) But no house door opened out into it.

(47) On the Sabbath.

(48) From the place where they rested.

(49) The last clause is absent from MS.M.

(50) The permissibility of movement where a house door opens out into the area mentioned.

(51) Lit., 'and he did not say them but'.

(52) Lit., 'when he opened'.

(53) The area in question.

(54) Between the house and the enclosure round the open area.

(55) Lit., 'with the intention of'.

(56) And not in connection with the enclosed area at the back.

(57) Cf. supra 23b ad fin.

(58) MS.M. 'the father of R. Mesharsheya son of Rab'.

(59) So marg. note. Cur. edd. enclose in parenthesis 'father'.

(60) Var. lec. 'Raba' (Emden).

(61) Trees. Cf. supra 23b.

not correct,<sup>6</sup> since [water] is in the same category as a heap of fruit.<sup>7</sup>

There was at Pum Naharas a certain open area<sup>9</sup> whose one side opened into [an alley in] the town and the other side opened into a path between vineyards<sup>10</sup> that terminated at the river bank. How, said Abaye, are we to proceed?<sup>11</sup> Should we put up for it<sup>12</sup> a [reed] fence on the river bank,<sup>13</sup> one partition upon another partition,<sup>14</sup> surely, cannot [in such a case, usefully] be put up.<sup>15</sup> And should the shape of a doorway be constructed for it at the entrance to the path between the vineyards,<sup>16</sup> the camels coming [that way]<sup>17</sup> would throw it down. [The only procedure,] therefore,<sup>18</sup> said Abaye, [is this:] Let a side-post be put up at the entrance to the path of the vineyards<sup>19</sup> so that [this construction], since<sup>20</sup> it is effective in respect of the path of the vineyards,<sup>21</sup> is also effective in respect of the open area.<sup>22</sup>

Said Raba to him:<sup>23</sup> Would not people<sup>24</sup> infer that a side-post is effective in the case of any<sup>25</sup> path among vineyards.<sup>26</sup> Rather, said Raba, a side-post should be put up at the entrance to the alley,<sup>27</sup> and since<sup>28</sup> the side-post is effective in respect of the alley<sup>29</sup> it is also effective in respect of the open area. Hence it is permitted to move objects within the alley itself.<sup>29</sup> It is also permitted to move objects within the open area itself.<sup>30</sup> [But as regards] the moving of objects from the alley into the open space or from the open space into the alley, R. Aha and Rabina are at variance. One forbids this and the other permits it.

## Eruvin 24b

**Amemar ruled:** This<sup>1</sup> [applies only to such water] as is fit for use<sup>2</sup> but not [to such as are] unfit for use. **R. Ashi ruled:** Even<sup>3</sup> where it is fit for use the ruling applies only where the layer of water<sup>4</sup> does not extend<sup>5</sup> over more than two beth se'ah but if it does extend to more than two beth se'ah [the movement of objects within it] is forbidden. But this is

(1) That water in a karpaf is subject to the same law as a plantation of trees.

(2) Sc. for drinking, so that it supplies one of the requirements of a dwelling place.

(3) Lit., 'also'.

(4) That was ten handbreadths deep.

(5) Lit., 'that there is not in its depth'. A depth of ten handbreadths of water is subject in this respect to the laws of seed. On the question whether the greater, or lesser part of the layer of water was ten handbreadths in depth v. Tosaf. s.v. לא אמרין a.l.

(6) Lit., 'the thing'.

# ERUVIN – 2a-26b

(7) Aliter: 'A pit full of fruit'. כריא bears both meanings. A pile of fruit ten handbreadths high, however large its extent, does not deprive the enclosure in which it is kept of its status as a dwelling, and from a pit of fruit, however large or deep, it is freely permitted to take out the fruit on the Sabbath.

(8) פומ נהרא lit., 'river mouth', a town on the Tigris.

(9) That was larger than two beth se'ah and was not enclosed for dwelling purposes.

(10) That was inhabited.

(11) To enable the tenants to carry their things on the Sabbath despite the open area (v. supra n. 10) that had the status of a karmelith in which such movement is forbidden and which affects also the permissibility of movement in the alley and the vineyard path that adjoined it.

(12) For the open area which had around it a stone wall that could not easily be broken down and rebuilt to satisfy the requirements supra where an enclosure was not originally put up for dwelling purposes.

(13) Thus treating the area and the path as one domain so that the new fence which is put up for dwelling purposes might serve as a part of the enclosure and, being of the prescribed size, effect the desired permissibility.

(14) The river bank being ten handbreadths high is itself regarded as a fence.

(15) If it is desired to render a lower fence valid. Any fence round an area that was not originally enclosed for dwelling purposes cannot be rendered valid by merely raising its height. It must first be broken down to the prescribed size and then rebuilt.

(16) Such a contrivance, since it effects permissibility of movement in a path that runs into a public domain, would obviously effect it here where the path runs only into a karmelith, and, consequently, might also serve as a sort of fence for the open area; and, as it is built for dwelling purposes, might equally effect the validity of the enclosure around the area.

(17) From the town, to drink from the river, and proceeding through the alley across the open area.

(18) Lit., 'but'.

(19) Having its lower end fixed in the ground and consisting of the thinnest of posts, it would not be affected by the passing camels.

(20) Heb.: Miggo.

(21) Which, owing to the contrivance, is no longer regarded as having a gap opening into a karmelith and the movement of objects within it is, therefore, permitted.

(22) In accordance with the rule of miggo, the virtual fence at the entrance to the path represented by the side-post is also regarded as a fence put up for dwelling purposes in connection

with the open area. If the side-post, however, had not been the cause of the permissibility of movement in the path, the rule of miggo could not apply; and, as the entrance to the path was not wider than ten cubits, the virtual fence, being smaller than the required size, could not affect the permissibility of movement in the area either.

(23) Abaye.

(24) Relying on Abaye's ruling.

(25) Lit., 'in the world', 'elsewhere'.

(26) Even one that does not rundown to a river bank but to a public domain. Such an alley, however, cannot as a matter of fact be permitted by one side-post at one end.

(27) On the side that adjoins the open area. Lit., 'town' of which the alley forms a part.

(28) Miggo.

(29) Sc. it is permitted thereby to move objects in the alley if the shape of a doorway was put up at its other end, that is abutting on the public domain (cf. supra 7a).

(30) By the rule of miggo: Since the side-post is effective for the alley it is also effective for the open area.

## Eruvin 25a

One<sub>1</sub> permits it because [in the open area] there are no tenants;<sup>2</sup> and the other<sub>1</sub> forbids this, because sometimes [it may happen] that there would be tenants in it<sup>3</sup> and they<sup>4</sup> would still be moving objects [from the one into the other]. If a karpaf was larger than two beth se'ah and was not enclosed for dwelling purposes, and it is desired to reduce the size thereof,<sup>5</sup> then if it was effected by means of trees<sup>6</sup> the reduction is invalid. If a column, ten handbreadths in height and four handbreadths in width, was built up<sup>7</sup> it is a valid reduction. If [the column was] less than three [handbreadths wide] it constitutes no valid reduction. [If it is] between three and four [handbreadths wide] it is, said Rabbah, a valid reduction; but Raba maintained: It is no valid reduction.

Rabbah said that it was a valid reduction, since [such a size] is excluded from the law of labud.<sup>8</sup> Raba maintained that it was not a valid reduction, because so long as it does not cover a space of four [handbreadths in width] it is of no importance.<sup>9</sup> If at a distance of four handbreadths from the wall<sup>10</sup> a partition<sup>11</sup>

## ERUVIN – 2a-26b

was put up the act is legally effective,<sup>12</sup> [but if the distance was] less than three [handbreadths<sup>13</sup> the partition] is ineffective.<sup>14</sup> [If the distance was] between three, and four [handbreadths, the partition is], said Rabbah, effective, but Raba maintained: It is ineffective. Rabbah said that it was effective since [such a distance] is excluded from the law of labud.<sup>15</sup> Raba maintained that it was ineffective because so long as it does not extend over four handbreadths it is of no importance.<sup>16</sup>

R. Shimi taught [that the discussion<sup>17</sup> related] to [the more] lenient [procedure].<sup>18</sup> If the fence<sup>19</sup> was smeared with plaster and [the layer is so thick that it] can stand by itself it constitutes a reduction; where it cannot stand by itself it [nevertheless], said Rabbah, constitutes a reduction, but Raba maintained: It does not constitute a reduction. Rabbah said that it constituted a reduction because now at any rate it stands. Raba maintained that it constituted no reduction because in view of the fact that it cannot, stand by itself<sup>20</sup> it possesses no validity whatsoever.<sup>21</sup> If at a distance of four handbreadths from a mound<sup>22</sup> a partition was put up<sup>23</sup> it is effective.<sup>24</sup> [If, however, it was put up at a distance of] less than three [handbreadths] [from it] or [was actually put up] on the edge of the mound [there is a difference of opinion between] R. Hisda and R. Hamnuna. One holds that this is effective and the other maintains that it is ineffective.<sup>25</sup> You may conclude that it was R. Hisda who held that [the partition] is effective; for it was stated: If one partition was put up upon another, it is, R. Hisda ruled, effective as regards [the laws of] the Sabbath but no possession of the property of a proselyte<sup>26</sup> [may thereby] be acquired;<sup>27</sup> and R. Shesheth ruled it is ineffective even in [respect of the laws of] the Sabbath. This is conclusive.

R. Hisda stated: R. Shesheth, however, agrees with me that if a man put up a fence on the mound<sup>28</sup> it is effective.<sup>29</sup> What is the reason?

— Because the man dwells in the space between the upper fences.<sup>30</sup>

Rabbah b. Bar Hana enquired:<sup>31</sup> What if the lower fences were sunk in the ground<sup>32</sup> and the upper ones remained standing? In what [respect does this matter]? If [it be suggested] in respect [of acquiring possession]<sup>33</sup> of the estate of a proselyte,<sup>34</sup> [is not the principle here involved, it may be retorted,] exactly the same [as that underlying a ruling] of Jeremiah<sup>35</sup> Bira'ah who ruled in the name of Rab Judah: If a man threw vegetable seeds into a crevice<sup>36</sup> of a proselyte's<sup>34</sup> land and then another Israelite came and hoed a little,<sup>37</sup> the latter does, and the former does not acquire possession, because<sup>38</sup> at the time the former threw [the vegetable seed] he did not improve [the ground] and any eventual improvement<sup>39</sup> came automatically?<sup>40</sup> If, on the other hand,<sup>41</sup> [it be suggested that the question arises] in respect of [the laws of] the Sabbath,<sup>42</sup> [such a partition, surely, it could be retorted, is] one that was put up on the Sabbath<sup>43</sup> concerning which it was taught: Any partition that is put up on the Sabbath, whether unwittingly or presumptuously, is regarded as a valid<sup>44</sup> partition?<sup>45</sup> — Has it not, however, been stated in connection with this ruling that R. Nahman ruled: This was taught only in respect of throwing,<sup>46</sup> but the moving [of objects within it] is forbidden?<sup>47</sup>—

When R. Nahman's statement was made it was in respect of one who acted presumptuously.<sup>48</sup> A certain woman once put up a fence on the top of another fence in the estate of a proselyte,<sup>49</sup> when a man came and hoed [the ground] a little. [The latter then] appeared before R. Nahman who confirmed it in his possession. The woman thereupon came to him and cried. 'What can I do for you', he said to her, 'Seeing that you did not take possession in the proper way?'<sup>50</sup> If a karpaf [was of the size of] three beth se'ah and one beth se'ah was provided with a roof, its covered space, ruled Rabbah,<sup>51</sup> causes it still to be deemed bigger [than two beth



## ERUVIN – 2a-26b

se'ah],<sup>52</sup> but R. Zera ruled: Its covered space does not cause it to be deemed bigger.<sup>53</sup> Must it be assumed that Rabbah<sup>51</sup> and R. Zera differ on the same principle as that on which Rab and Samuel differed? For was it not stated: If an exedra<sup>54</sup> was situated in a valley, it is, Rab ruled, permitted to move objects within all its interior; but Samuel ruled: Objects may be moved within four cubits only. Rab ruled that it was permitted to move objects in all its interior, because we apply [the principle:] The edge of the ceiling descends and closes up.<sup>55</sup> But Samuel ruled that objects may be moved within four cubits only, because we do not apply [the principle:] The edge of the ceiling descends and closes up?<sup>56</sup> —

(1) Lit., 'he who'.

(2) To claim a share in it. Hence it may be regarded as the domain of the tenants of the alley. The occupants of the path need not be considered in this respect since the path and the open space stand in the same relationship respectively as a small courtyard and a large one that open into one another where the movement of objects is permitted in the latter though forbidden in the former.

(3) And the movement of objects from the one into the other would consequently be forbidden.

(4) The tenants of the path as well as those of the open area being unaware of the difference of status.

(5) Lit., 'and he came to reduce it'.

(6) Since trees usually grow in a karpaf the new plantation does not produce any change in the character of the spot (cf. Rashi s.v. באילנות and Bah a.l.).

(7) Anywhere in the area.

(8) V. Glos. only to a space that is smaller than three handbreadths is the law applied. One of three is considered important and cannot, therefore, be disregarded.

(9) And is deemed to be non-existent.

(10) Of a karpaf

(11) For dwelling purposes.

(12) Sc. the partition is regarded as valid and the karpaf is deemed to have been enclosed for dwelling purposes, provided a house door was made to open into it before the partition was put up.

(13) So that it may be regarded as joined to the fence of the karpaf and forming with it one thick fence.

(14) Since a new and independent partition of the prescribed size must be put up after a house door

was opened into the karpaf (cf. supra p. 171, n. 13).

(15) V. supra p. 171, n. 9.

(16) And is deemed to be nonexistent.

(17) Between Rabbah and Raba.

(18) I.e., where the width of the column or the distance of the partition from the wall was less than three handbreadths. Where, however, it was between three and four handbreadths, he maintains, both Rabbah and Raba agree that, as the rule of labud does not apply, the pillar constitutes a proper reduction and the partition is deemed valid and put up for dwelling purposes.

(19) Lit., 'on it', the fence across the karpaf under discussion.

(20) Sc. without the support of the fence to which it is attached.

(21) Lit., 'it is nothing'.

(22) That was situated in a karpaf and that was more than two beth se'ah removed from the fence around it.

(23) For dwelling purposes; and the distance between the new partition and the original fence exceeds two beth se'ah.

(24) It is regarded as a valid wall and, since it was put up for dwelling purposes, effects the permissibility of the entire karpaf.

(25) A mound has the status of a partition; and it is the view of the former that one partition on the top of another is valid while the other maintains that it is invalid.

(26) Who died, leaving no Jewish heirs, and whose estate may accordingly be seized by any member of the public.

(27) Should one person put up a fence on the top of another in the deceased proselyte's estate and a second person subsequently performs another act of valid kinyan (v. Glos.) the latter would, and the former would not gain the possession of the estate.

(28) Where the mound was bigger than two beth se'ah.

(29) As far as the mound itself is concerned. It is permitted to move objects on the mound though in the karpaf in which it is situated this is forbidden.

(30) The lower fences around the karpaf may, therefore, be completely disregarded.

(31) According to the view that one partition on the top of another is invalid.

(32) Lit., 'were swallowed'.

(33) By putting up a fence on the top of another, the latter subsequently sinking in the ground and the former remaining.

(34) V. Supra n. 2.

(35) The reading in the parallel passage in B.B. 53b and Git. 34a is 'R. Jeremiah'.

(36) Which he himself had not dug. Digging would have constituted kinyan and no further act would have been necessary.

(37) This being a form of kinyan.

# ERUVIN – 2a-26b

(38) Lit., ‘what is the reason?’

(39) When the seeds produced a crop.

(40) It is not the direct action of the man; while kinyan (v. Glos.) can be effected by a direct act only (v. B.B. 42a). Similarly in the case of the fence: Since the upper one came into the proper position through the accidental sinking of the lower one and not through any direct act of the person it cannot obviously be deemed the direct result of his act and cannot consequently be regarded as a valid kinyan.

(41) Lit., ‘and but’.

(42) Whether a karpaf may be turned into a permitted domain by the upper fences (that were built for dwelling purposes) after the lower ones have sunk.

(43) When the lower ones sank. Before this happened the upper fence was legally non-existent.

(44) Lit., ‘its name (is)’.

(45) Shab. 101b, supra 20a.

(46) Sc. it is forbidden to throw an object from a public domain into such an enclosure.

(47) How then could this ruling be adduced as proof that the fence under discussion is deemed valid in respect of permitting the movement of objects within the area that it encloses?

(48) The fence under discussion, however, came into position through an accident. Hence it is valid in all respects even according to R. Nahman.

(49) With the object of acquiring possession (cf. supra p. 173, n. 2).

(50) Lit., ‘as men take possession’.

(51) V. marg. note. Cur. edd., ‘Raba’.

(52) I.e., the covered area is still regarded as a part of the open karpaf.

(53) The edge of the roof is said to descend and close up the covered area and thus reduce the open karpaf to the permitted size.

(54) V. Glos. It is provided with a roof but is open at its sides.

(55) So that the exedra is virtually provided with walls.

(56) Infra 90a, 94b, Suk. 18b. Is Rabbah then of the same opinion as Samuel and R. Zera of the same opinion as Rab (cf. supra n. 3)?

## Eruvin 25b

If [the roof<sup>1</sup> over the beth se'ah] were made like an exedra<sup>2</sup> [the ruling would] indeed have been the same,<sup>3</sup> but here we are dealing with one that was made in the shape of a hammock.<sup>4</sup>

R. Zera stated: I admit, however, that where a karpaf<sup>5</sup> has a gap across its entire width<sup>6</sup>

towards a courtyard [the movement of objects within it] is forbidden. What is the reason? Because the space of the courtyard increases its extent.<sup>7</sup> R. Joseph demurred: Does a space [from] which<sup>9</sup> it is permitted [to move objects] into it cause its prohibition? —

Said Abaye to him: In accordance with whose view [do you demur]? Apparently in accordance with that of R. Simeon;<sup>10</sup> but according to R. Simeon also there is in fact the space of the position of the walls.<sup>11</sup> For R. Hisda ruled: If a gap across the full width of a karpaf was opened towards a courtyard [movement of objects] is permitted in the latter and forbidden in the former. Now why [is this permitted in] the courtyard? [Is it on account of the fact] that it has ridges?<sup>12</sup> Does it not, however, sometimes happen<sup>13</sup> that the reverse is the case?<sup>14</sup> Consequently<sup>15</sup> [it must be admitted that] the reason is<sup>16</sup> that as regards the karpaf<sup>17</sup> the space of the walls increases its extent<sup>18</sup> while in that of the courtyard<sup>17</sup> the space of the walls does not increase it.<sup>19</sup>

A certain orchard adjoined the wall of a mansion.<sup>20</sup> When the outer wall of the mansion<sup>21</sup> collapsed it was R. Bibi's intention to rule that one might rely<sup>22</sup> upon the inner walls,<sup>23</sup> but R. Papi said to him, ‘Because you are yourselves frail beings you speak frail words.<sup>24</sup> Those walls were made for the interior [of the mansion]; they were not made for [the orchard] outside’.<sup>25</sup> The exilarch had a kind of banqueting hall in his orchard.<sup>26</sup> ‘Will the Master’, he said to R. Huna b. Hinena, ‘make some provision whereby we might be enabled to dine there tomorrow’.<sup>27</sup> The latter accordingly proceeded [to construct a passage<sup>28</sup> by putting up a reed-fence]<sup>29</sup> fixing each reed [within a distance of] less than three [handbreadths from the other].<sup>30</sup> Raba, however, went there

(1) V. Rashi. Aliter: The walls in the covered area (v. Tosaf. s.v. \*8 a.l.).

(2) I.e., level and not slanting (Rashi). Aliter: Open on two sides only (v. Tosaf. l.c.).

# ERUVIN – 2a-26b

- (3) Sc. even Rabbah would adopt the ruling of Rab.
- (4) Attached to the trees. Since the roof is slanting it has no edges that might be said to descend and form the virtual walls (v. Rashi). Aliter: Being open on four sides it cannot be given the status of a walled structure (v. Tosaf. s.v. אֲשֶׁר א.ל.).
- (5) That was bigger than two beth se'ah.
- (6) Lit., 'in its fullness'.
- (7) Above the permitted size, the principle, 'The edge of the ceiling, etc.' being inapplicable in this case.
- (8) Sc. the courtyard.
- (9) According to R. Simeon.
- (10) Supra 23b (v. prev. note) where R. Simeon has laid down that it is permitted to move objects from a courtyard into a karpaf.
- (11) By which the area of the karpaf that was exactly two beth se'ah is increased to more than the permitted size.
- (12) The remnants of the fallen wall, which, being situated on both sides of the gap that is not wider than ten cubits, form, according to the Rabbis, a kind of doorway.
- (13) When the karpaf is wider than the courtyard.
- (14) That it is the karpaf that has the ridges and that the courtyard has them not. If then the view of the Rabbis is followed why this distinction between karpaf and courtyard?
- (15) Since the karpaf only has been singled out for prohibition.
- (16) Not as has been assumed before in agreement with the view of the Rabbis.
- (17) Lit., 'this'.
- (18) In agreement with R. Simeon who, otherwise, permits the movement of objects from the courtyard into it.
- (19) Hence its permissibility. As the only reason for the prohibition is the increased area of the karpaf the prohibition cannot apply to a courtyard which was originally enclosed for dwelling purposes. The question of the ridges does not arise since in the absence of ridges also R. Simeon permits the movement of objects from the courtyard to the karpaf. And should it happen that the ridges were on the side of the karpaf the courtyard would still be permitted in agreement with R. Simeon (cf. supra n. 9) while the karpaf also would be permitted since the space previously occupied by the fallen walls cannot be regarded as an increase of its area on account of the ridges. Thus, at any rate, it follows that even according to R. Simeon the space previously occupied by the fallen walls is regarded as an addition to a karpaf.
- (20) The orchard was bigger than two beth se'ah and enclosed by a wall that was put up after a door from the mansion was opened to it, so that it was enclosed for dwelling purposes.

- (21) The wall that divided the mansion from the orchard and which had a door that communicated between the two.
- (22) In permitting the movement of objects in the orchard.
- (23) Which might also be regarded as walls of the orchard.
- (24) אֲשֶׁר = 'because you'. Aliter: 'Because you are descendants of short-lived people'. Bibi who was the son of Abaye was a descendant of the house of Eli (cf. R.H. 18a) who were condemned to die young (v. I Sam. II, 32). Cf. B.B., Sonc. ed., p. 582, n. 6.
- (25) The orchard, being bigger than two beth se'ah, cannot consequently be regarded as having been enclosed for dwelling purposes.
- (26) That was bigger than two beth se'ah.
- (27) On the Sabbath day. As the hall was built after the enclosure round the orchard had been put up, the area enclosed was subject to the restriction of a place that was first enclosed for no dwelling purpose and that was only subsequently inhabited. It was, therefore, (v. previous note) forbidden to move any objects, including the foodstuffs and utensils required for the meal, from the house to the banqueting hall through the orchard. Hence the exilarch's request.
- (28) From the house to the hall across the orchard.
- (29) On either side of the passage.
- (30) So that according to the rule of labud (v. Glos.) the fence was deemed to be legally compact and valid, and the passage consequently assumed the status of a domain in which it was permitted to move objects on the Sabbath.

## Eruvin 26a

and pulled them out<sup>1</sup> and R. Papa and R. Huna son of R. Joshua followed him and picked them up.<sup>2</sup> On the following day, however, Rabina raised an objection against Raba: [The Sabbath limits of] a new town are measured from its inhabited quarters<sup>3</sup> and of all old one from its town wall. What is meant by a 'new [town]' and what by an 'old one'? A new [town is one] that was first surrounded [by a wall] and subsequently settled, and an old [town is one that was first] settled and subsequently surrounded [by a wall]. Now is not this [orchard] also<sup>4</sup> like [a town that was first] surrounded [by a wall] and subsequently settled?<sup>5</sup>

R. Papa also said to Raba: Did not R. Assi rule that the screens used by master builders<sup>6</sup>

# ERUVIN – 2a-26b

are not valid<sup>7</sup> ones, from which it is obvious that as it is put up for the sake of privacy only, it is no valid partition? Now in this case<sup>8</sup> also, since [the hall] was put up for the sake of privacy only,<sup>9</sup> [its walls] cannot be regarded as valid partitions.<sup>10</sup>

R. Huna son of R. Joshua also said to Raba: Did not R. Huna rule that a partition that was intended to [protect objects] put [beside it] is no valid one?<sup>11</sup> For, as a matter of fact, Rabbah b. Abbuha provided a separate ‘erub for each row of alleys throughout all Mahuza,<sup>12</sup> on account of the cattle ditches<sup>13</sup> [that separated one row from another]. Now [have not the screens protecting] the cattle ditches the same status as a partition intended to [protect objects] put [beside it]?<sup>14</sup> The exilarch, thereupon, applied to them the Scriptural text: They are wise to do evil,<sup>15</sup> but to do good they have no knowledge.<sup>16</sup>

R. ILA'I STATED: I HEARD FROM R. ELIEZER, EVEN IF IT IS AS LARGE AS A BETH KOR. Our Mishnah cannot be in agreement with the view of Hanania, for it was taught: Hanania ruled: Even if it was [as large as] forty beth se'ah [as big] as a royal rearcourt.<sup>17</sup> And both,<sup>18</sup> said R. Johanan, based their expositions on the same Scriptural text, for it is said: And it came to pass, before Isaiah was gone out of the inner court;<sup>19</sup> [since] it was written ‘the city’<sup>20</sup> and we read ‘court’<sup>21</sup> it may be inferred<sup>22</sup> that royal rearcourts were [as big] as moderately sized cities. On what principle do they<sup>18</sup> differ? One Master is of the opinion that [the extent of] moderately sized cities is one beth kor, while the other Master holds that [their size] is that of forty se'ah. What, however, did Isaiah want there?<sup>23</sup> —

Rabbah b. Bar Hana replied in the name of R. Johanan: This<sup>24</sup> teaches that Hezekiah was stricken with illness and Isaiah proceeded to hold a college at his door.<sup>25</sup> From this [it may be inferred] that when a scholar falls ill a college is to be held at his door. This,

however, is not [always the proper] course,<sup>26</sup> since Satan might thereby be provoked.

I LIKEWISE HEARD FROM HIM THAT IF ONE OF THE TENANTS OF A COURTYARD FORGOT TO JOIN IN THE ‘ERUB, HIS HOUSE IS FORBIDDEN. Did we not, however, learn: His house is forbidden both to him and to them for the taking in or for the taking out of any object?<sup>27</sup>—

R. Huna son of R. Joshua replied in the name of R. Shesheth: This is no difficulty;

- (1) In his opinion it was not necessary at all to make any provision for the moving of objects in the orchard. He regarded the entire area on account of the banqueting hall it contained, as a courtyard that was put up for dwelling purposes.
- (2) To prevent R. Huna b. Hinena from putting them up again.
- (3) The area between the inhabited quarter and the town walls is regarded in this respect as being outside the town.
- (4) Since the banqueting hall was built after the orchard had been enclosed.
- (5) How then could Raba permit the moving of objects on the Sabbath in the orchard?
- (6) To protect them from the sun.
- (7) Lit., ‘its name is not partition’.
- (8) The banqueting hall in the orchard.
- (9) It was not intended as a dwelling place.
- (10) The hall cannot consequently have the status of a dwelling and the movement of objects in the orchard around it should, therefore, be forbidden. An objection against Raba (v. supra n. 2).
- (11) Lit., ‘its name is not partition’.
- (12) A comparatively small town without a wall around it situated on the Tigris, south of Bagdad.
- (13) These contained offal of dates on which the cattle fed, and partitions extending from one end of the town to the other were provided at the extremities of the alleys for the protection of the cattle ditches.
- (14) Of course they have; and this is the reason why they were invalid though they were permanent fixtures. Similarly in the case of the hall in the orchard, since it was put up for the purpose of protecting objects deposited within it and not as a dwelling, the movement of objects in the orchard enclosure around it should consequently be forbidden. Again an objection against Raba (v. Supra p. 178, n. 2). The interpretation of the passage here adopted follows



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the lines of תשובת הגאונים (v. Rashi s.v. להרע 26a). Cf. Rashi's interpretation and Tosaf. s.v. ההוא 25b.

(15) Allusion to their destruction of R. Huna b. Hinena's work, which deprived the exilarch and his party from the use of the banqueting hall on that day.

(16) Jer. IV, 22.

(17) Behind the palace (v. Rashi).

(18) R. Ila'i and Hanania in arriving at their respective rulings.

(19) II Kings XX, 4.

(20) The kethib is העיר.

(21) The kre is קצר.

(22) Lit., 'from here'.

(23) In the king's inner court which is not a place for visitors.

(24) The mention of Isaiah's presence in the inner court.

(25) The study of the Torah banishes disease.

(26) Lit., 'the thing'.

(27) Infra 69b, contrary to our Mishnah which restricts the prohibition 'TO HIM' only.

## Eruvin 26b

one is the ruling of<sup>1</sup> R. Eliezer<sup>2</sup> and the other is that of the Rabbis. And on careful consideration of their statements you will find that, according to the view of R. Eliezer, he who renounces his rights to his courtyard<sup>3</sup> renounces ipso facto his rights to his house also, and that according to the Rabbis he who renounces his rights to his courtyards does not ipso facto renounce them in respect of his house. Is not this<sup>4</sup> obvious?<sup>5</sup> —

Rehabah<sup>6</sup> replied: I and R. Huna b. Hinena explained that it<sup>4</sup> was necessary only in respect of five persons who lived in one courtyard and one of them forgot to join in the 'erub.<sup>7</sup> According to the ruling of R. Eliezer<sup>8</sup> this man, when he renounces his right,<sup>9</sup> need not renounce it [specifically] in favor of every one of the tenants,<sup>10</sup> but according to the Rabbis<sup>11</sup> the man who renounces his rights must do so [specifically] in favor of every one of the tenants.<sup>12</sup> In accordance with whose view is<sup>13</sup> that which was taught: If five persons live in one courtyard and one of them forgot to join in the 'erub [with the others] he, when renouncing his right,<sup>14</sup> need not do it

[specifically] in favor of everyone of the tenants individually?<sup>15</sup> —

'In accordance with whose [view', you ask]? In accordance, of course, with that of R. Eliezer. R. Kahana taught in the manner just stated.<sup>16</sup> R. Tabyomi taught as follows:<sup>17</sup> In accordance with whose view is<sup>18</sup> that which was taught: If five persons live in one courtyard and one of them forgot to join in the 'erub [with the others] he, when renouncing his rights,<sup>19</sup> need not do it [specifically] in favor of every one individually?<sup>20</sup> In accordance with whose [view, I ask, is this ruling]? —

Said R. Huna b. Judah in the name of R. Shesheth: 'In accordance with whose [view' you ask]? In accordance with that of R. Eliezer.

Said R. Papa to Abaye: What is the ruling according to R. Eliezer,<sup>21</sup> if a tenant<sup>22</sup> explicitly stated: 'I do not renounce my right [in my house]',<sup>23</sup> and, according to the Rabbis,<sup>24</sup> if he explicitly stated: 'I renounce my right [in my house]'?<sup>25</sup> Is R. Eliezer's reason<sup>26</sup> based on the view that any tenant who renounces his right in his courtyard renounces ipso facto his right to his house [and the ruling, consequently, would not apply here] since that man [explicitly] stated: 'I do not renounce my right'; or is it possible that R. Eliezer's reason<sup>26</sup> is that people do not live in a house without a courtyard<sup>27</sup> and, consequently, even where a man<sup>28</sup> states: 'I do not renounce my right in my house', his declaration may be disregarded,<sup>29</sup> so that though he said: 'I would live [in the house alone]', his statement is null and void?<sup>30</sup> And what is the ruling, according to the Rabbis, if he [explicitly] stated: 'I renounce my right'? Is the Rabbis' reason<sup>31</sup> the view that a man who renounces his right in his courtyard does not ipso facto renounce his right to his house [and their ruling consequently would not apply here] since this man [specifically] declared: 'I renounce my right'; or is it possible that the Rabbis' reason<sup>31</sup> is that it is

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not usual for a man to give up completely his house and his courtyard and thus become a mere stranger as far as these are concerned [and their ruling would, therefore, apply here also, because] though this man stated: 'I renounce my right' his declaration is to be disregarded? — The other replied: Both according to the Rabbis and according to R. Eliezer since the man declared his wishes they must be respected.<sup>32</sup>

**I HAVE LIKEWISE HEARD FROM HIM THAT PEOPLE MAY FULFIL THEIR DUTY AT PASSOVER BY EATING 'ARKABLIN.<sup>33</sup> What [is the meaning of] 'ARKABLIN? —**

**Resh Lakish replied: Prickly creepers.<sup>34</sup>**

## CHAPTER III

**MISHNAH. WITH ALL [KINDS OF FOOD] MAY 'ERUB<sup>35</sup> AND SHITTUF<sup>36</sup> BE EFFECTED, EXCEPT WATER AND SALT,<sup>37</sup> AND SO ALSO MAY ALL [KINDS OF FOODSTUFFS] BE PURCHASED WITH MONEY OF THE SECOND TITHE<sup>38</sup> EXCEPT WATER AND SALT.<sup>39</sup> IF A MAN VOWED TO ABSTAIN FROM FOOD HE IS ALLOWED [TO CONSUME] BOTH WATER AND SALT. AN 'ERUB<sup>40</sup> MAY BE PREPARED FOR THE NAZIRITE WITH WINE<sup>41</sup> AND FOR AN ISRAELITE WITH TERUMAH,<sup>42</sup> BUT SYMMACHUS RULED: WITH UNCONSECRATED PRODUCE ONLY.<sup>43</sup> [AN<sup>44</sup> 'ERUB MAY BE PREPARED] FOR A PRIEST IN A BETH PERAS,<sup>45</sup> AND R. JUDAH RULED: EVEN IN A GRAVEYARD,<sup>46</sup>**

- (1) Lit., 'that', the ruling in our Mishnah.
- (2) Whom R. Ila'i was reporting (v. our Mishnah).
- (3) Which is a prerequisite for the validity of the 'erub under discussion.
- (4) The inference just pointed out by R. Shesheth.
- (5) Of course it is. What then was the object in pointing it out?
- (6) Var. lec.: Raba.
- (7) Which the others prepared.
- (8) That a man's renunciation of his rights in a courtyard implies also his renunciation of his rights to his house, from which it follows that R. Eliezer assumes every man to be acting generously

and wholeheartedly in the interests of his neighbor.

(9) To the courtyard.

(10) His renunciation in favor of one particular neighbor is assumed to be generous and wholehearted in favor of all the neighbors.

(11) Who do not regard a man's renunciation of his rights in a courtyard as an indication of his renunciation of his rights to his house, from which it follows that they do not regard every person to be of a generous disposition.

(12) Otherwise, the 'erub is null and void.

(13) Lit., 'like whom goes'.

(14) To his share.

(15) A general renunciation is enough.

(16) Lit., 'thus', sc. that R. Shesheth drew an inference from our Mishnah and that Rehabah and R. Huna applied it to the Baraitha of the five tenants (cf. next note).

(17) Sc. that R. Shesheth himself applied the inference from our Mishnah to the Baraitha cited (cf. previous note).

(18) Lit., 'like whom goes'.

(19) To his share.

(20) A renunciation in favor of one is enough.

(21) Who holds that a man who renounced his right in a courtyard is ipso facto assumed to have renounced his right to his house.

(22) Who forgot to join in the 'erub with his neighbor in the courtyard.

(23) Are the other tenants permitted in these circumstances to carry objects into, or from that tenant's house or not?

(24) Who maintain that a man's renunciation of his right in a courtyard is not regarded as a renunciation of his right in his house also.

(25) Cf. supra n. 8.

(26) For his ruling.

(27) When, therefore, a man renounces his right to his courtyard he may be assumed to have renounced his right to his house also.

(28) Who renounced his right in his courtyard.

(29) As he has now no courtyard he cannot be deemed to have a house either; לאו כל כמיניה lit., 'not as if all is from him'.

(30) Lit., 'he said nothing', and R. Eliezer's ruling would still apply. The last clause, 'so that... void' אע"ג... קאמר which seems to be a repetition or an alternative to the preceding one is absent from MS.M.

(31) For their ruling.

(32) Lit., 'since he has revealed his mind he has revealed (it)'.

(33) Rendered supra 23a hart's-tongue or palm-ivy.

(34) Aruk. Adds דדקלא, 'of the palm-tree' (cf. Jast. and previous note).

(35) V. Glos. The term is here applied to 'erub of courtyards and 'erub of Sabbath limits (Rashi).

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Tosaf. (s.v. נכלל a.l.) points out that for an 'erub of courtyards only bread may be used (cf. infra 71b) and restricts the term of 'erub here to one of courtyards only.

(36) Applicable to an association of courtyard in the same alley for the purpose of enabling their residents to move objects on the Sabbath from the courtyards into the alley and vice versa. V. Glos.

(37) Since these cannot provide a satisfying meal. The essential element in an 'erub is its food value which imparts to it the status of a dining center for all who participate in it.

(38) The tithe given in the first, second, fourth and fifth year of the septennial cycle, which is to be spent in Jerusalem' (v. Deut. Xlv, 22ff).

(39) The reason is given in the Gemara infra.

(40) Of Sabbath limits.

(41) Though he himself is forbidden to drink it (v. Num. VI 2ff) it 'is permitted to other people and may, therefore, be regarded as a suitable food.

(42) Since (cf. previous note) it is a suitable food for a priest.

(43) The 'erub must consist of food which the person for whom it is prepared is himself able to eat.

(44) This is an anonymous ruling. It is not a continuation of Symmachus's statement.

(45) V. Glos., because under certain restrictions it is possible for a priest to enter such an area and so gain access to the 'erub.

(46) So MS. M. Cur. edd., 'between the graves'; even in such a place, whose uncleanness is more defined than that of a beth peras, may an 'erub for a priest be deposited.