

I.

BAVLI ERUBIN CHAPTER ONE

FOLIOS 2A-17B

1:1

- A. [The crossbeam above] an alley entry which is higher than twenty cubits should one diminish [making it lower].
 - B. R. Judah says, “It is not necessary.”
 - C. And [the alley entry] of a breadth [wider] than ten cubits should one diminish [making it narrower].
 - D. And if it has the shape of a doorway,
 - E. even though it is wider than ten cubits,
 - F. it is not necessary to diminish [it, making it narrower].
- I.1**
- A. [The crossbeam above] an alley entry which is higher than twenty cubits should one diminish [making it lower]. R. Judah says, “It is not necessary”:
 - B. *There we have learned in the Mishnah: A sukkah which is taller than twenty cubits is invalid. R. Judah declares it valid [M. Suk. 1:1A-B].*
 - C. *What differentiates the case of the sukkah, in which instance the rule is formulated in the language of unfitness [without remedy], from the case of the alleyway, in which instance the framer of the Mishnah has specified the remedy [for an improper arrangement]?*
 - D. *Since [the religious requirement of building] a sukkah derives [from the authority] of the Torah, the framer of the passage uses the language “unfit,”*

while, since the arrangement creating an artificial alleyway derives from the authority of rabbis, the framer of the passage has taught the remedy [namely, diminishing the height of the crossbar].

- E. *If you prefer, I shall propose a different solution:*
- F. *Even in matters deriving from the authority of the Torah one may well teach the required remedy. But in the case of the sukkah, with its numerous rules, the framer of the passage has simply framed matters in terms of unfitness. In the case of the alleyway, without numerous rules and regulations, the framer of the passage taught the remedy [for an improper arrangement].*

- I.2** A. [With reference to the position of the unassigned rule, the crossbeam above an alley entry which is higher than twenty cubits should one diminish making it lower], said R. Judah said Rab, “Sages derived their position only from the analogy of the entrance to the Holy Place [*heikhal*, situated between the hall leading to the interior of the Temple, the *ulam*, and the Holy of Holies, which contained the golden altar, the table for the showbread, and the candlestick (Slotki)]. And R. Judah derived his position only from the analogy of the entrance to the hall leading to the interior of the Temple itself. *For we have learned in the Mishnah: The entrance of the sanctuary is twenty cubits in height and ten cubits in breadth [M. Mid. 4:1A]. The entrance to the porch was forty cubits high and its breadth was twenty cubits [M. Mid. 3:7A]. And both of them expounded the same verse of Scripture, namely: ‘And kill it at the entrance of the tent of meeting’ (Lev. 3:2) [that is, the entrance to the Holy Place or heikhal]. Rabbis take the view that the sanctity of the Holy Place is distinguished from that of the hall leading into the Temple itself [ulam], and the sanctity of the hall leading into the Temple itself is distinct from that of the Holy Place. So that when Scripture speaks of ‘the entrance of the tent of meeting,’ it refers only to that of the Holy Place. R. Judah maintains that the sanctity of the one area is of the same degree as that of the other, and that when Scripture refers to ‘the entrance of the tent of meeting,’ it refers to both of them. [And the entrance to the hall leading into the Temple itself was forty by twenty cubits.]*
- B. *“But if you prefer, I shall say, R. Judah, too, takes the view that the sanctity of the Holy Place is distinguished from that of the hall leading into the Temple itself [ulam], and the sanctity of the hall leading into the Temple itself is distinct from that of the Holy Place. And here, this is the verse of Scripture*

that stands behind the position of R. Judah: 'To the entrance of the hall of the house' (cf. Eze. 40:48/47: 1)."

- C. *Then how will rabbis deal with the same evidence?*
- D. *If the verse read, "To the entrance of the hall," matters would have been as you propose. But since it is written, "To the entrance of the hall of the house," the sense is, the entrance of the house that opens into the hall [that is, the Holy Place/heikhal].*

I.3 A. *But is this verse of Scripture not written in connection with the tabernacle [made by Moses in the wilderness, and the height of the door could have been no more than ten cubits, since the walls were only ten cubits high, so Exo. 26:16? So how could we be speaking of twenty cubits in height?]*

B. *Well, we find that the tabernacle is called the sanctuary, and the sanctuary, tabernacle. For if you don't take that view, then note what R. Judah said Samuel said, "Peace-offerings that one slaughtered as sacrifices prior to the opening of the doors of the sanctum are invalid, for it is said, 'And he shall kill it at the door of the tent of meeting...', meaning, when it is open, but not when it is closed." But this verse of Scripture is stated with reference to the tabernacle! So it must follow that the tabernacle is called the sanctuary, and the sanctuary, tabernacle.*

C. *Well, there is no problem conceding that the sanctuary is called the tabernacle, for it is written, "And I will set my tabernacle among you" (Lev. 26:11) [which must refer to the Holy Place in the future, not the tabernacle that was already standing]. But how in the world do we know that the tabernacle was called the sanctuary? Should I say that it is because it is written, "And the Kohathites, the bearers of the sanctuary, set forward that the tabernacle might be set up against their coming" (Num. 10:21)? [2B] But that is written with reference to the ark [of which they were in charge, which might be called sanctuary]! Rather it derives from the verse, "And let them make me a sanctuary, that I may dwell among them" (Exo. 25: 8).*

I.4 A. *Whether from the perspective of rabbis or from that of R. Judah, might we not derive the rule concerning the maximum width of the entrance by analogy drawn from the entrance of the court of the tabernacle: "The length of the court shall be a hundred cubits and the*

breadth fifty everywhere and the height five cubits” (Exo. 27:18), and further, “The hangings for the one side of the gate shall be fifteen cubits” (Exo. 27:14), and, further, “And so for the other side, on this hand and that hand by the gate of the court were hangings of fifteen cubits” (Exo. 28:16). [So the width of the court was fifty cubits, it had hangings of fifteen cubits in width at each end, leaving an opening of 50 —30 or twenty cubits for an entrance (Slotki)]. Just as in that case, the entrance was five cubits in height and twenty cubits in width, so here, too, at the entrance to the alley entry, the dimensions should be five cubits in height and twenty cubits in width [not ten].

B. *An entry twenty cubits wide may be classified as the entrance to the gate of the court, but it can't be classified as an entrance in commonplace terms [but ten cubits in width would be right for an alleyway, the other being much too wide].*

C. *If you prefer, I shall say, when Scripture states, “The hangings for the one side of the gate shall be fifteen cubits” (Exo. 27:14), it speaks of the height [of the hangings, not the width at either side of the gate (Slotki)].*

D. *Can you imagine that it speaks of the height? Isn't it written, “And the height, five cubits” (Exo. 27:18)?*

E. *That makes reference only to the height above the edge of the altar [which was ten cubits in height (Slotki)].*

I.5

A. *Does R. Judah really invoke for the measurements of the gateway the analogy of the door of the hall leading to the interior of the Temple, the ulam? Haven't we learned in the Mishnah: **And [the alley entry] of a breadth [wider] than ten cubits should one diminish [making it narrower], at which point R. Judah does not enter a dissent!***

B. *Said Abbaye, “He does enter a dissent in an external Tannaite formulation, for it has been taught on Tannaite authority: And [the alley entry] of a breadth [wider] than ten cubits should one diminish [making it narrower]. R. Judah says, ‘He doesn't have to diminish it.’”*

C. *Well, shouldn't he enter his dissent into the formulation of the Mishnah?*

D. He did dissent as to the height of the gateway, and the same difference pertains also to the width.

I.6

A. *Does R. Judah really invoke for the measurements of the gateway the analogy of the door of the the hall leading to the interior of the Temple, the ulam? Hasn't it been taught on Tannaite authority: A crossbeam spanning the entrance to an alley at a height of more than twenty cubits should be diminished and lowered. R. Judah declares it valid up to a height of forty or fifty cubits. And Bar Qappara framed as a Tannaite teaching: even up to a hundred? Now it may well be claimed that Bar Qappara exaggerates somewhat, but what exaggeration can be imputed to R. Judah? For as to the measurement of forty cubits, one might suppose that he can invoke the analogy of the door of the hall leading to the interior of the Temple, which was forty cubits high. But where in the world is he going to get the measure of fifty?*

B. *Said R. Hisda, "The following Tannaite teaching is what led Rab to err, for it has been taught on Tannaite authority: **A crossbeam across the entrance of an alley that was more than twenty cubits high, thus higher than the doorway of the Holy Place [heikhal], should be diminished in height [T. Er. 1:1A-C].** So he drew this conclusion: Since rabbis invoke the analogy of the gate of the Holy Place, R. Judah likewise draws the analogy from the height of the same gateway [allowing for twenty cubits]. But that is not so. R. Judah derived his figure from the analogy of the doorways of kings.*

C. *And rabbis — if they invoke the analogy of the doorway of the Holy Place [heikhal], then they should require a gateway to have doors as does the Holy Place. Then how come we have learned in the Mishnah: **The validation of an alley entry [for carrying of objects on the Sabbath] —the House of Shammai say, "[It must have] a sidepost and a crossbeam."** And the House of Hillel say, "**A sidepost or a crossbeam**" [M. 1:2A-C]? [There is no requirement of doors, so how could rabbis, that is, the Hillelites, have invoked the analogy of the door of the Holy Place? (Slotki)]*

D. *The doors of the Holy Place [heikhal] were set there only for privacy in general [but not required].*

E. *In that case [with reference to the statement, **And if it has the shape of a doorway, even though it is wider than ten cubits, it is not necessary to diminish it, making it narrower**], the shape of the doorway would not make any difference [if the gateway is wider than ten cubits]. For the entrance to the Holy Place [heikhal] was in the shape of a doorway, and yet it was only ten cubits wide. Then how come we learn in the Mishnah, **And if it has the shape of a doorway, even though it is wider than ten cubits, it is not necessary to diminish it, making it narrower?***

F. *But does the operative verse of Scripture not derive only from Rab? Lo, when R. Judah repeated the Tannaite tradition to Hiyya bar Rab before Rab, “It is not necessary to reduce the width,” [Rab] said to him, “Repeat it for him, ‘It is necessary to reduce it.’”*

G. *Well, then, what about the following: **[3A] A cornice should not make any difference if the gateway is higher than twenty cubits, since the entrance to the Holy Place had a cornice, and yet it was only twenty cubits high, as we have learned in the Mishnah: **And five carved oak cornices were on top of it, one higher than the other**** [M. Mid. 2:7B]!*

H. *But what sort of an objection might that comprise? Isn’t it possible that when the Tannaite statement concerning the cornices was made, it addressed the the hall leading into the Temple itself [ulam]?*

I. *But what sort of a problem is that? Maybe the construction of the entrance to the Holy Place [heikhal] was like that of the entrance of the hall leading into the Temple itself [ulam]?*

J. *In any event, [reverting to G,] how come said R. Ilai said Rab, “[If the crossbeam was] four handbreadths wide, it is a proper gateway, even though it is not strong enough [to carry the weight of a small brick], and, moreover, if it had a cornice, it is not necessary to lower the height of the crossbeam, even if it was higher than twenty cubits”?*

K. *Said R. Joseph, “The ruling on the cornice is an external Tannaite tradition.” [Slotki: It isn’t Rab’s, and there is no contradiction among Rab’s own statements.]*

L. *Who is the Tannaite authority for that ruling?*

M. *Said Abbaye, "It belongs to Hama b. Rabbah bar Abbuha."*

N. *Well, even though the ruling on the cornice may be merely an external Tannaite ruling, still, it poses a contradiction to the position of Rab!*

O. *Rab may say to you, "Even if I omitted my statement in this context, are there no conflicts between the two external Tannaite formulations of rules? But what you have to say is that it is a conflict of Tannaite rulings, and so far as I am concerned, mine [and the contrary view] likewise represent a conflict of Tannaite rulings."*

P. *R. Nahman bar Isaac said, "Without Rab's statement in hand [that rabbis in the first ruling derived their measurement from the door of the Holy Place (Slotki)], there is no conflict between the two rulings, for rabbis' consideration in requiring that the height of the beam be lowered is that there must be a distinguishing mark [Slotki: between the alley and public domain into which it opens, and at a height of more than twenty cubits, the beam would not be noticed and people might mistake the alley for public domain; as a cornice can be noticed even at a higher altitude the limit of twenty cubits as stated in the second ruling would not be required]. And where the Tannaite rule states, 'Higher than the doorway of the Holy Place,' that serves as a mere mnemonic."*

Q. *Well, there is no problem with the position of R. Nahman bar Isaac if he doesn't concur with the view of Rabbah, but if he takes the position of Rabbah, which follows, then there is a problem, as will be spelled out. The position of Rabbah is this: "[That the sukkah may not be higher than twenty cubits] is because [Scripture] has stated, 'So that your coming generations may know that I made the children of Israel dwell in sukkot' (Lev. 23:43). [If the roof is] up to twenty cubits, someone will know that he is dwelling in a sukkah. If it is higher than twenty cubits, one will not know that he is dwelling in a sukkah, because [the roof] will be out of [the ordinary line of] sight." Now with respect to the sukkah, too, at issue is whether or not it is necessary that there be a distinction [calling attention to the roof, or, in our case, to the crossbeam]. So, we must wonder, why do they have to express what adds up to the same difference in two conflicts [the sukkah, the crossbeam of the alley]?*

R. Well, as a matter of fact, it was necessary [to express the same dispute in two apparently parallel matters]. For if we had been informed of the conflict with reference to the sukkah only, it might have been thought that it was in that matter in particular that R. Judah took the position that he did, since the sukkah is made as a place for sitting, so the roof must be within the ordinary line of sight, but in the case of a crossbeam to mark an alley, since that space is used merely for walking, he might agree with rabbis [that the crossbeam need not be within the line of sight]. And had we been informed of the latter case, I might have supposed that it was only in that case that rabbis took the position that they did, while in the other, they concur with R. Judah. So both rulings are required.

I.7 A. What is the definition of a cornice?

B. R. Hama b. Rabbah bar Abbuha said, "It is carvings in the shape of nests for birds."

C. When R. Dimi came, he said, "They say in the West, they are cedar poles" [Slotki: fixed to the walls on the sides of the entrance].

D. He who says that they are cedar poles [which would serve as a suitable marking for an entrance] all the more so would concur that nests would serve for the same purpose [Slotki: since these are all the more noticeable], but he who said that nests would mark off a proper entrance would accept only those but not cedar poles.

E. But what is the reason that the one who accepts cedar poles does so? Isn't it because they are very long [and so are easily noticed]? But isn't the extent of the roof of a sukkah also substantial, and even so, if it is more than twenty cubits high, rabbis rejected it!

F. Rather, since they are things of value, people will know about them [and be aware of their existence, but that is not the case with sukkah roofing if it is too high].

- I.8** A. If part of the crossbeam is lower than twenty cubits and part of it is higher than twenty cubits, or part of the sukkah roofing is lower than twenty cubits and part of the sukkah roofing is higher than twenty cubits —
- B. said Rabbah, “In the case of a crossbeam to mark off the entrance of an alleyway, it is valid; in the case of a sukkah, it is invalid.”

C. How come in the case of an alleyway it is valid? Because people invoke the rule, regard the beam as planed? So in the case of the sukkah also, regard the sukkah roofing as thinned down!

D. If you thin it down, you will come up with sukkah roofing that yields more sunshine than shade.

E. Well, then, here, too, if you plane it down, you will have a crossbeam that will fly away in the wind!

F. Rather, you have to say, the beams are treated as metal spits [thin but able to carry as heavy a weight as thick wood beams]!

G. Well, then, here, too, you have to say that we treat the roofing as though there were more shade than sunlight!

H. Said Raba of Paraziqa, “Since a sukkah belongs to a private party, someone might not have in mind that the roof was too high [if the roof should fall down or end up entirely above twenty cubits and be invalid], while since the crossbeam of an alleyway belongs to the public, people will remind one another [of the situation, if it becomes invalid].”

I. Rabina said, “[To explain the difference between the two cases that Rabbah has drawn,] in the case of the sukkah, the rules of which derive from the Torah, rabbis have imposed a strict rule; in the case of the marking off of an alleyway, which derives from the authority of rabbis, the rabbis did not impose a strict ruling.”

I.9 A. R. Adda bar Mattenah repeated this tradition of Rabbah in reverse, namely: “[If part of the crossbeam is lower than twenty cubits and part of it is higher than twenty cubits, or part of the sukkah roofing is lower than twenty cubits and part of the sukkah roofing is higher than twenty cubits —] said Rabbah, ‘In the case of a crossbeam to mark off the entrance of an alleyway, it is invalid; in the case of a sukkah, it is valid.’”

B. *How come in the case of an sukkah it is valid? Because people invoke the rule, regard the sukkah roofing as thinned out? So in the case of the alleyway also, regard the beam as planed.*

C. *If you plane it down, you will have a crossbeam that will fly away in the wind!*

D. *Well, then, if you thin it down, you will come up with sukkah roofing that yields more sunshine than shade.*

E. *Well, then, here, too, you have to say that we treat the roofing as though there were more shade than sunlight!*

F. *So, then, you have to say, the beams are treated as metal spits [thin but able to carry as heavy a weight as thick wood beams]!*

G. *Said Raba of Paraziqa, "Since a sukkah belongs to a private party, someone will take responsibility for it and will remember the situation of the sukkah roofing. But since the entrance is public, people might depend on one another and not notice any problems, for isn't it a commonplace: 'Too many cooks spoil the broth.'"*

H. *Rabina said, "[To explain the difference between the two cases that Rabbah has drawn,] in the case of the sukkah, the rules of which derive from the Torah, rabbis didn't have to reenforce the rules; in the case of the marking off of an alleyway, which derives from the authority of rabbis, the rabbis did have to reenforce the rules."*

I.10 A. *So what's the upshot?*

B. *Rabbah bar R. Ulla said, "Both the one and the other are invalid."*

C. *Raba said, "Both the one and the other are valid, [3B] for we have learned in the Mishnah a rule in respect to the height of the interior of the sukkah and to the empty space of an entrance [and the rule is the same for both, that is, the roof or crossbeam may not be higher than twenty cubits, so M. Suk. 1:1 and M. Er. 1:1, respectively]."*

D. *Said R. Pappa to Raba, "It has been taught on Tannaite authority in support of your position: The*

crossbeam of an alleyway that is higher than twenty cubits, that is, higher than the entrance to the Holy Place in the Temple, should be diminished in height. Now in the Holy Place itself, the height of the hollow space at the entrance was twenty cubits.”

E. *Objected R. Shimi bar R. Ashi to R. Pappa, “How does one diminish its height? He puts a crossbeam on it less than twenty cubits high [T. Er. 1:1D-E].”*

[Slotki: From this it follows that the altitude of twenty cubits includes the crossbeam, contrary to Pappa.]

F. *Say: above.*

G. *Yeah, sure, but the language of the passage is, below!*

H. *This is the intent of the passage: The lowest permitted altitude is to be the same as the highest: Just as at the highest permitted altitude, the hollow space of the entrance must not be more than twenty cubits from the ground, so the lowest permitted altitude should find the hollow space not lower than ten cubits. [Slotki: Below here doesn’t refer to the crossbeam above the entrance at twenty cubits but one ten cubits high only.]*

I.11 A. *Said Abbayye in the name of R. Nahman, “The cubit measure that pertains to the sukkah and the cubit measure that pertains to the measurement of the alleyway entrance is five handbreadths. The cubit measure that applies in assessing violations of the prohibitions of mixed seeds is six handbreadths.”*

B. *As to the statement that the cubit measure for the alleyway is one that measures five handbreadths, for what practical purpose is that ruling set forth? Should I say that it pertains to measuring the height or the size of a breach in the alley [which cannot be wider than ten handbreadths, and if it is, the arrangements for use of the space for the Sabbath are invalidated], lo, isn’t there also the consideration of the depth of an alley, which must be no less than four cubits, so while on the one side we have a small cubit that produces a strict ruling, on the other side, we have a small cubit that produces a lenient ruling!*

C. *He accords with him who takes the view that the depth of the alley need be only four handbreadths. If you prefer, I*

shall say, that the depth of the alley must be four cubits, but he spoke of the majority of measurements made by a cubit [such as those specified for the entrance, but as to depth, he may have a bigger cubit, one of six handbreadths].

D. As to the statement that the cubit measure for the sukkah is one that measures five handbreadths, *for what practical purpose is that ruling set forth? Should I say that it pertains to the height or the permitted size of a crooked wall?* [That is a wall made up of materials that are not suitable for the purpose, which may be valid if the nearby wall is a valid one; then the portion of the roof and the wall it adjoins are regarded as one crooked wall, and the space under the remainder of the roof, suitable materials being used, is a proper sukkah; the cubit of the lower standard would produce a stricter ruling in both of these cases (Slotki)]. *But as before, there also is the law requiring the area of the sukkah to be four by four cubits, so using the smaller cubit measure would produce a lenient ruling, not a strict one! For it has been taught on Tannaite authority: Rabbi says, “I say: Any sukkah that is not at least four cubits by four cubits is invalid.”*

E. *It is in accord with sages, who say, “Even if it holds only his head, and the greater part of his body, it is valid.”*

F. *And if you prefer, I shall say, it really does represent the position of Rabbi, but he made reference to the majority of cubit measurements [excluding the one under discussion].*

G. As to the statement that the cubit measure that applies in assessing violations of the prohibitions of mixed seeds is six handbreadths, *for what practical purpose is that ruling set forth?*

H. *It pertains to the measurement of a bald spot in a vineyard and the uncultivated border of a vineyard, for we have learned in the Mishnah:*

I. [The] bald spot of the vineyard —

J. House of Shammai say, “[It] need measure twenty-four cubits.”

K. House of Hillel say, “[It need measure only] sixteen cubits [square].”

L. [The] outer space of the vineyard —

M. House of Shammai say, “[It need measure] sixteen cubits.”

- N. House of Hillel say, “[It need measure only] twelve cubits.”
- O. And what is [the] bald spot of the vineyard?
- P. A vineyard which is bare in its middle.
- Q. If there are not there [in the bald spot] sixteen cubits [square of space],
- R. [then] he shall not put seed into it.
- S. [If] there were there [in the bald spot] sixteen cubits [square of space],
- T. [then] they allow it [the vineyard] its area of tillage and he sows the rest.
- U. What is [the] outer space of the vineyard?
- V. [The area] between the vineyard and the fence.
- W. If there are not there [in the outer space] twelve cubits [of space], [then]
- X. he shall not put seed into it.
- Y. [If] there were there [in the outer space] twelve cubits [of space], [then]
- Z. they allow it [the vineyard] its area of tillage and he sows the rest [M. [Kil. 4:1-2](#)].

AA. *Well, what about the case of vines planted closely within four cubits of one another, where adopting this measure would produce a lenient ruling? For we have learned in the Mishnah:*

BB. A vineyard which is planted by [intervals of] less than four cubits –

CC. R. Simeon says, “[It] is not [considered] a vineyard.”

DD. And sages say, “[It is considered] a vineyard.” And they [sages] regard the middle [rows] as if they are not [there] [M. [Kil. 5:2](#)].

EE. [Nahman] concurs with rabbis, who take the view that it is considered a vineyard [so the standard of the cubit has no affect upon the prohibition of sowing any kinds of grain between the vines (Slotki)].

FF. *And if you prefer, I shall say, in point of fact he accords with R. Simeon, but he makes reference to the majority of cubit measurements in this regard.*

GG. And Raba said in the name of R. Nahman, “The cubit measure that pertains to all circumstances is one that is composed of six handbreadths. But those that pertain to mixed seeds in the vineyard are measured in a handbreadth such that the fingers of the hand are spread apart, while in the former case [the cubit that serves for the sukkah and the entrance to the alleyway] the fingers are kept compact [so the cubit is a smaller one].”

HH. *An objection was raised:* All cubits of which sages have spoken are those made up of six handbreadths, on condition [4A] that the measurements must not be exact.

II. *Now there is no problem for Raba to explain this statement, since the measuring must be done in such a way that the handbreadths in the latter case have the fingers spread apart, and in the former, have the fingers held compact, but from the perspective of Abbaye, isn't this a problem?*

JJ. *Abbaye may say to you, “Say: The cubit measure used for mixed seeds is one that is made up of six handbreadths.”*

KK. *Well, since the later clause states, Rabban Simeon b. Gamaliel says, “All cubit measures of which sages spoke with reference to mixed seeds are cubits of six handbreadths, on condition that they must not be compact,” doesn't it follow that the first Tannaite authority spoke of all cubits [inclusive of those that are used to measure the situation in a case of mixed seeds]?*

LL. *Abbaye may say to you, “Doesn't Rabban Simeon b. Gamaliel take the same position as I do? So*

I make my statement within the framework of the position of Rabban Simeon b. Gamaliel!"

MM. *Well, then, from Abbayye's perspective, there certainly is a conflict of Tannaite opinion. But from Raba's perspective, do we have to say that there is a conflict of Tannaite opinion?*

NN. *Raba may say to you, "This is the intent of the statement of Rabban Simeon b. Gamaliel: The handbreadths of the cubit that pertains to cases of mixed seeds in the vineyard must not be compact" [but six expanded handbreadths, but the cubit of the sukkah and alleyway entrance must be six compact handbreadths, so he concurs with rabbis (Slotki)].*

OO. *Well, then, let him say, "The handbreadths pertaining to the case of mixed seeds in the vineyard must not be compact." By adding the language "of the standard of six handbreadths" what has he excluded? Surely he meant to exclude the cubit of the sukkah and of the entrance to the alleyway!*

PP. *No, what he meant to exclude was the measure of the cubit by which the base and the surrounding ledge of the altar are measured, in line with the verse, "And these are the measures of the altar by cubits, the cubit is a cubit and a handbreadth: 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" (Eze. 43:13). "The bottom shall be a cubit" refers to the foundation of the altar; "and the breadth a cubit," the surrounding ledge; "and the border thereof by the ledge thereof round about a span" speaks of the horns; "and this shall be the base of the altar" speaks of the golden altar.*

- I.12** A. R. Hiyya bar Ashi said Rab [said], "The [laws covering] measurements [of minimal quantities], of interpositions and partitions constitute law revealed to Moses at Sinai."

B. *[But to the contrary] the laws governing minimal quantities derive from the Torah[’s written rules, not from revelation orally transmitted], for it has been written, “A land of wheat and barley, vines, fig trees, and pomegranates, a land of olive trees and honey” (Deu. 8: 8).*

C. And [in regard to the cited verse] R. Hanan said, “This entire verse is stated with reference to the provision of minimum measures [for various purposes, thus:]

D. *“‘Wheat’ serves to make reference to a house afflicted with nega, as we have learned in the Mishnah:*

E. **“He who entered a house afflicted with a nega, with his garments slung over his shoulder and his sandals and rings in his hands—he and they are unclean forthwith. If he was dressed in his garments with his sandals on his feet and his rings on his fingers, he is unclean forthwith. But they are clean until he will remain for a time sufficient to eat a piece of bread—a piece of bread of wheat and not a piece of bread of barley, reclining and eating it with condiment [M. Neg. 13:9].**

F. *“‘Barley’: As we have learned in the Mishnah: A barley grain’s bulk of a bone [of a corpse] imparts uncleanness if someone touches or carries it, but not if someone overshadows it [M. Oh. 2:3].*

G. *“‘Vines’: That reference provides the measurement of a fourth-log of wine, which constituted that minimum measure for which a Nazir [4B] becomes culpable [since he may not drink wine].*

H. *“‘Fig trees’: That reference provides the measurement of a minimum volume for which one becomes liable if he removes something on the Sabbath from one domain to another.*

I. *“‘Pomegranate’: As we have learned in the Mishnah: Any utensil [made of wood] belonging to a householder [becomes useless and therefore no longer susceptible to uncleanness] if in it there is a crack [or hole] the size of a pomegranate [so there is a hole that renders the utensil no longer a receptacle at all] [M. Kel. 17:1].*

J. *“‘A land of olive trees’: A land all of whose minimal measures are the equivalent of the bulk of an olive.”*

K. *Do you really mean to say that all of the minimum measures are of the size of an olive? Lo, there are [to the contrary] those others that we already have catalogued!*

L. *Rather, say, "...most of whose minimal measures are the equivalent of the bulk of an olive."*

M. "Honey": This refers to the size of a large date. [On the Day of Atonement one who eats food the bulk of a large date becomes liable for violating the prohibition against eating, while if one eats food less than that bulk, he is not culpable.]"

N. *[Reverting to the point at which we started,] it follows that [the minimum measures] derive from the Torah [and not from laws revealed to Moses at Sinai and handed on orally]!*

O. *Do you take the position that the stated measures are actually written down in the Torah? Rather, they are laws [handed on orally], and Scripture then provided general support [for the same measurements. But from Scripture one could not derive the measurements just now catalogued].*

P. And the rules of interposition in fact derive from the Torah, for it is written, "And he shall wash his body in water" (Lev. 14: 9).

Q. This indicates that there should be nothing to interpose between him and the water.

R. "In water" means, in water that is collected; "all his flesh" means, water in which all his body can be immersed, and how much is that? It is a volume of a cubic cubit. And sages estimated that the water of an immersion pool must at a minimum be forty seahs.

S. *[No, there is an aspect of the rules that derives from oral transmission,] for, when the orally transmitted law serves a purpose, it is as to the interposition of one's hair, in accord with the formulation of Rabbah bar bar Hana.*

T. For Rabbah bar bar Hana said, "A single knotted hair interposes [between the flesh and the water], while three do not interpose. As to the effect of two, I do not know the law."

U. *The interposition of one's hair also is a matter of law deriving from the Torah [and not from an orally transmitted law].*

V. For it has been taught on Tannaite authority, "And he shall wash [+ accusative particle] his body in water" (Lev. 14: 9).

- W. [The use of the] accusative principle serves to indicate that at issue is what is attached to his body, that is, the hair.
- X. *[Reverting to the original claim, then] when there is a matter of law [orally transmitted, in connection with interposition], it is in the case of hair, to distinguish interposition on the major, and on the minor portion; and interposition to which a bather would object and one about which he would not be fastidious, and this is in accord with that which R. Isaac said.*
- Y. For R. Isaac said, “As matter of law deriving from the Torah, if most [of one’s hair is covered with mud, each hair knotted singly (Slotki)], and the person pays attention to it, then the matted hair serves to interpose, but if he does not pay attention to it, then it does not interpose. And [sages] furthermore have made a decree concerning a case in which most of the hair is matted with mud but the person does not pay attention to it [indicating that in such a case, the hair interposes, even though the person pays it no mind], on account of a case in which most of the hair is matted with mud and the person does pay attention to it, as well as concerning a case in which the small part [of one’s hair is matted with mud] and the person does pay attention to it [in which case, the hair interposes, though it is not the bulk of the person’s hair], on account of the case in which the bulk of the hair is matted with mud and the person pays attention to it.”
- Z. *And why not let sages make a decree concerning a case in which the smaller part of one’s hair is matted with mud, and the person does not pay attention to it, on account of the case in which the smaller part of one’s hair is matted with mud and the person does pay attention to it?*
- AA. *Or [let the decree be made on account of the rule governing the case in which] the greater part of one’s hair is matted with mud, but one pays no attention to it?*
- BB. *That very matter is subject to an [arbitrary] decree, and should we then go and impose yet another decree [applying a strict law to a matter which to begin with] is subject to a decree [on our part? Such would be altogether too strict].*
- CC. “As to the laws of partitions”: They are those to which we have already made reference [concerning the height of the sukkah]. For a master has said, “The height of the ark was nine handbreadths and the thickness of the ark cover, one, so that we have a total of ten.”

DD. The tradition law is required from the perspective of R. Judah, who has said, “The cubit used for the Temple was six handbreadths, the one used for the furniture, only five.”

EE. *But according to R. Meir, who holds that all cubit measures were of the medium size, what is to be said?*

FF. *From the perspective of R. Meir, it is to the point at which a law [transmitted orally] is needed, it concerns the principles of [the legal fictions involving] extension [Slotki, Sukkah, p. 22, n. 7: a partition that does not reach the ground or the ceiling may in certain conditions be deemed to touch the ground or the ceiling, respectively], junction [Slotki, p. 22, n. 8: small interstices, of less than three handbreadths, are disregarded, and the wall is deemed to be a solid whole], and the curved wall [Slotki, p. 22, n. 9: 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 curved wall; and the space under the remainder of the roof consisting of suitable materials may be used as a proper sukkah].*

I.13 A. If the crossbeam was higher than twenty cubits, and someone came along to lower it, how much does he have to lower it? [Slotki: The ground has to be raised to such a level as would reduce the distance between the ground and the beam to twenty cubits.]

B. How much does he have to lower it? *As much as it needs!*

C. Rather, as to raising the ground, how much does it have to be in width?

D. R. Joseph said, “A handbreadth.”

E. Abbaye said, “Four.”

F. *May we say that this is what is at issue between them: The one who says it has to be a handbreadth in width takes the view that it is permissible to make use of the space underneath the beam, [5A] while the one who maintains that it has to be four handbreadths maintains that it is forbidden to make use of the space underneath the beam. [Slotki: Since no one may make use of the space, no one would notice the beam, which, from the level of the 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.]

G. *Not at all. All parties take the view that it is permitted to make use of the space under the beam, and this is what is at issue between them: The one authority takes the view that the purpose of the crossbeam is to make sure there is a distinguishing mark at the entrance [Slotki: people must see the difference between the alley and the public domain into which it opens out, and will remember that what is permitted in the alley is not permitted in public domain; a level of the width of one handbreadth which the residents must pass on their way from and to the alley is sufficient], and the other authority maintains that the purpose of the crossbeam is to form a partition [between the alley and public domain, and a partition has to have an area of four handbreadths].*

H. *And if you wish, I shall say that all parties concur that the crossbeam is required to make sure there is a distinguishing mark at the entrance, and here what is at issue is whether the distinguishing mark above has to correspond to the distinguishing mark below. The one authority maintains that we do hold that the distinguishing mark below has to correspond to the distinguishing mark above, and the other authority takes the position that we do not invoke the principle that the distinguishing mark below has to correspond to the distinguishing mark above.*

I. *And if you wish, I shall say that all parties concur that the distinguishing mark below must correspond to the distinguishing mark above, and here what is at issue between them is whether or not we make a precautionary decree to take account of the possibility that the raised level of the ground may be downtrodden [which will happen if it is only a handbreadth wide].*

- I.14** A. If the entrance to the alleyway was less than ten handbreadths in height and someone dug underneath it to complete the height to ten handbreadths, how much does he have to dig for that purpose?
- B. How much does he have to dig? *As much as it needs!*
- C. Rather, how wide a hole does he have to dig?
- D. R. Joseph said, "Four handbreadths."
- E. Abbaye said, "Four cubits."

F. *May we say that what is at issue here is the dispute between R. Ammi and R. Assi, for it has been stated:*

G. The sidewall of an alleyway that was breached close to the entrance [and has to be closed off to complete the symbolic entrance] —*it has been stated in the name of R. Ammi and R. Assi*, “If a strip of wood four handbreadths wide was there [at the original termination of the wall adjoining the crossbeam], it is permitted to utilize the alley for carrying, on condition that the breach is no wider than ten cubits, but if there was no such strip of wood, it is permitted to use the alley if the breach is less than three handbreadths wide; if the breach was wider than that, it is not permitted. [Slotki: A gap wider than ten cubits is no entranceway. If it was less than four handbreadths wide, it is still a valid wall. So small a breach is ignored. If it is larger, people may use the gap as a shortcut and neglect the main entrance.]

H. *The proposed hypothesis is: R. Joseph concurs in the position of R. Ammi, and Abbaye rejects the view of R. Ammi.*

I. *Abbaye will say to you, “In that case [of the ruling of Ammi and Assi], the issue is ending the suitability of the alley for carrying, but here with the hole we are digging, it is a case of establishing the suitability of the alley for carrying. If the hole is four cubits wide, the entrance is all right, if not, it isn’t.”*

J. *Said Abbaye, “On what basis do I take the position that I do? It is because it has been taught on Tannaite authority: An alley is not made into an area in which carrying is permitted by the erection of a stake and beam, unless the houses and courtyards open into it. But if a strip the width of four handbreadths were to form the wall of the alley, how could this be possible? [Slotki: How could the courtyards open out into it, since the prescribed minimum width of a door is four handbreadths, so the doorway of one courtyard alone would cover the full width of the alley wall.] And should you say that the doors might be open in the middle wall [the back wall of the alley, enclosed by the two side walls] [Slotki: while the latter might be as narrow as four handbreadths, the former might be long enough to admit of more than one courtyard door], didn’t R. Nahman say, ‘We hold the following tradition: “What is the definition of an alleyway in which*

carrying objects on the Sabbath is permitted if an entranceway is constructed with a sidepost and crossbeam? It has to be longer than it is wide, and it has to have houses and courtyards that open out into it””?”

K. And R. Joseph?

L. *Each door might open in a corner.* [Slotki: He could maintain that four handbreadths are sufficient for the width of an alley wall, despite the cited statement, for even though the back wall is less than four handbreadths in length, if the side walls are four handbreadths in length, it is possible to open a door that is four handbreadths wide in each corner, where the two side walls meet the back wall.]

M. *Said Abbaye, “On what basis do I take the position that I do? For said R. Ammi bar Hama said R. Huna, ‘If a projection from the end side wall of an alley is less than four cubits wide, it may be treated as a sidepost, so no other post would be required to validate carrying in the alley on the Sabbath. If it is four cubits wide, by contrast, it is classified as part of the structure of the alley, so another sidepost is required to validate carrying in the alley.’”*

N. And R. Joseph?

O. *To be sure, to reclassify a projection as other than a post, it must be four cubits wide, but to constitute a wall in an alley, what is as wide as four handbreadths suffices to constitute an alley wall.*

I.15 A. *Reverting to the body of the foregoing:* Said R. Ammi bar Hama said R. Huna, “If a projection from the end side wall of an alley **[5B]** is less than four cubits wide, it may be treated as a sidepost, so no other post would be required to validate carrying in the alley on the Sabbath. If it is four cubits wide, by contrast, it is classified as part of the structure of the alley, so another sidepost is required to validate carrying in the alley” —

B. *Where does one set up that other post? If he attaches it to the projection, isn’t he merely adding on*

to the projection [Slotki: thus merely extending the projection further along the width of the alley and giving it a much greater resemblance to a proper wall]?

C. Said R. Pappa, "He sets it up on the other side [wall, opposite this side]."

D. R. Huna b. R. Joshua said, "You may even say that he sets it up alongside the projection, but he makes it longer or smaller than the front of the projection [so it doesn't look like a mere extension of the projection]."

- I.16** A. [With reference to the statement of Ammi bar Hama/Huna, "If a projection from the end side wall of an alley is less than four cubits wide, it may be treated as a sidepost, so no other post would be required to validate carrying in the alley on the Sabbath. If it is four cubits wide, by contrast, it is classified as part of the structure of the alley, so another sidepost is required to validate carrying in the alley,"] said R. Huna b. R. Joshua, "We have made this statement only in regard to an alley entrance that was at least eight cubits in width [Slotki: in this case the projection of the width of four cubits would cover no more than half of the width], but if the alley entrance is seven cubits wide, carrying in the alleyway is permitted because the built-up portion is longer than the breach at the entrance]. That follows by an argument a fortiori from the rule governing a courtyard, namely: If carrying objects on the Sabbath in a courtyard is not made permissible by setting up a sidepost and a crossbeam, but it is suitable nonetheless if the built-up portions of the courtyard are more than the broken parts of the courtyard [Slotki: even though the gaps are many and distributed among all the walls, the courtyard is suitable for carrying if the total length of the unbroken parts exceeds that of the gaps], then an alley, where carrying on the Sabbath is rendered permissible by a sidepost and a crossbeam, surely should be deemed fit for

carrying if the built-up portion across the entrance is larger than the open part of the entrance!”

B. Yes, but a courtyard is different from an alley, because a gap of ten cubits is allowed in it but not in an alley. Can you then invoke the same rule of an alley, where the permissible breach is only four cubits?

C. *R. Huna b. R. Joshua takes the view that in the case of an alley, too, the permissible gap is ten cubits.*

D. *Well, then, in accord with whom have we been formulating issues? Isn't it in accord with R. Huna? But R. Huna takes the view that so far as an alley is concerned, only four cubits' gap is permitted.*

E. *In this matter, R. Huna b. R. Joshua spoke for himself alone.*

I.17 A. *R. Ashi said, “You may even say that where the alley entrance was eight cubits wide, there is no need for a sidepost. For what is your choice? If the built-up portion of the alley entrance is greater, then permitting objects to be carried in the alley would be because the built-up portion is larger than the entry to the alley; if the open section is larger, the projection is regarded as a sidepost. So how do you want it? That both are exactly alike [the projection is four cubits wide and not a sidepost, or the built-up section is not larger than the gap, which is four cubits wide]? But that would be no more than a case of doubt in respect to a rabbinical decree, and where there is uncertainty in a rule of rabbis, a lenient ruling is made.”*

I.18 A. Said R. Hanin bar Raba said Rab, “An alleyway that suffered a breach **[6A]** on a side wall, if the hole is ten cubits, it is still permitted to carry in the alleyway. If the hole was in the front wall, a hole of four cubits is permitted.”

B. *So what is the difference between the case of a hole in the side wall, in which instance a breach of ten cubits is allowed, while in the front wall, a hole of only four cubits is allowed? It is because one may say that the hole itself is an entrance. But couldn't one say the same if the whole is in the front wall, that it, too, is an entrance?*

C. Said R. Huna b. R. Joshua, “The ruling pertains to a case in which the hole was made in the corner, for people don’t make an entry in a corner.”

- D. And R. Huna said, “All the same is the measure that applies to the one and the other [wall, there is no difference in the permissible hole for the front or side walls]. The operative measure is four cubits.”
- E. And so said R. Huna to R. Hanan bar Raba, “Don’t argue with me. For Rab came to Damharayya and made a practical decision in accord with my position.”
- F. He said to him, “Rab found an open field and fenced it in.” [Slotki: To keep the people of the place away from further transgression, he imposed additional restrictions upon him, but under ordinary circumstances even a breach of ten cubits would be allowed.]

G. Said R. Nahman bar R. Isaac, “Reason supports the view of R. Huna. For it has been stated: A crooked alley [shaped in an L] — Rab said, ‘It is subject to the rule governing one open at both ends.’ [Slotki: The side of each arm that actually opens into public domain must have sideposts or a crossbeam; the side ending in the angle where the two arms meet must have a framework in the shape of a door.] Samuel said, ‘It is subject to the law governing a closed alley.’ [Slotki: The bend in the alley is treated as the terminal, and so sideposts or a crossbeam at the two main entrances from public domain effect the closing of the alley for purposes of carrying on the Sabbath.] Now what is at issue here? Should we say that it is an alley in which the passage through the bend in the alley is wider than ten cubits? But would Samuel then be able to maintain, ‘It is subject to the law governing a closed alley’? So isn’t it a case in which the bend is ten cubits wide, and here Rab does take the view, ‘It is subject to the rule governing one open at both ends.’ So it follows that if the breach in a side wall is no more than four cubits, the alley is permitted for carrying on the Sabbath [as Huna says].”

H. And R. Hanan bar Raba?

I. That case is exceptional, since a lot of people make their way through that alley [so the limit to a width of four cubits; through a breach in a side wall, not many people will pass, so the hole can be as wide as ten cubits (Slotki)].

J. *Then does it follow that R. Huna takes the view that, even though lots of people don't pass through a hole, a breach of no more than four cubits is permitted? Then how does this differ from the case covered by the ruling of R. Ammi and R. Assi?*

K. *In that case, ridges of the broken wall are left; here, there are no such ridges* [Slotki: the passage through such a gap would be easy and people would use it if it were wide enough, hence the limit to four cubits].

I.19 A. *Our rabbis have taught on Tannaite authority:*

- B. How do people provide a symbolic fusion boundary for a street that is public domain? [Slotki: Such a road goes from one end of the town to the other, sixteen cubits wide, and the town has no surrounding wall.]
- C. One makes a construction in the shape of an entryway on one side and sideposts and a crossbeam on the other.
- D. Hananiah says, "The House of Shammai say, 'One makes a door at the one end and a door at the other, and when he goes in and out, he has to lock it.'- E. "The House of Hillel say, 'He makes a door at the one end but sideposts and a crossbeam on the other.'"

I.20 A. *But is it possible to make a fusion boundary affecting public domain at all? And hasn't it been taught on Tannaite authority:* Still further did R. Judah state, **[6B]** "He who owns two houses on two sides of public domain may put a board on this side and a board on that side, or a beam on this side and a beam on that side, and carry things around in the middle." They said to him, "A symbolic fusion of space in the public domain may not be undertaken in such a way?"

B. *And should you say that, while it cannot be subject to a fusion boundary "in such a way," nonetheless it may be provided with a fusion boundary by means of doors [such as are specified here], didn't Rabbah bar bar Hannah say R. Yohanan said, "In the case of Jerusalem, if it were not for the fact that its gates are locked at night, people would be liable by reason of carrying in public domain on the Sabbath," and so, too, said Ulla, "In the case of Mehoza, if it weren't that the doors of the city gates are locked at night, people would be subject to the restrictions of the public domain"?*

C. *Said R. Judah, "This is the sense of the statement:* How do people provide a symbolic fusion boundary for alleys that open out at both

ends into public domain? One makes a construction in the shape of an entryway on one side and sideposts and a crossbeam on the other.”

- I.21** A. *It has been stated:*
B. *Rab said, “The decided law accords with the initial Tannaite authority.”*
C. *And Samuel said, “The decided law accords with Hananiah.”*
- I.22** A. *The question was raised: In accord with the position of Hananiah in the name of the House of Hillel, is it necessary to lock the single door to the alley, or is it not necessary to lock it?*
B. *Come and take note of what R. Judah said Samuel said, “It is not necessary to lock it.”*
C. *And so said R. Mattenah said Samuel, “It is not necessary to lock it.”*
D. *There are those who say, said R. Mattenah, “I myself had to deal with such a case, and Samuel said to me, ‘It is not necessary to lock it.’”*
- I.23** A. *The question was addressed to R. Anan, “Is it necessary to lock the door or is it not necessary to lock it?”*
B. *He said to him, “Come and take note of the alley gateways of Nehardea, which are half buried in the ground, and Mar Samuel constantly is going through these gates but he never objected to the fact that they cannot be closed but are fixed in open positions.”*
C. *Said R. Kahana, “But they were partially closed.”*
D. *When R. Nahman came he said, “Remove the dirt around them.”*
E. *Is that to say that R. Nahman takes the position that it is necessary to lock them?*
F. *No, since they are suitable to be closed, it suffices, even though they’re not actually closed.*
- I.24** A. *There was a crooked alleyway in Nehardea. They imposed on it the strict rulings of Rab and the strict ruling of Samuel. Specifically, they required it to have doors at the bends [as will now be explained]:*
B. *They imposed on it the strict rulings of Rab, who said, “It is governed by the law for an alley that is open on both sides.”*

C. *But since Rab said, "The decided law accords with the first Tannaite authority," they further imposed the strict ruling of Samuel, who said, "The decided law accords with Hananiah."*

D. *And since Samuel ruled that a crooked alley is subject to the law governing a closed one, the first restriction was applied in accord with Rab, who said that a crooked alley is subject to the same law as one open at both ends.*

E. *But where there are two strict rulings of authorities who disagree with one another, do we really adopt the positions of both of them? Lo, it has been taught on Tannaite authority:*

The decided law is invariably in accord with the House of Hillel. One who wishes to act in accord with the House of Shammai may do so, and one who wishes to act according to the position of the House of Hillel may do so. But he who adopts the lenient rulings of the House of Shammai and the lenient rulings of the House of Hillel is genuinely wicked; he who adopts the strict rulings of the House of Shammai and the strict rulings of the House of Hillel is described by the verse, "But the fool walks in darkness" (Qoh. 2:14). So one should act either in accord with the House of Shammai both in their lenient and in their strict rulings, or in accord with the House of Hillel in accord with both their lenient and their strict rulings [T. Suk. 2:3K-L].

I.25 A. *Now isn't there a contradiction in the body of the foregoing? First you say, the decided law is invariably in accord with the House of Hillel. Then you say, One who wishes to act in accord with the House of Shammai may do so, and one who wishes to act according to the position of the House of Hillel may do so!*

B. *No problem, the one statement was made prior to the echo [which declared that the law follows the House of Hillel], the other was formulated afterward. Or if you prefer, both the former and the latter statements pertain after the echo, and [7A] Rabbi*

Joshua is the responsible party, who does not pay any attention to such echoes.

C. If you want, I shall say, this is the sense of the matter: In any situation in which you find two Tannaite authorities and two Amoraic authorities who dispute along the lines of a dispute of the House of Shammai and the House of Hillel, one should not act either in accord with the lenient ruling of one authority and the lenient ruling of the other, nor in accord with the strict ruling of the one authority and the strict rule of the other, but either in accord with both the lenient ruling and the strict ruling of the one authority or in accord with the lenient ruling and the strict ruling of the other authority.

D. In any event we have a problem [as at A]!

E. Said R. Nahman bar Isaac, "All the restrictions were in accord with the position of Rab, for said R. Huna said Rab, 'The decided law accords with the first Tannaite authority, but they do not instruct people along those lines.'"

F. Well, from the perspective of what R. Adda bar Ahbah said Rab said, "The law accords with the initial Tannaite authority and they do instruct people along those lines," what is to be said?

*G. Said R. Shizbi, "It is that where we don't adopt the restrictions of two authorities who disagree, that is only in a case in which their views exclude one another, as in the case of the backbone and the skull. For we have learned in the Mishnah: **These contaminate through contact and carrying but do not contaminate in the Tent:...the backbone and the skull which are lacking. How much is a [sufficient] lack in the backbone? The House of Shammai say, 'Two links.' And the House of Hillel say, 'Even one link.' And***

in the skull: The House of Shammai say, ‘As much as [a hole made by] a drill.’ And the House of Hillel say, ‘So much that it may be taken from a living man and he would die’ [M. Oh. 2:3A, E-H], and said R. Judah said Samuel, ‘And so is the dispute so far as whether or not a beast is judged terefa [dying].’ *But in a case in which the views are not mutually contradictory [for example, on the alleyway, where the reason for the ruling of the one has no bearing on the reason for that of the other (Slotki)], we may well adopt the strict or the lenient rulings of two authorities.”*

H. *Objected R. Mesharshayya*, “There was the case in which R. Aqiba picked an etrog on the first of Shebat [the new year for the trees in accord with the view of the House of Shammai, hence liable for treatment as part of the coming year’s crop], and he took two tithes out of it [second tithe, for the second year of the seven-year cycle, and poor man’s tithe, for the third year], the one in accord with the House of Shammai, the other in accord with the House of Hillel. *That proves that they did act in accord with their rulings.”*

I. *R. Aqiba was in doubt about what he had learned, specifically, did the House of Hillel say that the first of Shebat or the fifteenth of Shebat marked the new year for produce of orchards, so he adopted the restrictions of both parties.*

- I.26** A. *In session before R. Huna, R. Joseph stated*, “Said R. Judah said Rab, ‘There is a dispute [between Hananiah and the initial Tannaite authority on alleys open at both ends] where there is a camp on the one side and a camp on the other, or a highway on the one side and a highway on the other. But if there was a camp on one side and fields on the other [which are classified as neglected public domain], or if

there are fields on one side and fields on the other, one makes the shape of a doorway on this side and sideposts and crossbeam on the other.”

B. *Since there is a reference to a camp on the one side and fields on the other, in which case it suffices to make the shape of a doorway on one end and a sidepost and crossbeam on the other, why is it necessary to say that the same is so if there are fields on the one side and fields on the other?*

C. *This is the sense of the statement:* If there is a camp on the one side and fields on the other, it is treated as though there were fields on the one side and fields on the other.

D. *[Joseph] completed the statement in the name of R. Judah, “If the alleyway ended in a [unoccupied] backyard, it is not necessary to make any provision whatsoever.”*

E. *Said Abbaye to R. Joseph, “This statement of R. Judah represents the position of Samuel, [7B] for if you hold that it belongs to Rab, then there will be a contradiction between statements of Rab at two points. For said R. Jeremiah bar Abba said Rab, ‘If there were breaches along the entire length of an alleyway into a courtyard and a breach was made in the courtyard wall opposite, the courtyard is suitable for carrying on the Sabbath, but the alley is forbidden.’ [Slotki: The breach is regarded as an entrance, since portions of the courtyard wall remained on both sides; the status of the alley does not affect the courtyard, since the residents of the former have no right of passage through the latter.] But why should this be the case? Let it be treated as equivalent to an alley that ended up in a backyard?”*

[Slotki: It is now assumed that Rab’s reason is that the alley is exposed on two sides to public domain; since Judah spoke of a backyard and not of a courtyard, the former uninhabited, the latter inhabited, it follows that if an alley terminated in the latter, it becomes unfit on account of the right of passage through it of the inhabitants of the courtyard; Rab spoke of a courtyard 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 domain is the only reason for its unfitness, and the right of passage of the inhabitants of the courtyard does not affect its fitness. The two principles that were laid down by Judah, first, that the opening out of

an alley into public domain through a backyard does not destroy its fitness for carrying, and second, that the opening also of a courtyard into an alley does not destroy its fitness, are thus opposed by those of Rab, who maintains that, first, the opening of an alley into public domain through a courtyard or through a backyard does destroy its suitability, and, the opening of a courtyard into an alley does not destroy it.]

F. *He said to him, "Well, I don't know. But there was a case in Dura deReuta of an alley that terminated in a backyard, and when I addressed the question to R. Judah, he did not require anything to make it suitable for carrying on the Sabbath. So if there is a problem that derives from R. Judah's statement if that statement is assigned to Rab, let's concede it is to be assigned to Samuel and then there will be no problem at all."*

G. *Now R. Sheshet has said to R. Samuel bar Abba, and some say, to R. Joseph bar Abba, "I shall explain to you that Rab's ruling rests on whether a fictive fusion boundary has been made or not, so that in the one case they did and in the other case they didn't make such a fictive fusion boundary, there is then no contradiction between the two statements of Rab.* [Slotki: Where the residents of the courtyard joined those of the alley in the fictive fusion boundary, the alley is suitable for carrying, but if they didn't do so, the latter is not suitable for carrying, not because of the breach in the courtyard, which exposed the alley to public domain, but because there is no joint fusion boundary; the fitness of the courtyard is unaffected, since the breach between it and the alley, over the full width of the latter, extends only over a portion of its own width and may be regarded as a doorway.] *For the one ruling [Jeremiah-Rab] refers to a courtyard where a proper fusion boundary has been made by the residents with the residents of the alley, and the other ruling refers to a case in which they did not compose a joint fictive fusion boundary."*

H. **[8A]** *Now, in light of our prior assumption, that there is a dispute between Rab and Samuel without regard to whether or not a joint fictive fusion boundary has been set up, what principle could form the point of difference if they did make such a joint fictive fusion boundary? And what principle could separate them if they made no such fictive fusion boundary?*

I. *If they did make such a joint fictive fusion boundary, at issue is the ruling applying when there is a gap in the partition, which looks like a door from outside, but is even with the walls inside. Is this regarded as a door?* [Slotki: Where the courtyard is wider than the alley, the gap occasioned by the collapse of the complete wall of the alley appears as a doorway when viewed from the courtyard.] [Slotki: Rab holds that since the gap looks like a door when viewed from the courtyard and isn't wider than ten cubits, it is regarded as a door for the residents of the alley also; Samuel does not see it as a door since when viewed from the alley it has the appearance of a breach.] *If they made no such fictive fusion boundary, they dispute concerning the premise of what R. Joseph said, for said R. Joseph, "That no provision is required for an alley that terminates in a backyard pertains only to an alley that terminates in the middle of the backyard [so that the shape of a door is on the side facing the backyard], but if it terminates at the side of the backyard, it is forbidden to carry in the alleyway."* [Slotki: The 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.]

J. *Said Rabbah, "As to what you said, if it terminates at the middle of a backyard, it is permitted to carry in the alley, this pertains only where the gaps in the wall between the alley and the yard and in the yard wall that adjoined the public domain [Slotki] were not facing one another. But if they were facing one another, it is forbidden to carry in the alley."*

K. *Said R. Mesharsheyya, "That which you say, namely, 'It is permitted to carry in the alley pertains only where the gaps in the wall between the alley and the yard and in the yard wall that adjoined the public domain [Slotki] were not facing one another,' applies only to a backyard with many owners, but in the case of a backyard belonging to a single individual, who might on occasion reconsider the use of the land and decide to build houses on it* [Slotki: against that portion of the wall that formed the sidepost and thus level the side of the yard with the side of the alley and give it the appearance of one extended wall], so the alley would be terminated at the sides of a backyard, carrying would then be forbidden."

L. *On what basis do you maintain that we distinguish a backyard belonging to many owners and one that belongs to a single individual?*

M. *It is in line with what* Rabin bar R. Ada said R. Isaac said, “There was a case of an alley, one side of which terminated in the sea, the other side of which terminated in a garbage dump [Slotki: the third side was closed, the fourth was open on public domain and had a sidepost and crossbeam]. The case came before Rabbi, and he did not give a ruling in the case either to permit carrying therein or to forbid carrying there in. He did not forbid carrying therein, *because there were standing partitions*. [Slotki: The rubbish heap on one side and seashore on the other were ten handbreadths high.] He did not permit carrying therein, *because we take account of the possibility that the garbage dump may be removed, or the sea may recede and throw up alluvium.*”

N. *Yes, but do we take account of the possibility that the garbage dump may be cleared off? And haven't we learned in the Mishnah: A garbage dump in the public domain ten handbreadths high —a window which is above it —they pour out slops into it on the Sabbath [M. Er. 10:7D-F]? Therefore there is a distinction between a garbage heap that belongs to the public [“in public domain”] and a garbage heap that belongs to a single individual! Here, too, there is a distinction between a garbage heap that belongs to the public and a garbage heap that belongs to a single individual! [We take into consideration the possibility of clearing out the garbage heap belonging to an individual, which was the case that Rabbi dealt with (Slotki).]*

O. *And as to rabbis [who differed from Rabbi], what was their position?*

P. *Said R. Joseph bar Abedimi, “A Tannaite statement: ‘And sages forbid [carrying in that area].’”*

Q. *Said R. Nahman, “The decided law accords with the position of sages.”*

R. *There are those who say: "Said R. Joseph bar Abedimi, 'A Tannaite statement: "And sages permit.'"*

S. *"Said R. Nahman, 'The decided law does not accord with the position of sages.'"*

I.27 A. *Maremar partitioned Sura by nets, since, he said, "we have to take into account the possibility that the sea may throw up alluvium."*

I.28 A. *There was a crooked [L-shaped] alley in Sura. The residents of one of the arms of the alley folded up some mats and fixed it at the crook of the L. Said R. Hisda, "Lo, this is not in accord with Rab and it also is not in accordance with Samuel. It is not in accord with Rab, who said, 'Such an alley is subject to the law that governs an alley open at both ends, so that a contrivance in the shape of a doorway is required.' It also is not in accord with Samuel, who said, 'Such an alley is subject to the law that governs an alley that is closed.' For that rule applies to an alley that has an acceptable sidepost, but matting would not qualify, since when the wind blows on it, it is thrown down, so it is useless. But if one put a pin in the matting and fastened it to the wall, it would constitute a proper partition."*

I.29 A. *Reverting to the body of the foregoing: Said R. Jeremiah bar Abba said Rab, "If there were breaches along the entire length of an alleyway into a courtyard and a breach was made in the courtyard wall opposite, the courtyard is suitable for carrying on the Sabbath, but the alley is forbidden"* –

B. *Said Rabbah bar Ulla to R. Bibi bar Abbaye, "My lord, isn't this what our Mishnah states, namely: **A large courtyard [the wall of] which was breached [so as to give access] to a small one —the large one is permitted, and the small one is forbidden, for it [the smaller***

roof or courtyard] is like a doorway to the large one [M. Er. 9:2C-E]?”

C. *He said to him, “If I had to derive the rule from that formulation only, I might have supposed that that is the case only where lots of people don’t walk about, but in a case in which lots of people walk about, I might suppose that even the courtyard also would be forbidden.”*

D. *But that, too, we have learned in Tannaite formulation [not needing Rab’s exemplification of the principle, namely]: A courtyard that the public enter at one side and leave at the other is classified as public domain for purposes of assessing questions of doubt about uncleanness but private domain for the purposes of the Sabbath [cf. T Toh. 7:10].*

E. *If I had to derive the rule from that case, I might have supposed that that is the case when the gaps were not facing one another, [8B] but if the gaps were facing one another, that would not be the rule.*

F. *And from the perspective of Rabbah, who has said, “If the gaps are facing one another, it is forbidden to carry in the area on the Sabbath,” how would he explain Rab’s ruling? It obviously would refer to a situation in which the gaps weren’t facing one another, in which case, how come we need to have two rulings that go over the same ground?*

G. *If I had to derive the rule from the cited passage of the Mishnah, I should have assumed that that is the rule governing throwing objects onto the*

garbage dump but not moving objects within it; so we are informed by Rab's ruling about the latter situation.

I.30 A. *It has been stated:*

- B. An alleyway that is formed like a centipede [there is a major alley opening into public domain, then minor alleys branch out in the shape of the legs of a centipede, and these have two entrances each, one at the major alley, the other at public domain. The entries don't face each other, since, if they did, they would be regarded as one long alley that opens out at both ends into public domain (Slotki)] –
- C. said Abbayye, “One makes the shape of a doorway at the entrance of the big alley, *and all the others are validated for carrying on the Sabbath by a sidepost and crossbeam [at their entrances onto public domain].*”
- D. Said to him Raba, “In accord with what authority do you make this ruling? If it accords with Samuel, who has said, ‘It is subject to the law governing a closed alley,’ then why does he have to make a contrivance in the shape of a doorway at the entrance of the big alley? [Slotki: 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.] Furthermore, *wasn't there such a crooked alley in Nehardea, and when it was dealt with, Rab's view also was taken account of* [so how could Abbayye adopt only Samuel's lenient position (Slotki)]?”
- E. Rather, said Raba, “One makes a contrivance in the shape of a door at the one side of each minor alley [the side that terminates in the big alley], and at the other side, the validation for carrying is accomplished by a sidepost and a crossbeam.”

I.31 A. Said R. Kahana bar Tahalipa in the name of R. Kahana bar Minyumi in the name of R. Kahana bar Malkio in the name of R. Kahana the master of Rab, and some say, R. Kahana b. Malkio who is R. Kahana the teacher of Rab, “An alleyway, one side of which was long and the other short, but the short side was less than the long side by less than four cubits—one lays the crossbeam diagonally. If the short side is four cubits shorter than the long side, the crossbeam is laid only at right angles to the shorter side.”

- B. Raba said, “All the same is the rule governing the one situation and the other: One lays the crossbeam only at right angles to the shorter side. *And I can give the operative consideration for my position, but I also can state the operative*

consideration for the other side. And I can give the operative consideration for my position: The reason for putting up the crossbeam is what? It is so as to make a visually distinctive mark of the point of differentiation of alley and public domain, and if it is at a diagonal, it is not a visually distinctive mark. But I also can state the operative consideration for the other side: How come the crossbeam is required? It is to provide a partition, and if it is at a diagonal, it also serves to mark a partition.”

- C. *Said R. Kahana, “Well, now, since the tradition derives from these various Kahanas [Slotki], I, too, will say something about it. As to your statement, one lays the crossbeam diagonally, we have made that rule only if the slant [diagonal] was no more than ten cubits, but if it was longer than ten cubits, all parties concur that it is placed solely at a right angle to the shorter side.”*

I.32 A. *The question was raised: What is the rule concerning using the space under the crossbeam [for carrying on the Sabbath, as one would use the interior space]?*

- B. *Rab, R. Hiyya, and R. Yohanan said, “It is permitted to make use of the space under the crossbeam.”*

- C. *Samuel, R. Simeon bar Rabbi, and R. Simeon b. Laqish said, “It is forbidden to make use of the space under the crossbeam.”*

D. May we say that this is what is at issue between the two sides? The one authority maintains that the reason for putting up the crossbeam is to make a visually distinctive mark of the point of differentiation of alley and public domain, and the other authority holds that the reason the crossbeam is required is to provide a partition. [The space under the beam is covered with the imaginary downward extension of the beam, so no use of that space is permitted (Slotki).]

E. Not at all. All parties concur that the reason that the crossbeam is required is to make a visually distinctive mark of the point of differentiation of alley and public domain. But here, what is at issue is that the one authority maintains that the distinguishing mark is to be placed for those who stand within the courtyard, and seeing only the inner side, they can’t use the space beyond the inner edge, and the other authority holds that the purpose of the distinguishing mark is for those who are outside.

F. And if you prefer, I shall say, all parties concur that the reason the crossbeam is required is to provide a partition. But here, what is at issue is that the one authority maintains, the inner edge is imagined

*to descend and close up the entrance [and the space under the beam is outside, in public domain], and the other authority maintains that the outer edge is **imagined to descend and close it up.***

I.33 A. Said R. Hisda, “All parties concur that [Slotki: where no crossbeam but only a sidepost has been put up] the space between the sideposts may not be used for carrying.”

B. *R. Ammi bar Hama asked R. Hisda*, “If someone put two pins into the two extremities of the wall of an alley on the outside and put a beam on them, what is the law?” [Slotki: The inner edge of the beam touches the walls of the alley, the rest of the beam lies outside; is the alley rendered fit for carrying by such an arrangement?]

C. He said to him, “In the opinion of him who permits the use of the space under the crossbeam elsewhere, here it would be forbidden to use that space, and according to him who forbids the use of such space elsewhere, here it is permitted to use it.” [Permitting the use of the space under the beam is that the outer edge of the beam is imagined to descend to the ground; here that would forbid 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 invalidates it as a partition, and so for the reverse.]

D. Raba said, “In the opinion of one who elsewhere forbids use of the space under the crossbeam, here use of the alley would be forbidden, *since we require the beam to rest above the alley, and that condition is not met here.*”

E. *R. Adda bar Mattenah objected to Raba*, “If its beam were **[9A]** drawn away [from the walls of the alley, for example, resting on pins driven into the external extremities of the alley walls on either side of the entrance (Slotki)], or if it were suspended at a distance of less than three handbreadths from the walls of the alley, there is no need to produce another beam. If it was three handbreadths, another beam has to be produced. Rabban Simeon b. Gamaliel says, ‘If it was less than four, it is necessary to bring another beam.’ *Doesn’t this* ‘drawn away’ refer to a case in which the beam was entirely

outside the alley, and ‘suspended,’ in which it was within [but Raba said that the beam has to rest within the alley walls (Slotki)]!”

F. *Not at all. Both refer to a beam that is within the alley, but “drawn away” means, drawn away from one side. And “suspended” means that it was drawn away from both sides. What might you have said? We invoke the principle of fictive extension for one side [of a partition], but we do not do so for both sides. So we are informed that that is not the case [and we invoke the fictive extension for both sides].*

G. R. Ashi said, “The meaning is: The beam was drawn away from the walls and suspended. *How could such a situation be composed? It would be a case in which he stuck in two slanting pins into the tops of the two side walls of an alley, one on each side, at the height of less than three handbreadths, and at a slant of less than three handbreadths. What might you have supposed? That we invoke either the principle of fictive extension or the principle of fictive junction [the former to the horizontal gap, the latter to the vertical], but we do not invoke both principles; so we are informed that we do invoke them both.*”

- I.34** A. R. Zakkai repeated as a Tannaite rule in the presence of R. Yohanan, “The space between the sideposts and under the crossbeam is classified as neglected public domain.”
- B. He said to him, “Well, now, get out and recite your Tannaite formulation outside!” [The space is part of the alley and it is permitted to carry there.]
- C. Said Abbaye, “The position of R. Yohanan stands to reason for the space that is under the crossbeam, but as to the space between the sideposts, carrying there is forbidden.”
- D. And Raba said, “The space between the sideposts also is permitted for carrying on the Sabbath.”
- E. Said Raba, “On what basis do I say so? It is because, when R. Dimi [came], he said R. Yohanan said, ‘An area that is not four cubits by four cubits—it is permitted for those located in private domain and those located in public domain to put down and shoulder their goods therein, on condition that

they not exchange [items from persons in the framework of the one to those in the framework of the other].”

F. And Abbayye?

G. *[Yohanan's] ruling pertains to a case in which the place was only three handbreadths in height. [But the space between the sideposts is small and level with the ground and not distinguished from the area around it.]*

H. *Said Abbayye, “On what basis do I say so? It is because said R. Hama bar Guria said Rab, ‘That which lies within the opening of the gate has to have another stake to render the area permitted.’ And if you say it is a case in which there is not an area of four by four cubits, hasn’t R. Hama bar Guria said Rab said, ‘What lies within the opening, even though it is not an area of four by four cubits, has to have another stake in order to render carrying in the area permitted?’”*

I. And Raba?

J. *That is a case in which the alley opens out onto neglected public domain [Slotki: so that a sidepost is necessary to separate the space within the entrance, which is forbidden by rabbinical law, from the neglected public domain that adjoins it and that is also rabbinically forbidden].*

K. *But would it be permitted if it were open to public domain? Then [Slotki:] the native would be in the earth and the stranger in the highest heavens! [Slotki: We should expect the opposite; if an opening to neglected public domain, which is only forbidden by authority of rabbis, has to have a sidepost, how much more so should one that opens into public domain, where carrying is forbidden by the law of the Torah!]*

L. Yes, indeed, like finds its like and wakes up. [Slotki: The space within the entrance is neglected public domain, but since it is less than the prescribed size, it loses all its independent existence if it is situated between private and public domain to neither of which it is akin and to neither of which it can be joined. If it adjoins neglected public domain on one side it is deemed to have regained its existence as neglected public domain, being regarded as part of that larger domain.]

M. *Said R. Huna b. R. Joshua to Raba, "But don't you take the view that carrying in the space between the sideposts is forbidden? Didn't Rabbah bar bar Hannah say R. Yohanan said, 'As to an alley a section of one side of which was lined with sideposts, at distances of less than four handbreadths from one another —[whether or not one may carry in that area] brings us to the dispute of Rabban Simeon b. Gamaliel and rabbis'? From the perspective of Rabban Simeon b. Gamaliel, who has said, 'We invoke the imaginary extension downward,' one may make use of the alley from the interior only up to the inner edge of the innermost post [Slotki: since all the 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 sideposts], and from the perspective of rabbis, who say, we do not invoke the imaginary extension downward [Slotki: in respect of a distance of more than three handbreadths], one may make use of the alley up to the inner edge of the uttermost post, but the use of the space between the sideposts is forbidden by all parties."*

N. And Raba?

O. *That, too, is a case in which the alley opens out into neglected public domain. But if it opened into public domain, would it be permitted? Then [Slotki:] the native would be in the earth and the stranger in the highest heavens!*

P. Yes, indeed, like finds its like and wakes up.

Q. **[9B]** R. Ashi said, "[Yohanan's statement invoking the issue of Simeon b. Gamaliel and rabbis] would involve a case in which the one side of the alley was lined with sideposts at distances of less than four handbreadths from one another along the four cubits of its length. *From the perspective of Rabban Gamaliel, who has said, 'We invoke the imaginary extension downward,' the space bordered by the sideposts is classified as an alley, so it has to have an additional sidepost to render it an area permissible for carrying on the Sabbath. According to rabbis, who maintained that we do not invoke the imaginary extension downward, no other sidepost would*

be required to render the area permissible for carrying on the Sabbath.”

R. But from the perspective of Rabban Simeon b. Gamaliel, why not regard the alley as permitted, as one that has a sidepost that may be seen from outside even though it appears even with the wall from the inside?

S. Isn't this explanation of R. Ashi required only in response to R. Yohanan's statement? But when Rabin came, he said R. Yohanan [said], "As to a sidepost that may be seen from outside even though it appears even with the wall from the inside, it is not classified as a valid sidepost."

I.35 A. *It has been stated:*

B. If [a sidepost, placed at the edge of an alley to form a fictive gateway to permit the courtyards of the entire alleyway to be regarded as a single domain for purposes of carrying on the Sabbath] was visible from outside but was level on the inside, it is regarded as a valid sidepost. As to a sidepost that may be seen from outside even though it appears even with the wall from the inside —

C. R. Hiyya and R. Simeon b. Rabbi —

D. One said, "It is regarded as a valid sidepost."

E. The other said, "It is not regarded as a valid sidepost."

F. *You may draw the conclusion that it is R. Hiyya who takes the view, it is regarded as a valid sidepost. For R. Hiyya taught as a Tannaite rule: **A wall one side of which recedes more than the other and looks even from within but appears to be recessed from without, or appears even from without but looks to be recessed from within, is deemed equivalent to sideposts [T. Er. 1:10A-C].***

G. *Yes, you indeed may draw that conclusion.*

H. *Well, then, hasn't R. Yohanan heard this statement [since he says, "As to a sidepost that may be seen from outside even though it appears even with the wall from the inside, it is not classified as a valid sidepost"]?*

I. *Rather, he did indeed hear it, but he did not concur with it.*

J. *Then maybe R. Hiyya also doesn't concur with it?*

K. *What's going on? Maybe R. Yohanan doesn't concur with it, and that's why he didn't repeat it as a Tannaite rule, but as to R. Hiyya, if he didn't concur with the view, then why in the world did he present it as a Tannaite rule?*

- I.36** A. Said Rabbah bar R. Huna, "If a post is seen from the outside and appears even with the wall from the inside, it is regarded as a valid sidepost."
- B. *Said Rabbah, "We raised an objection in respect to our own teaching on the basis of the following: A large courtyard [the wall of] which was breached [so as to give access] to a small one —the large one is permitted, and the small one is forbidden, for it [the smaller roof or courtyard] is like a doorway to the large one [M. Er. 9:2C-E]. But if this ruling of Rabbah bar R. Huna were correct, then shouldn't it be permitted to move things in the small courtyard, since the entrance may be seen on the outside, though it appears even with the wall on the inside?"*
- C. Said R. Zira, "It is a case in which the walls of the small courtyard project into the large one."
- D. *But why not invoke the principle of a fictive extension of the projection, [so that the walls of the smaller courtyard would be deemed joined to the walls of the larger one, forming sideposts (Slotki),] and permit carrying in the area?*
- E. *And should you say that the walls are too far apart [from the projections, that is, more than three handbreadths (Slotki)], lo, R. Adda bar Abimi repeated as a Tannaite statement before R. Hanina, "The ruling applies to a small courtyard that was ten cubits, and a large one that was eleven cubits." [Slotki: 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 cannot be more than one cubit, or six handbreadths, leaving no more than three handbreadths for each side, from which allowance must be made for the thickness of the projections, leaving a space of less than three handbreadths, to which the principle of fictive extension may well be applied.]*
- F. Said Rabina, "It is a case in which the projections are removed by two handbreadths from one wall and four from the other" [a total of one cubit in all, but the gap on one side is more than the allowed maximum, so we cannot invoke the principle of fictive extension (Slotki)].
- G. *Then invoke the principle of fictive extension to one side, in which case the smaller courtyard would be an area in which carrying would be permitted.*

H. [10A] *The ruling is made within the principle of Rabbi, who takes the view that we require two valid sideposts. For it has been taught on Tannaite authority: A courtyard is rendered permissible for carrying on the Sabbath by means of a single post [Slotki: one strip of wall remaining on one side of the breach being sufficient to constitute a sidepost and to convert the breach into a doorway].*

I. Rabbi says, "With two posts."

J. *But what's the point? If you maintain, to be sure, that if the post is visible at the outside but even with the wall at the inside, it is not regarded as a valid sidepost, while Rabbi takes the view in accord with R. Yosé [that the minimum width of a sidepost must be three handbreadths, all the more so a strip of courtyard wall], and R. Zira's and Rabina's replies are not accepted, then there is no problem in understanding why the measurement of the small courtyard is said to be ten cubits and of the large, eleven; the reason is that Rabbi maintains the view that R. Yosé does. [Slotki: The one cubit, six handbreadths, by which the length of the wall of the larger courtyard exceeds that of the small one allows of two side parts, 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.] But if you maintain that if the sidepost is seen from the outside while even with the wall at the inside, it is regarded as a valid sidepost, and that the replies of R. Zira and Rabina are suitable [so the reason given for prohibiting use of the small courtyard is not the one given above but because of what Zira or Rabina have said (Slotki)], and that Rabbi does not concur with R. Yosé, then what's the point of giving the measurement of the large courtyard as eleven cubits? Whichever way you prefer, it makes no difference. That is, if the purpose is to explain why the large courtyard is an area permitted for carrying on the Sabbath, then it could be objected that it would have been enough for that purpose if it were ten cubits and two handbreadths long [to provide sideposts, since Rabbi doesn't adopt Yosé's minimum of three handbreadths (Slotki)]. And if it was to prohibit carrying in the smaller courtyard, then why not tell us of a case in which the walls were further apart? [Slotki: From that it*

would have been much more obvious than from the less definite case mentioned that the only reason for the prohibition was the inapplicability of the principle of fictive extension, owing to the wide gap; from this the conclusion that were it not for this fact, the smaller courtyard also would have been permitted, would have followed.] *So doesn't it follow that* if a post can be seen from without but appears even from within, it cannot be regarded as a valid sidepost?

K. *Yup.*

I.37 A. [Referring to the statement of Rabbah b. R. Huna, “If a post is seen from the outside and appears even with the wall from the inside, it is regarded as a valid sidepost,”] *said R. Joseph, “I never heard this tradition.”*

B. *Said to him Abbaye, “But you yourself told us that tradition, and it was in the context of the following that you told it to us, namely,* said R. Ammi bar Abba *said R. Huna, ‘A post that formed the extension of the wall of an alley [Slotki: 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] if less than four cubits in length is treated as a valid sidepost, and one may carry objects in the alley as far as the inner edge. If it was four cubits long, it must be regarded as an alley, and it is forbidden to make use of any part of the alley.’ And you yourself said to us in this regard, ‘Three conclusions are to be inferred from that statement. First of all, it is to be inferred that carrying in the space between sideposts is forbidden; second, it may be inferred that the minimum length of an alley is four cubits; and third of all, it may be inferred that if a post is seen from the outside and appears even with the wall from the inside, it is regarded as a valid sidepost.’”*

C. *And the decided law is this:* If a post is seen from the outside and appears even with the wall from the inside, it is regarded as a valid sidepost.

D. *So do we have on our hands both a refutation and a decided law?* [Slotki: Is it likely that a ruling refuted by

Rabbah through appeal to a Mishnah teaching should be the decided law?]

E. *Yes, since R. Hiyya taught a Tannaite ruling in accord with [Huna, in the case of an alley wall that had a recess on one side (Slotki)].*

II.1 A. And [the alley entry] of a breadth [wider) than ten cubits should one diminish [making it narrower].

B. *Said Abbaye, “A Tannaite statement: And [the alley entry] of a breadth [wider) than ten cubits should one diminish [making it narrower]. R. Judah says, ‘He doesn’t have to diminish it.’”*

C. And to what extent does it have to be diminished [in Judah’s opinion]?

D. *R. Ahi considered stating before R. Joseph, “To the extent of thirteen and a third cubits. This derives from an argument a fortiori from the rule governing enclosures around wells. If, in the case of an enclosure around a well, where it is permitted to use the well even though broken parts of the enclosure exceed the standing ones, no break may be wider than thirteen and a third cubits, how much the more so should no opening wider than thirteen and a third cubits be permitted in the case of an alley, in which instance it is not permitted to carry in the alley if the broken parts of the wall are more than the standing ones. But the law gives the basis for a contrary view: In the case of enclosures around wells, where use of the wells is permitted even if the broken portions of an enclosure exceed the standing ones, still there may be no gap wider than thirteen and a third cubits; in the case of an alley, which one cannot use when the broken parts of the walls exceed the standing parts, an opening wider than thirteen and a third cubits should be permitted. Or take this route instead: For enclosures around wells, in which case you have imposed a lenient ruling, you might as well make another lenient ruling; but in respect to an alley [where there is no lenient ruling], no opening more than ten cubits wide is permissible at all.”*

II.2 A. Levi taught as a Tannaite rule: “An alley entrance that is wider than ten cubits—one sticks a reed in the center, and that’s enough.”

B. *He repeated the Tannaite rule and he stated the fact that the decided law does not accord with that ruling.*

C. *There are those who say*, said Samuel in the name of Levi, “The law is not in accord with that Mishnah rule.”

D. *So what should someone do?*

E. *Said Samuel in the name of Levi*, [10B] “One makes a strip of boarding eight handbreadths high by four cubits, and sets it up in the middle of the entrance parallel to the length of the alley.” [That would constitute an alley wall, so one wide entrance is now regarded as forming two narrow ones, one serving a smaller alley, one a bigger one (Slotki)].

F. *Or also, one may act in accord with R. Judah*, for said R. Judah, “An alleyway that has an entrance fifteen cubits wide—one sets a strip of boarding three cubits long at a distance of two cubits from one of the walls of the alley” [Slotki: 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 forms together with the boarding a wall five cubits in length; the validity of such a wall is 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].

G. *But why* [have a strip of boarding the full length of three cubits (Slotki)]? Let him make a strip a cubit and a half wide along the wall, at a distance of two cubits from it, and put up another strip of a cubit and a half wide? [This, too, leaves a gap no wider than two cubits on one side and reduces the breadth of the entrance to ten cubits (Slotki).] *The fact that that is not an acceptable procedure yields the inference that if the standing part of a wall on two sides of a breach in the wall jointly exceed the width of the breach, they are not regarded as valid standing parts! [And that is nonsense!]*

H. *In point of fact, I shall say to you, that the standing portions separated by a breach are indeed deemed a valid wall, but here the case is exceptional, since the space on one side of the intermediate strip and the space on the other unite to nullify it.*

I. Well, then, why not put up adjoining one of the walls a strip one cubit wide, and, at a distance of a cubit from that strip, another one a cubit wide, and at a distance of a cubit from that one, a third one a cubit wide? *So would it not imply that where standing portions of a wall are equal in size to the breaches, the space that is enclosed is forbidden for carrying?*

J. *In point of fact, I shall tell you, it is permitted to carry in such an area, but this situation is exceptional, since the open space on the one side of the third strip and that on the other join together to nullify the intervening strip.*

K. Well, then, why not put a strip a cubit and a half wide at a distance of a cubit from one of the walls, then another strip, a cubit and a half wide, at a distance of a cubit from the first? [The gap of one cubit on the one side of the second strip is smaller than the strip, so it cannot unite with the other to nullify the strip.]

L. *Well and good, but rabbis don't want to trouble someone to do that much.*

M. *But how about taking account of the possibility that someone may neglect the larger opening [which is therefore not an entrance at all] and make use of the smaller one?* [The smaller one hasn't got a sidepost, and the post at the bigger opening doesn't serve, since that opening is not used as an entrance; so the alley is not covered by a valid sidepost, and it should be forbidden to move objects around in it.]

N. Said R. Adda bar Mattenah, "It is a prevailing assumption that someone will not abandon the use of a big entry and make use of a small one."

O. *But how does this case differ from the one of R. Ammi and R. Assi [where we do not invoke that assumption but make provision for that very possibility]?*

P. *There, someone uses the smaller entry as a shortcut, but here it is not going to be used as a shortcut.*

II.3 A. *There we have learned as a Tannaite rule: The leather seat of a stool and its hole combine to form the minimum of a handbreadth [T. Kel. B.B. 1:4].*

B. *What is the meaning of, the leather seat of a stool?*

C. Said Rabbah bar bar Hannah said R. Yohanan, "It is the leather covering of a toilet seat."

D. And how big [are the areas of the leather and the hole]?

E. When R. Dimi came, he said, "Two fingerbreadths on one side, two on the other side of the hole, and the hole is two fingerbreadths in the center."

F. When Rabin came, he said, "A finger and a half of breadths on one side, and the same on the other, and a finger breadth of open space for the hole."

G. *Said Abbayye to R. Dimi, "So do you guys dispute the matter?"*

H. *He said to him, "Nope. One is talking about the thumb [wide as a finger and a half], the other is talking about a small finger, so there's no material difference of opinion between us."* [Four of the one are the same as six of the other, a handbreadth.]

I. *He said to him, "You are so arguing, and this is the point of difference: where standing portions of a wall jointly exceed the breach on both sides of which they stand. In your view, the standing portions of the wall on the two sides of the breach combine, but in Rabin's view, they must be on one side only. But if they're on the two sides of the breach, they don't combine. For if you should imagine that you don't differ on this point, then what Rabin has said should be in these terms: the area of a finger and a third on this side of the hole and the same on that side of the hole and the area of a fingerbreadth and a third for the hole itself."*

J. *"So what are you thinking — that we disagree? But from my perspective, my statement should have run in this way if we differed: the area of a finger and two-thirds on one side of the hole and the area of a finger and two-thirds on the other side and the hole is the area of two fingers and two-thirds. So if we differ, we*

would disagree in the case in which the breach is equal to either of the two standing portions.”

- III.1** A. **And if it has the shape of a doorway, even though it is wider than ten cubits, it is not necessary to diminish [it, making it narrower]:**
- B. *We find therefore that in respect to the width of an entrance [that is more than ten cubits], forming the shape of a doorway serves [to turn the alley into fused, private domain, where people may carry], and in respect to the height of an entrance, a cornice has the same effect.[11A] But what if these are reversed [so that, if the height of the entrance were above twenty cubits, would the shape of a doorway matter, or if the width were more than ten cubits, would a cornice matter (Slotki)]?*
- C. *Come and take note of what has been taught on Tannaite authority:*
- D. *An alleyway that is higher than twenty cubits is to be diminished in height. And if it has the shape of a doorway, it is not necessary to diminish it in height. [So the shape of the doorway takes effect where the alley entry is too high.]*
- E. *As to a cornice?*
- F. *Come and take note of what has been taught on Tannaite authority:*
- G. *An alley entry that is higher than twenty cubits is to be diminished in height. One that is wider than ten cubits is to be diminished in width. If it has the shape of a doorway, it is not necessary to diminish it. If it has a cornice, it is not necessary to diminish it.*
- H. *Doesn't the reference to the cornice pertain to the second problem [so a cornice would serve to deal with an entrance that is too wide]?*
- I. *No, it pertains to the opening clause [concerning height].*

III.2 A. *R. Judah repeated the Tannaite rule to Hiyya bar Rab in the presence of Rab: “He does not have to diminish the width.”*

B. *He said to him, “Repeat the Tannaite rule as: ‘He does have to diminish the width.’”*

C. *Said R. Joseph, “From the statement of our lord, we learn the following: A courtyard, the greater part of the walls of which is made up of doors and windows, cannot be rendered permissible for carrying on the Sabbath by means of a contrivance in the shape of a door. How come? Since an entrance that is wider than ten cubits prohibits carrying in an alley, and since a breach in a wall that is greater than the standing portions prohibits carrying in a courtyard, we may treat the*

two facts as comparable: Just as an opening wider than ten cubits, that makes it prohibited to carry in an alley, cannot be validated by means of the shape of a doorway, so a wall, the breach in which is greater than its standing portion, which prohibits carrying in a courtyard, cannot be validated by means of the shape of a doorway.”

D. But what characterizes the entryway that is broader than ten cubits, which prohibits carrying in an alleyway, is that the shape of a doorway does not effect permissibility in the case of enclosures of wells, at least from the perspective of R. Meir. [Slotki: It is 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.] But will you say the same in the case of a partition of which the breaches are more than the standing part, which prohibits carrying in a courtyard? For in that case, you have validated such a situation in the case of an enclosure around a well, and that is the opinion of all parties!

E. *May we say that the following supports the position* [that the shape of a doorway does not effect permissibility where the standing part is less than the breaches in a partition (Slotki)]: As to walls that are made up mostly of doors and windows, [the space enclosed by such walls] is permitted [for carrying on the Sabbath], but that is on condition that the standing part is more than the breaches.

F. *Do you really imagine that the rule is*, the standing part is more than the breaches? *Rather, surely it must be stated as*: The space in which there are many doors and windows is permitted, on condition that the standing part is more than the breaches. [Slotki: This proves that even where an opening has the shape of a doorway, as in the case with doors and windows, the space enclosed cannot be regarded as permitted domain unless the total width of the standing portions exceeds that of the breaches, in agreement with Rab’s view.]

G. *Said R. Kahana, “When that statement was set forth as a Tannaite rule, it pertained to incomplete doors” [but it doesn’t apply to proper ones].*

H. *What are incomplete doors?*

I. *There was a dispute on that matter involving R. Rehum and R. Joseph.*

J. *One said, "One that doesn't have sideposts."*

K. *And the other said, "One that doesn't have a lintel."*

III.3 A. *And so, too, R. Yohanan concurs in that statement of Rab, for said Rabin bar R. Adda said R. Isaac, "There was the case of a man who lived in the valley of Beth Hivartan. He drove four poles into the four corners of his field and stretched across each two of them a rod [so they looked like doorways]. The case came before sages, and they permitted him to use the field in regard to the problem of mixed seeds [since the doorway shapes partitioned the field to grow vines on one side of the partition, though grain was going close by, and he did not have to leave four cubits between the one and the other].*

B. *"And in connection with that precedent said R. Simeon b. Laqish, 'As they permitted the arrangement so far as mixed seeds in a vineyard are concerned, so they permitted it so far as carrying on the Sabbath in the enclosed space.' R. Yohanan said, 'It was in particular in connection with the consideration of mixed seeds that they permitted him, but as to the Sabbath, they gave no such permission.'"*

C. *Now with what situation do we deal here? If we say that the rods were attached sideways [not on top of the poles but lower down on the sides], then surely one might object, didn't R. Hisda rule that the shape of a doorway made by a crossbeam attached sideways is null? So it must be a case in which the reeds were put on top. And how far were the poles from one another? If it was less than ten cubits, then why in the world would R. Yohanan have said that in regard to the Sabbath, the door-shaped contraption was null? So it must be that the distance was more than ten cubits [and therefore Yohanan concurs with Rab]!*

D. *In point of fact, it was ten cubits wide, and it was indeed an attachment sideways, but what is at stake in the dispute is the position of R. Hisda.*

III.4 A. *There is then a contradiction between two rulings assigned to R. Yohanan and also between two rulings assigned to R. Simeon b. Laqish.*

B. For said R. Simeon b. Laqish in the name of R. Judah bar Hanina, **[11B]** “A plait of rods on poles serves as a valid partition in respect to the consideration of mixed seeds in a vineyard, but not in respect to the Sabbath.”

C. And R. Yohanan said, “Since it is null as a partition in regard to the Sabbath, so it does not serve as a partition in connection with mixed seeds in a vineyard.”

D. Well, now, there really is no contradiction between the two statements of R. Simeon b. Laqish, since the former stands for his own view, the latter, the view of his teacher [Judah bar Hanina]. But surely the two statements attributed to R. Yohanan conflict! For, to be sure, if you say that there [in the instance of mixed seeds in a vineyard cited above], the rods were put on the tops of the poles, and here the plaited rods were put on the sides, there still is no problem. But if you say that, in both cases, the rods are put on sideways, what is to be said?

E. In point of fact, both cases have the rods attached sideways. But in the first case, the distance between the poles was not more than two cubits, and in the latter case, it is more than ten cubits.

F. And on what basis do you maintain that we make a distinction between the space of ten cubits and the space of more than ten cubits?

G. It is on the basis of what R. Yohanan said to R. Simeon b. Laqish: “Wasn’t there a case in which R. Joshua went to R. Yohanan b. Nuri to study Torah. Even though he was expert in the laws of mixed seeds, when he found that the master was sitting among the trees, he stretched a rod from one tree to another, saying to him, ‘My lord, if there were vines growing on one side of the rod, what would be the law on sowing grain on the other side of it?’ And he said to him, ‘If the distance between the trees on which the rod is located is less than ten cubits, it is permitted, but if it is more, it is forbidden?’” Now with what situation do we deal here? Should I say that the rod was placed on the

tops of the trees? Then how come it says, but if it is more, it is forbidden? Hasn't it been taught on Tannaite authority: If forked reeds were there, and a plait was made above them, it is permitted to have vines and grain on either side of the line, even if the distance between the reeds is more than ten cubits? So it must be that the rod was attached sideways, and still, [Yohanan b. Nuri] instructed him, If the distance between the trees on which the rod is located is less than ten cubits, it is permitted, but if it is more, it is forbidden. [So we make exactly that distinction.]

H. *True enough.*

III.5 A. *Reverting to the body of the foregoing:* Said R. Hisda, "The shape of a doorway made by a crossbeam attached sideways is null" –

B. And said R. Hisda, "The shape of a doorway of which they have spoken has to be strong enough to support a door made of very light material, even only a straw door.

III.6 A. Said R. Simeon b. Laqish in the name of R. Yannai, "The shape of such a door has to have the mark where a hinge would be placed."

B. *What is the meaning of, the mark where a hinge would be placed?*

C. *Said R. Avayya, "A loop."*

D. *R. Aha b. R. Avayya met the disciples of R. Ashi. He said to them, "Did the master say anything about the mark where a hinge would be placed?"*

E. *They said to him, "Nuthin."*

III.7 A. *A Tannaite statement:* The shape of a doorway of which they have spoken must have a reed on either side and one on top.

B. Do the reeds have to touch or not?

C. R. Nahman said, "They don't have to touch."

D. And R. Sheshet said, "They have to touch."

E. *R. Nahman went and made a practical decision at the household of the exilarch in accord with his tradition. Said R.*

Sheshet to his servant R. Gada, "Go, pull them up and throw them out." He went, pulled them up, and threw them out.

F. The staff of the household of the exilarch caught him and threw him into prison. R. Sheshet went and stood at the door of the prison and called him, "Gada, come on out," and he came out.

G. R. Sheshet came across Rabbah bar Samuel. He said to him, "Has the master repeated any Tannaite statements with reference to the shape of a doorway?"

H. He said to him, "Yes, there is this Tannaite statement: As to an arched doorway, R. Meir declares it liable to a mezuzah, but sages declare it exempt; and they concur that if the lower section [between the arch and the ground] is ten handbreadths high, the doorway has to have a mezuzah."

I. Said Abbaye, "All concur that if it is ten handbreadths high but the lower section is less than three handbreadths off the ground, or even if it was three handbreadths high but the total height was less than ten handbreadths, it is absolutely null. Where they differ, it is a case in which the height of the lower section is three handbreadths, and the total height ten cubits, and the width of the arch was less than four handbreadths, but the sides are sufficiently wide for the arch to be cut to a width of four handbreadths. R. Meir maintains that we do regard the sides as though they were cut to complete the prescribed width, and rabbis take the view that we do not regard them as though they were cut to complete the prescribed width."

J. He said to him, "So if you happen to come across them, don't tell the members of the staff of the household of the exilarch anything about this Tannaite rule of the arched doorway."

1:2

- A. **The validation of an alley entry [for carrying of objects on the Sabbath]**
—
- B. **the House of Shammai say, "[It must have] a sidepost and a crossbeam."**
- C. **And the House of Hillel say, "A sidepost or a crossbeam."**

- D. R. Eliezer says, “Two sideposts.”
- E. In the name of R. Ishmael said a certain disciple before R. Aqiba, “The House of Shammai and the House of Hillel did not dispute concerning an alley entry which is less than four cubits wide, that it [is validated] either by a sidepost or by a crossbeam.
- F. “Concerning what did they dispute?
- G. “Concerning one which is broader than four cubits, up to ten cubits.
- H. “For: The House of Shammai say, ‘A sidepost and a crossbeam.’
- I. “And the House of Hillel say, ‘A sidepost or a crossbeam.’”
- J. Said R. Aqiba, “Concerning both this case and that case did they dispute.”

- I.1** A. *In accord with what authority is our Mishnah rule? For it does not accord with either Hananiah or the initial Tannaite authority [in the formulation: How do people provide a symbolic fusion boundary for a street that is public domain? One makes a construction in the shape of an entryway on one side and sideposts and a crossbeam on the other. Hananiah says, “The House of Shammai say, ‘One makes a door at the one end and a door at the other, and when he goes in and out, he has to lock it.’ The House of Hillel say, ‘He makes a door at the one end but sideposts and a crossbeam on the other’”].*
- B. Said R. Judah, “This is the sense of the statement: **The validation of a blind alley entry [for carrying of objects on the Sabbath] —the House of Shammai say, ‘[It must have] a sidepost and a crossbeam.’ And the House of Hillel say, ‘A sidepost or a crossbeam.’”**

- II.1** A. **The House of Shammai say, “[It must have] a sidepost and a crossbeam”:**
- B. *Does that bear the implication that the House of Shammai maintain that the Torah requires four partitions and no less to form private domain?*
- C. *Not at all. So far as throwing an object on the Sabbath into that area from public domain, one would incur guilt even if it had only three partitions [which the Pentateuch regards as private domain], but as far as carrying objects around within the area, that may be done only when there are four partitions.*

- III.1** A. **And the House of Hillel say, “A sidepost or a crossbeam”:**
- B. *Does that bear the implication that the House of Hillel maintain that the Torah requires three partitions and no less to form private domain?*

- C. *Not at all. So far as throwing an object on the Sabbath into that area from public domain, one would incur guilt even if it had only two partitions [which the Pentateuch regards as private domain], but as far as carrying objects around within the area, that may be done only when there are three partitions.*

IV.1 A. R. Eliezer says, “Two sideposts”:

- B. *The question was raised: Does R. Eliezer refer to two sideposts and also a beam, or does he mean, two sideposts without a beam at all?*
- C. *Come and take note: There was a precedent in which R. Eliezer went to R. Yosé b. Perida, his disciple, [12A] in Ublin. He found him living in an alley that had only one sidepost. He said to him, “My son, make another sidepost.” He said to him, “Do I have to close it up?” He said to him, “So close it up, and what difference does it make?” [T. Er. 1:2].*
- D. *Said Rabban Simeon b. Gamaliel, “The House of Shammai and the House of Hillel did not differ concerning an alleyway that was less than four cubits wide, that it requires nothing. Concerning what did they differ? One that was wider than four but narrower than ten. The House of Shammai say, ‘It has to have a sidepost and a crossbeam.’ The House of Hillel say, ‘Either a sidepost or a crossbeam.’”*
- E. *Now, in any event, the Tannaite formulation includes the statement, **Do I have to close it up**. Now if you take the view that both sideposts and a crossbeam are necessary from Eliezer’s perspective, then we can understand why the disciple said, **Do I have to close it up** [for these would form a valid partition]. But if you say that sideposts without a crossbeam suffice, then what could he possibly have meant by, **Do I have to close it up**?*
- F. *This is the sense of his statement: **Do I have to close it up** with sideposts?*

IV.2 A. The master has said: Said Rabban Simeon b. Gamaliel, “The House of Shammai and the House of Hillel did not differ concerning an alleyway that was less than four cubits wide, that it requires nothing” –

B. *But lo, we have learned in the Mishnah: In the name of R. Ishmael said a certain disciple before R. Aqiba, “The House of Shammai and the House of Hillel did not dispute concerning an alley entry which is less than four cubits wide, that it [is validated] either by a sidepost or by a crossbeam. Concerning what did they dispute? Concerning one which is broader than four cubits, up to ten cubits. For: The House of Shammai say, ‘A*

sidepost and a crossbeam.’ And the House of Hillel say, ‘A sidepost or a crossbeam.’”

C. Said R. Ashi, “This is the sense of [Simeon b. Gamaliel’s] statement: ‘It does not require both a sidepost and a crossbeam, in accord with the House of Shammai, nor two sideposts, in accord with R. Eliezer, but either a sidepost or a crossbeam, in accord with the position of the House of Hillel.’”

IV.3 A. And how much [is the minimum, less than four cubits, that would require a sidepost or a crossbeam]?

B. Said R. Ahali, and some say, R. Yehiel, “No less than four handbreadths.” [Slotki: An alley with a narrower entrance than that requires no provision whatsoever.]

IV.4 A. Said R. Sheshet said R. Jeremiah bar Abbah said Rab, “Sages concur with R. Eliezer in the case of sideposts of a courtyard.” [Slotki: If the courtyard was open to public domain by a gap in one of its walls, strips of the wall must remain on either side of the gap to form a sidepost and make it look like a doorway.]

B. And R. Nahman said, “The decided law accords with R. Eliezer in regard to sideposts of a courtyard.”

IV.5 A. *Said R. Nahman bar Isaac, “To whom does “Sages concur with R. Eliezer in the case of sideposts of a courtyard” make reference? It is Rabbi.”*

B. But with the statement, The decided law accords..., it follows that there are those who differ. So who are those who differ with him?

C. It is rabbis, as has been taught on Tannaite authority: A courtyard is rendered permissible for carrying on the Sabbath by means of a single post. Rabbi says, “By two posts.”

IV.6 A. Said R. Assi said R. Yohanan, “A courtyard has to have two sideposts.”

B. *Said R. Assi, “Did R. Yohanan say such a thing? Lo, you yourself stated in the name of R. Yohanan, ‘The sideposts of a courtyard have to be four handbreadths wide’! And should you say, four handbreadths on one side and four on the other, didn’t R. Adda bar Abimi repeat as a Tannaite rule in the presence of R. Hanina, and some say, in the presence of R. Hanina bar Pappi, ‘The ruling pertains to a small courtyard with a wall of ten cubits, and a large one with a wall of eleven?’” [Slotki: Since the wall on the side of the larger*

courtyard exceeds that of the smaller by only one cubit, which is six handbreadths, a sidepost of four handbreadths on one side would leave the other side no more than two handbreadths, and that is not a valid sidepost; so it follows that, according to Yohanan, one sidepost four handbreadths wide is enough; so how could Assi say Yohanan required two?]

- C. *When R. Zira came up from his ocean voyage, he explained: "A sidepost on one side of an opening has to be four handbreadths wide, but sideposts on two sides of an opening need be no more than a fraction. What R. Adda bar Abimi said is the view of Rabbi, who concurs with R. Yosé."* [Slotki: Yosé requires the minimum width of a sidepost to be three handbreadths, so that the width of a cubit or six handbreadths is sufficient to allow for the required minimum width on either side of the gap; Yohanan upholds the view of rabbis, who require a sidepost on one side of an opening to have a minimum width of four handbreadths, while in the case of a sidepost on either side any width is sufficient.]

- IV.7** A. Said R. Judah said Samuel, "A courtyard is rendered permissible for carrying on the Sabbath by means of a single sidepost [at the side of the entrance]."
- B. *Said Abbaye to R. Joseph, "But did Samuel make any such statement? And lo, said Samuel to R. Hananiah bar Shila, 'Don't you permit use of a courtyard unless there was either the greater part of the wall or two strips of it?' [One has to be on either side of the gap.]"*
- C. *He said to him, "As for me, I know only about the precedent of Dura Dereuta. A wedge of the sea penetrated into a courtyard, and the case came before R. Judah, and he required them to provide only a single strip of board."*
- D. *He said to him, "Well, do you raise the case of a wedge of the sea? The rule in that case involves a lenient ruling that sages have supplied in such a case involving water in particular."*
- E. *That is in line with what R. Tabela asked Rab, "As to a partition that is suspended, what is the law on its making it permissible to carry around in a ruin?" And he said to him, "A suspended partition does not make it permissible to carry around except in water, for that is a lenient ruling that sages extended in the case of water."*
- F. *Well, in any event, it's a problem!*
- G. *When R. Pappa and R. Huna b. R. Joshua came from the household of the master, they explained it: "A sidepost on one side of a gap has to be four*

handbreadths wide, but where there is one on either side, any width whatever suffices.”

H. *Said R. Pappa, “If I were to raise a question, this is the question I should raise: It would derive from what Samuel said to R. Hananiah bar Shila, ‘Don’t permit use of the courtyard on the Sabbath for carrying unless there remained either the greater part of the wall or two strips of it.’ But what need do I have for the greater part of the wall? Isn’t a strip four handbreadths wide sufficient? And if you should say, ‘the greater part of the wall’ speaks of a wall seven handbreadths wide, in which case, four handbreadths would be the greater part of the wall, one could object as follows: Why have four handbreadths if in this case three and a fraction suffice? For said R. Ahali and some say R. Yehiel, ‘If the gap is less than four handbreadths wide, there is no need for any provision at all’?”*

I. *If you like, I shall say: In the one case we deal with a courtyard, in the other, an alley [the courtyard, where the width is greater than the length, is not permitted, even though the gap is narrower than four handbreadths, unless the greater part of the broken wall survived; Samuel thus instructed Hananiah about a courtyard; an alley, where the length is more than the width, is treated as permitted domain if the width of the gap is less than four handbreadths (Slotki)].*

J. *If you prefer, I shall say, what R. Ahali has said itself is subject to Tannaite dispute [so Samuel restricted use of a courtyard to cases where there was either the greater part of the wall or two strips of it (Slotki)].*

IV.8 A. *Our rabbis have taught on Tannaite authority:*

- B. If a tongue of the sea entered a courtyard, they do not draw water from it on the Sabbath, unless it has a partition ten handbreadths high. Under what circumstances? If the breach that the sea has made is wider than ten cubits. But if it was less than ten cubits wide, there is no provision that is required whatsoever.

C. *Well, then, is it that they may not draw water in particular, but people may carry around in the courtyard? But why should that be the rule? Doesn’t the courtyard have a gap that opens it out in full to forbidden domain?*

D. [12B] *Here with what situation do we deal? A wall that had stumps that remained.*

- IV.9** A. Said R. Judah, “An alleyway the residents of which did not form a partnership [to provide a fictive boundary] —if the alleyway was validated for carrying only by means of a sidepost, he who throws something into the courtyard is liable [for this is private domain]; but if the validation was by means of a crossbeam, he who throws something into the alleyway is exempt [since this is public domain, pure and simple].” [Slotki: A crossbeam is a distinguishing mark, and the alley is not formed into a private domain unless it had four sides, or a valid partition at the entrance plus three walls.]
- B. *Objected Sheshet, “Well, then, the operative consideration is that the residents did not form a partnership to provide a fictive boundary [so the alleyway is not private domain], but if they had joined together, then one would have been guilty even if the validation had been carried out by a crossbeam only. [That would have made it private domain.] So then does the loaf of bread that is the symbol of the fictive partnership of the residents what determines what is private or public domain? Hasn’t it been taught on Tannaite authority: As to courtyards that are publicly owned and blind alleys, whether the residents have formed a partnership to provide a fictive boundary or whether they have not done so, one who throws something into either on the Sabbath from public domain is liable [so the loaf that symbolizes the fictive partnership doesn’t dictate the character of the area]? Rather, if such a statement was made, this is what has to have been said: Said R. Judah, ‘An alleyway that is not suitable for the preparation of a symbolic fusion meal is validated for carrying on the Sabbath by a sidepost. He who throws something into it from public domain is liable. If it was validated by a crossbeam, he who throws something into it is exempt.’ Therefore he takes the view that the side beam serves as a partition [and makes the area into private domain], but the crossbeam is a mere distinguishing mark.”*
- C. And so said Rabbah, “The side beam serves as a partition [and makes the area into private domain], but the crossbeam is a mere distinguishing mark.”
- D. But Raba said, “All the same are the one and the other: They both are merely distinguishing marks.”
- E. *R. Jacob bar Abba objected to Raba, “He who throws something from public domain into an alleyway —if it has a sidepost, he is liable, if it had none, he is exempt.”*

- F. *This is the sense of the statement:* If it required only a sidepost [opening into public domain on one side only (Slotki)], then he who threw something into it is guilty; but if it had to have a sidepost and something else [a sidepost at one end, the shape of a doorway at the other], he who threw something into it is exempt.
- G. *An objection was raised:* Still further did R. Judah state, “He who owns two houses on two sides of public domain may put a board on this side and a board on that side, or a beam on this side and a beam on that side, and carry things around in the middle. They said to him, “A symbolic fusion of space in the public domain may not be undertaken in such a way.”
- H. *In that case R. Judah takes the view that by the law of the Torah two partitions serve to define private domain.*

- IV.10** A. Said R. Judah said Rab, “An alleyway that is as long as it is wide cannot be rendered an area permissible for carrying on the Sabbath merely by the provision of the fraction of a sidepost [but it has to be four handbreadths wide, since it is classified as a courtyard].”
- B. Said R. Hiyya bar Ashi said Rab, “An alleyway that is as long as it is wide cannot be rendered an area permissible for carrying on the Sabbath merely by the provision of a crossbeam a handbreadth wide.” [That would serve only if the alley is longer than it is wide.]

C. Said R. Zira, “Well, now, how precise are the traditions of these elders! Since an alley is as long as it is wide, it is classified as a courtyard, which can be rendered permissible for carrying on the Sabbath not by a sidepost or a crossbeam but only by a strip that is four handbreadths high.”

D. Said R. Zira, “If I have a problem, this is my problem: Why shouldn’t the sidepost be regarded as a fraction of a strip and so turn the alley into an area permitted for carrying on the Sabbath?”

E. He had missed the following, which R. Assi said R. Yohanan said, “Strips of a courtyard have to be four handbreadths wide.”

- IV.11** A. Said R. Nahman, “We hold the following tradition: What is the definition of an alleyway in which carrying objects on the Sabbath is permitted if an entranceway is constructed with a sidepost and crossbeam? It has to be longer than it is wide, and it has to have houses and courtyards that open out into it. And what is the definition of a courtyard in which carrying objects on the Sabbath is not permitted if an entranceway is constructed with a sidepost and

crossbeam, but only by a strip four handbreadths wide? It is one that is square shaped.”

B. *Only one that is square shaped, not one that is round?*

C. *This is the sense of the statement:* If the length is greater than the width, it is an alley, so a sidepost and crossbeam suffice to allow carrying therein; otherwise, it is regarded as a courtyard.

D. And by how much must the length exceed the width?

E. *Samuel considered ruling, “By no less than twice the width,” but said to him Rab, “This is what my uncle said, ‘By any small fraction.’”*

V.1 A. **In the name of R. Ishmael said a certain disciple before R. Aqiba, “The House of Shammai and the House of Hillel did not dispute concerning an alley entry which is less than four cubits wide, that it [is validated] either by a sidepost or by a crossbeam. Concerning what did they dispute? Concerning one which is broader than four cubits, up to ten cubits. For: The House of Shammai say, ‘A sidepost and a crossbeam.’ And the House of Hillel say, ‘A sidepost or a crossbeam.’” [13A] Said R. Aqiba, “Concerning both this case and that case did they dispute”:**

B. *R. Aqiba says the same thing as the initial Tannaite authority!*

C. *At issue between them is what R. Ahali said, and some say, R. Yehiel, but there is no evidence on who says what.*

V.2 A. *It has been taught on Tannaite authority:*

B. Said R. Aqiba, “It is not R. Ishmael who made that statement, but that disciple is the one who made that statement, and the decided law is in accord with that disciple.”

C. *Well, anyhow, this is self-contradictory. First you say, it is not R. Ishmael who made that statement. So the decided law is not in accord with him. Then you say, the decided law is in accord with that disciple!*

D. Said R. Judah said Samuel, “R. Aqiba made that statement only to sharpen the disciples.”

E. *And R. Nahman bar Isaac said, “What was said was, ‘His statement appears sound.’”*

- V.3** A. Said R. Joshua b. Levi, “In any passage in which you found, ‘In the name of R. Ishmael said a disciple before R. Aqiba,’ this is only R. Meir, who first served as a disciple to R. Ishmael and then to R. Aqiba.”
- B. *For it has been taught on Tannaite authority:* Said R. Meir, “When I was studying Torah with R. Ishmael, I would put vitriol into the ink, and he did not say anything [critical] to me, but when I went to R. Aqiba, he forbade me [to do so].”
- C. Well, is that so? And didn’t R. Judah say Samuel said in the name of R. Meir, “When I [Meir] was studying Torah with R. Aqiba, I would put vitriol into the ink, and he did not say anything [critical] to me.
- D. “When I went to R. Ishmael, he said to me, ‘My son, what is your trade?’ I said to him, ‘I am a scribe.’ He said to me, ‘Be attentive to your work, for your craft does the work of Heaven. Should you leave out a single letter or add a single letter [to a document], you will turn out to destroy an entire world.’
- E. “I said to him, ‘I have something which I put into the ink, and it is called vitriol.’
- F. “He said to me, ‘Do they put vitriol into ink? The Torah has said, “He shall blot out...” (Num. 5:23), speaking therefore of writing that it is possible to blot out.”
- G. *What is it that [Ishmael] indicated to [Meir], that [Meir] replied in this way [about using vitriol]?*
- H. *This is the sense of what he said, “It is not an issue that I am an expert in, not leaving out or adding letters [which do not belong]. But I know even how to take account of the speck of a fly, which might come and land on the crown of a D and wipe it away and turn it into an R. I have something which I put into the ink, and it is called vitriol.”*
- I. *There is a problem as to [the order in which Meir] served [and studied with] [the cited authorities], and there also is a problem as to which authority issued the prohibition against using vitriol.*
- J. *There is no problem as to the sequence in which [Meir] served [the successive authorities]. At the outset he came before R. Aqiba. Since he could not withstand his [criticism], he came before R. Ishmael and he studied. Once he had learned, he came back to R. Aqiba, at which point he was able to reason properly.*

K. *But as to the issue of which authority issued the prohibition, there is a problem [which we cannot sort out].*

V.4 A. *It has been taught on Tannaite authority:*

B. R. Judah says, “R. Meir would say, ‘They put vitriol into ink for all purposes except for the making of ink to write the portion of an accused wife.’”

C. R. Jacob says in his name, “... except for the portion of the accused wife for the purpose of [carrying out the rite in] the sanctuary.”

D. *What is at issue between these two versions of the matter?*

E. *[Said R. Jeremiah,] “At issue between the two versions is whether or not one may blot out, for the rite of the accused wife, the appropriate passage as it is written in the Torah. [In Jacob’s view, one may do so, therefore one may not use vitriol.]”*

F. *The dispute between the two Tannaite authorities just now cited may prove parallel to the dispute of the following Tannaite authorities, for it has been taught on Tannaite authority:*

G. Her scroll is not valid for the water ordeal of another accused wife [M. 3:3B].

H. R. Ahi bar Josiah says, “Her scroll is valid for the water ordeal of another accused wife.”

I. *Said R. Papa, “Perhaps it is not [parallel at all]. The first of the two authorities has made his statement only [in a case in which the scroll was written for a particular woman,] so that, once the scroll has been designated for Rachel, one may not then go and designate it for Leah.*

J. *“But as to the written version of the Torah, which is written for people in general, [without being designated for a particular person,] in such a case we may indeed blot it out [for use in the rite of the accused woman. So the two cases would not be parallel, since Jacob specifies that he deals only with a Torah scroll used in the sanctuary].”*

K. *Said R. Nahman bar Isaac, “Perhaps it is not [parallel at all]. Where R. Ahi bar Josiah makes his ruling, it is in the case of a scroll, which is written out for the sake of the curses. [That scroll may not be used for another accused wife’s rite.]*

L. *“But as to a Torah, written for people to study, in such a case he would maintain that one may not blot out [the passage as part of the rite, and, in such a case, one may indeed not use the scroll for another accused wife and] may not blot it out.”*

M. *And does R. Ahi bar Josiah not concur with the law that if one has written a writ of divorce with which to divorce his wife, [13B] and he changed his mind [and discarded the document], and a fellow townsman found the document and said to him, “My name is the same as yours, and my wife’s name is the same as yours” —it is forbidden to divorce the latter’s wife using that writ of divorce. [If Ahi says the scroll may be valid for another accused wife, would he then say also that a writ of divorce written for one woman may be used for the divorce of some other?]*

N. *[No, that would not follow at all.] How are the cases parallel? In that case [of the writ of divorce], the All-Merciful explicitly states, “And he shall write for her [in particular]” (Deu. 24: 1), indicating that we require that the writing of the writ of divorce must be for the sake of a particular woman.*

O. *But here, too, it is written, “He shall carry out in her regard” (Num. 5:30)! [Does that not mean the same thing?]*

P. *What is the reference to “carrying out”? It is to the blotting out [of the document. That must be done for the particular woman at hand, but the document need not be written with her in mind].*

Topical Appendix on Meir

- V.5** A. Said R. Aha bar Hanina, “It is perfectly obvious before the One who spoke and brought the world into being that there was none in the generation of R. Meir who was his equal. So why was the decided law not established in accord with his position? Because his colleagues could not fully grasp the profundities of his thinking, for he would declare what is cultically unclean to be clean and show proof that it was clean, or declare what was clean to be unclean and make the case stick.”
- V.6** A. *A Tannaite statement:* R. Meir was not his name, but R. Nehorai was his name, and why was he called R. Meir? Because he illuminated the vision of sages in law [and the word for illuminate is the same as the word Meir].

- B. And in fact his name wasn't R. Nehorai [enlightened] but R. Nehemiah, and some say, his name was R. Eleazar b. Arakh. And why was he called R. Nehorai? Because he illuminated the eyes of sages in law.

V.7 A. *Said Rabbi, "The only reason I am sharper than my colleagues is that I saw R. Meir from the back, and if I had seen him from the front, I would have been still sharper, as it is written: 'But your eyes shall see your teacher' (Isa. 30:20)."*

V.8 A. Said R. Abbahu said R. Yohanan, "R. Meir had one disciple, named Sumekhosh, who could give forty-eight reasons to confirm the uncleanness of something that was unclean, and who could give forty-eight reasons to confirm the cleanness of what was clean."

V.9 A. *A Tannaite statement:* There was an experienced disciple in Yavneh, who proved for a hundred and fifty reasons that a dead creeping thing was clean.

B. Said Rabina, "I shall provide an argument that it is clean. Now if a snake, which by killing a human being may increase uncleanness, is not unclean, a dead creeping thing, which cannot kill a person and so increase uncleanness, surely should be clean as well."

C. *But that is not a sound argument, as we see from the case of an ordinary thorn [about which the same argument can be constructed, but no one can imagine that it is unclean].*

Topical Appendix on Disputes of the Houses

V.10 A. Said R. Abba said Samuel, "For three years the House of Shammai and the House of Hillel debated. These said, 'The law is in accord with our position,' and those said, 'The law is in accord with our position.' An echo came forth and said, 'These and those are the words of the living God, but the decided law is in accord with the House of Hillel.'"

B. "Well, then, if it is the fact that these and those both represent the words of the living God, how come the House of Hillel enjoyed the unearned grace of having the law decided in accord with their position?"

C. "Because they are easygoing and diffident, they repeated their opinion and also the opinion of the House of Shammai, and not only so, but they gave priority to the teachings of the House of Shammai over their own teaching."

D. *That is in line with the item that we have learned in the Mishnah:*

He whose head and the greater part of whose body are in the

sukkah, but whose table is in the house —the House of Shammai declare invalid. And the House of Hillel declare valid. Said the House of Hillel to the House of Shammai, “Was not the precedent so, that the elders of the House of Shammai and the elders of the House of Hillel went along to pay a sick call on R. Yohanan b. Hahorani, and they found him sitting with his head and the greater part of his body in the sukkah, and his table in the house, and they said nothing at all to him!” Said the House of Shammai to them, “Is there proof from that story? But in point of fact they did say to him, ‘If this is how you act, you have never in your whole life fulfilled the religious requirement of dwelling in a sukkah!’” [M. Suk. 2:7].

E. This teaches you that whoever humbles himself the Holy One, blessed be He, raises up, and whoever exalts himself —the Holy One, blessed be He, humbles. Whoever goes looking for greatness — greatness flees from him; but whoever flees from greatness — greatness follows him. Whoever tries to rush things is overwhelmed by haste, and whoever [Slotki:] yields to time will find time standing at his side.

- V.11** A. *Our rabbis have taught on Tannaite authority:*
- B. Two and a half years did the House of Shammai and the House of Hillel debate. These say, “It would have been better for humanity not have to been created rather than to have been created.” And the others say, “It is better for humanity to have been created than to not have been created.”
 - C. They took a vote and decided, “It would have been better for humanity not to have been created than to have been created. Now that it has been created, let humanity watch out for what it has done.”
 - D. *Others say*, “Let humanity watch out for what it is going to do.”

1:3

- A. **The crossbeam of which they spoke [should be] wide [enough] to hold a half-brick.**
- B. **And the half-brick is the half of a brick of three handbreadths.**
- C. **It is sufficient for the crossbeam to be a handbreadth wide, [enough] to hold a half-brick lengthwise .**

1:4

- A. It [the crossbeam] should be wide enough to hold a half-brick,
- B. and strong enough to hold a half-brick.
- C. R. Judah says, “[It should be] wide enough [to hold a half-brick] even though it is not sufficiently strong [to hold a half-brick].”

1:5

- A. “[If] it was of straw or reeds, they regard it as if it were made of metal.”
- B. [If it was] curved, they regard it as if it were straight.
- C. [If it was] round, they regard it as if it were square.
- D. Whatever is three handbreadths in circumference is one handbreadth in width.

I.1 A. **[14A] A handbreadth wide:** *But it ought to be a handbreadth and a half [to support a half-brick of the stated size]!*

- B. *Since it's wide enough to hold a half-brick of the size of a handbreadth, as to the additional half-handbreadth, one plasters a foundation for it on the remaining half of the handbreadth with clay, a little on one side, a little on the other, to hold the half-brick in position.*

II.1 A. **[And strong enough to hold a half-brick:]** Said Rabbah bar R. Huna, “The crossbeam of which they have spoken must be sufficiently strong to hold a half-brick. But the supports of the beam [for example, pegs (Slotki)] don't have to be sufficiently strong to hold the beam and also the half-brick.”

- B. And R. Hisda said, “All the same are the one and the other: They have to be strong enough to hold the beam and a half-brick.”

II.2 A. Said R. Sheshet, “If one left a beam across the entrance to an alley and spread a mat over it, raising the lower end of the mat to three handbreadths from the ground, there is no valid beam there, there also is no valid partition there. There is no valid beam there: *For lo, it is covered up.* And there also is no valid partition there: *For it is a partition through which kid-goats can push their way [and it isn't strong enough to serve as a partition of any kind].*”

II.3 A. *Our rabbis have taught on Tannaite authority:*

- B. **A beam which projects from one wall and does not reach the other wall, and so, too, in the case of two beams, one which projects from one wall and the other which projects from the other wall but do not reach one another, if the distance between them is less than three handbreadths,**

one does not have to bring another beam [and place it on top of them to complete a fictive doorway], but if it is three handbreadths, one has to bring another beam [and place it on top of them to complete the covering].

- C. Rabban Simeon b. Gamaliel says, “If it is less than four handbreadths, it is not necessary to provide another crossbeam; if it was a gap of four handbreadths, it is necessary to provide another crossbeam.
- D. So, too, two parallel crossbeams, neither of which was wide enough to hold a half-brick—it is not necessary to provide another crossbeam, if the two of them together can hold the width of one handbreadth of a half-brick; otherwise, it is necessary to provide another crossbeam.
- E. Rabban Simeon b. Gamaliel says, “If it can hold a half-brick three handbreadths long, it is not necessary to provide another crossbeam. Otherwise, it is necessary to do so.
- F. If they were fixed one higher than the other [but together can hold a half-brick], R. Yosé b. R. Judah says, “They regard the upper one as if it were lower, and the lower one as if it were higher, on condition that the higher one was no higher than twenty cubits and the lower no lower than ten” [cf. T. [Er. 1:6](#)].

II.4 A. *Said Abbaye, “R. Yosé b. R. Judah holds the theory of his father in one matter and differs from him in another. He holds the theory of his father in one matter, for he adopts the principle, they regard. He differs from him in another, for while R. Judah maintains that a crossbeam may be higher than twenty cubits, R. Yosé son of R. Judah holds that it is valid only if it is within twenty cubits from the ground, no higher than that.”*

- III.1** A. **R. Judah says, “[It should be] wide enough [to hold a half-brick] even though it is not sufficiently strong [to hold a half-brick]”:**
- B. *R. Judah repeated as the Tannaite formulation to Hiyya bar Rab in the presence of Rab, “Wide enough [to hold a half-brick] even though it is not sufficiently strong [to hold a half-brick].”*
 - C. *He said to him, “Repeat it in the language, wide enough [to hold a half-brick] and sufficiently strong [to hold a half-brick].”*
 - D. “But didn’t R. Ilai say Rab said, ‘If it is four handbreadths wide, it is valid, even though it is not strong’?”

- E. *“One that is four handbreadths wide is different”* [from one that is less than the prescribed width (Slotki)].

IV.1 A. [If] it was of straw or reeds, they regard it as if it were made of metal:

- B. *What’s the point? That we adopt the principle, they regard it? But that’s exactly what has been said before* [one that was made of straw is obviously not strong (Slotki)].
- C. *What might you otherwise have supposed? If it is of the same kind [a frail beam of wood] as the other [the strong beam of wood], we invoke that principle, but where it is not of the same kind, we do not. So we are taught that we invoke that same principle even with respect to any kind of material.*

V.1 A. If it was curved, they regard it as if it were straight:

- B. *So what else is new!*
- C. *So we are informed of a ruling in accord with that of R. Zira, for said R. Zira, “If the crossbeam was within the alleyway and the curve outside of it, or if it was below twenty cubits and the curve was above twenty cubits, or if it was above ten cubits but the curve was below ten cubits, in any case in which, if the curve were removed, between the two parts of the beam at which the curve begins there is no gap more than three handbreadths, it is not necessary to provide another crossbeam.”*
- D. *So that’s obvious, too.*
- E. *It was necessary to formulate the rule to cover the case in which the beam is inside the alleyway and the curve outside of it. What might you have imagined? We should take account of the possibility that the people may be misguided by it and use part of the public domain as though it was in the alley? So we are informed that we do not take account of such a possibility.*

VI.1 A. If it was round, they regard it as if it were square:

- B. *What, again!?*
- C. *It was necessary to state this rule because of the attached formula: **Whatever is three handbreadths in circumference is one handbreadth in width.***

VI.2 A. What is the source in Scripture of that fact?

- B. Said R. Yohanan, “Said Scripture, ‘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’ (1Ki. 7:23).” [Slotki: As the molten sea which had a diameter of ten cubits was thirty cubits in

circumference, the ratio of a diameter to a circumference must consequently be $10:30 = 1:3$].”

- C. *But what about the thickness of the brim?* [Slotki: That increased the diameter to more than ten cubits, so the ratio between diameter and circumference was 1 plus 3.]
- D. Said R. Pappa, “The brim was as thin as the lily blossom: ‘And it 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’ (1Ki. 7:26).”
- E. *Nonetheless, it had some slight thickness!*
- F. *When the measure was made, it was of the inner circumference [exactly ten cubits].*

VI.3 A. *It was taught on Tannaite authority by R. Hiyya, “The sea that Solomon made held a hundred and fifty immersion pools.”*

B. *Well, then, how much is an immersion pool? It was forty seahs, as has been taught on Tannaite authority: “And he will wash [14B] his flesh in water” (Lev. 15:16) —in water that has been collected [not necessarily spring water]. “All his flesh” —in water in which the whole of his body can be immersed. And how much is that? It is water in the volume of a cubit by a cubit by three cubits, and sages have estimated that the water of an immersion pool must be forty seahs. Now, how many cubic units were in the molten sea? Five hundred. From three hundred cubic cubits a hundred immersion pools are drawn, and from a hundred and fifty, fifty more. So the volume of four hundred and fifty would have been quite enough!*

C. *That pertains to a square one, but Solomon’s sea was round.*

D. *Well, then, how much larger is the area of a square than the area of a circle? It is a quarter larger. Then of the four hundred cubic cubits of which we spoke, a hundred must be deducted, and of the hundred, twenty-five. So the number of immersion pools that could fit into Solomon’s sea would be only a hundred twenty-five!*

E. *R. Ammi bar Ezekiel repeated as a Tannaite statement: “The sea that Solomon made was square in the lower three cubits, round in the upper three.”*

F. *Now, to be sure, you cannot assume the opposite [that the upper part was square, the lower, round]. Scripture, after all, itself says the brim was round. But can’t you say that only one cubit of the*

height at the brim was round? [Slotki: Consequently the sea contained more than a hundred and fifty immersion pools; how could Hiyya hold it had only a hundred?]

G. Forget it! For Scripture says, “It held two thousand baths” (1Ki. 7:26). And how much is that? It is three seahs: “The tenth of the bath out of the kor which is ten baths” (Eze. 45:14). *So the sea had six thousand griva [=seahs]* [Slotki: and one bath is three seahs, so two thousand baths is 6,000 seahs divided by forty or 150 immersion pools].

H. But isn’t it written, “It held three thousand baths” (2Ch. 4: 5)?

I. *That covers the addition of the heap in dry measure* [Slotki: 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 the sea could contain explains the difference between the figures in 2Ch. and 1Ki. respectively].

J. *Said Abbaye, “That proves that a heap in dry measures is a third.”*

K. *So, too, we have learned in the Mishnah: ...a straw hive, and a reed hive [basket], and a tank of an Alexandrian ship which have [flat] bottoms and hold forty seahs in liquid measure, which are the same as two kors in dry measure lo, these are clean [M. Kel. 15:1E-I, the opinion of Meir].*

1:6

- A. The sideposts of which they spoke —their height must be ten handbreadths.
- B. And their breadth and thickness may be in any measure at all.
- C. R. Yosé says, “Their breadth must be three handbreadths.”

- I.1**
- A. The sideposts of which they spoke —their height must be ten handbreadths. And their breadth and thickness may be in any measure at all:
 - B. [Since we speak of sideposts in the plural (Slotki),] *may we say that the unattributed Mishnah rule accords with R. Eliezer, who has said that we require two sideposts?*

- C. *Not at all. What is the sense here of **sideposts**? It means, sideposts in general.*
- D. *Well, if that were so, then when reference is made to the crossbeam [M. **1:3: the crossbeam of which they spoke [should be] wide [enough] to hold a half-brick**], it could as well have spoken of crossbeams, meaning, crossbeams in general!*
- E. *This is the sense of the passage: As to the sideposts of which R. Eliezer and sages dispute, **their height must be ten handbreadths. And their breadth and thickness may be in any measure at all.***

I.2 A. And how much is **in any measure at all**?

- B. *R. Hiyya repeated the Tannaite statement: even as thin as the thread of a cloak.*

I.3 A. *A Tannaite statement: If one made a sidepost for half an alley [that is, he put up the sidepost within the alley, at a point facing the middle of the alley (Slotki)], he may carry objects on the Sabbath only in the inner half of the alley.*

- B. *Yeah, sure, and what else is new?*
- C. *Read: He may utilize a half of the alley.*
- D. *Big deal —sure, and what else is new?*
- E. *What might you imagine? We take account of the possibility that someone might end up using the whole of the alley? So we are informed that that is not the case [and the inner half of the alley is covered].*

I.4 A. Said Raba, “If one put up a sidepost for an alley and raised it above the ground by three handbreadths or took it away from the wall by three handbreadths, he has accomplished nothing at all in putting up the sidepost. *Even from the perspective of Rabban Simeon b. Gamaliel, who takes the view that, where there are such gaps, we invoke the principle of the fictive extension, he takes that position only where the gap is above [when a crossbeam doesn’t quite reach the opposite wall], but where it is down below, he doesn’t take the same view, since the post at such a gap is a partition through which kid-goats can push through [and therefore is null].*”

II.1 A. **R. Yosé says, “Their breadth must be three handbreadths”:**

- B. Said R. Joseph said R. Judah said Samuel, “The law is not in accord with R. Yosé either with respect to brine [M. **Shab. 14:2: They do not make pickling brine on the Sabbath. But one makes salt water and dips his bread in it**

and puts it into cooked food. Said R. Yosé, ‘Now is that not pickling brine, whether it is large quantity or small quantity? What is the sort of salt water which is permitted? One first puts oil into water or into salt [and then mixes the salt with the water]’ or in the matter of sideposts.”

C. *Said to him R. Huna bar Hinena, “In regard to brine you told us that one, but in regard to sideposts you didn’t. So how come brine is treated differently? It’s because rabbis disagree with him. But don’t they disagree with him in the matter of sideposts, too?”*

D. *“Well, sideposts are different, because Rabbi stands with him on that one.”*

II.2 A. *R. Rehumi repeated the Tannaite matter in this way: “Said R. Judah b. Rab Samuel bar Shilat in the name of Rab, ‘The decided law does not accord with R. Yosé either with respect to brine or with respect to sideposts.’”*

B. *They said to him, “Do you say so?”*

C. *He said to them, “Nope.”*

D. *Said Raba, “By God! He did say it, and I learned it from him.”*

E. *So how come he changed his mind?*

F. *Because, when it comes to R. Yosé, he has solid grounds for what he says.*

II.3 A. *Said Raba bar R. Hanan to Abbaye, “So what’s the decided law?”*

B. *He said, “So go see what people actually do.”*

II.4 A. *There are those who repeat this entire matter in connection with the following:*

B. **He who drinks water to quench his thirst recites [the blessing], “For all was created at his word.” R. Tarfon says, “...creator of [many] souls and their needs” [M. Ber. 6:8E-F].**

C. *Said Raba bar R. Hanan to Abbaye, “So what’s the decided law?”*

D. *He said, “So go see what people actually do.”*

II.5 A. **[15A]** *It has been stated:*

B. A sidepost that stands on its own [but was not erected for the purpose of converting an alleyway into entirely private domain] –

- C. Abbayye said, “It is a valid sidepost [for purposes of carrying in that alleyway on the Sabbath].
- D. Raba said, “It is not a valid sidepost.”
- E. *In a case in which people had not previously relied on the construction for purposes of carrying in the alleyway on the Sabbath, all parties concur that it is not a valid sidepost. Where they differ, it is in a case in which people had relied on it previously.*
- F. Abbayye said, “It is a valid sidepost: *For lo, we have relied on it previously.*”
- G. Raba said, “It is not a valid sidepost: *Since to begin with it was not erected with the intention that it serve for the present purpose, it even now cannot serve for that purpose.*”
- H. *Might you assume that, just as they differ as to a sidepost, so they differ also as to a partition? Then come and take note: **He who makes his sukkah among trees, and the trees are its sides —it is valid [M. Suk. 2:4A].*** [That is the case even though, obviously, these partitions were not erected for the purpose of forming a sukkah.]
- I. *Here with what case do we deal? It is one in which to begin with the trees were planted for that purpose.*
- J. *If so, then that’s pretty obvious.*
- K. *What might you otherwise have supposed? There should be a precautionary decree, lest, under other circumstances, some one end up using a tree for that purpose? So we are informed that that is not the case.*
- L. *Come and take note: **If there was a tree, fence or a partition of reeds, these are regarded as equivalent to a corner piece [of boards] [T. Er. 1:15A].***
- M. *Here with what case do we deal? It is one in which to begin with they were made for that purpose.*
- N. *If so, then what does the rule tell us?*
- O. What it tells us is, a fence of reeds is valid, if the distance between any two reeds is less than three handbreadths, *as was explained in the question that Abbayye presented to Raba [below, B. Er. 19B].*
- P. *Come and take note: A tree that overshadows the ground —if the foliage is no higher than three handbreadths above the ground,*

people may carry under the tree. [That rule obviously refutes Raba's view.]

Q. *Here with what case do we deal? It is one in which to begin with the trees were planted for that purpose.*

R. *If so, then it should be permitted to move objects in all cases, so why did R. Huna b. R. Joshua say, "Objects may be moved under it only where the area is no larger than two bet seahs"?*

S. *The reason is that it is an open-air house, and it is not permitted to move objects in an open-air house, unless the area is no larger than two bet seahs.*

T. *Come and take note: If one has taken as his place for Sabbath residence a hill that is ten handbreadths high and in extent from four cubits to two seahs, so also in a hole ten handbreadths deep and four cubits to two seahs in extent, or in a harvested area surrounded by areas of grain—he may walk freely over the entire area and for two thousand cubits beyond. And should you say, here, too, it is a case in which these were to begin with made for that purpose, well, there's no problem so far as the grain is concerned. But as to the mount of the hole, what's to be said?*

U. *Well, anyhow, in respect to partitions, there is no dispute; these are regarded as valid partitions. Where there is a dispute, it concerns only the crossbeam.*

V. *Abbaye is consistent with his views in general, for he has said that a sidepost stands for a partition, and a partition that is set up on its own is entirely valid. Raba likewise is consistent with his views in general, for he has held that the purpose of the sidepost is to make a distinguishing mark, and only where such a mark is deliberately made for that purpose does it share, otherwise, it doesn't.*

W. *Come and take note: Stones of a wall that project from the wall—if they are separate from one another by less than three handbreadths, there is no need for another sidepost; if they are separated by three handbreadths, another sidepost is required.*

X. *Here, too, the owner built them to begin with for that purpose.*

Y. *If so, then so what?*

Z. *What might you otherwise have supposed? Projections are made solely to connect one wall with another [and can't serve as sideposts,*

even though wanted for that purpose]? So we are informed that that is not the case.

AA. *Come and take note of what R. Hiyya taught as a Tannaite statement: **A wall one side of which recedes more than the other and looks even from within but appears to be recessed from without, or appears even from without but looks to be recessed from within, is deemed equivalent to sideposts*** [T. **Er. 1:10A-C**].

BB. *Here, too, the owner built them to begin with for that purpose.*

CC. *If so, then so what?*

DD. *What we are told is this: **or appears even from without but looks to be recessed from within, is deemed equivalent to sideposts.***

EE. *Come and take note: Rab was in session in a certain alleyway. R. Huna was in session before him. He said to his servant, "Go, bring me a pitcher of water." Before he came back, the sidepost had fallen down. He gestured him with his hand to stay where he was.*

FF. *Said to him R. Huna, "Doesn't the master concur that one may rely on a palm tree?"*

GG. *He said, "This one of the rabbis imagines that someone can't explain a ruling he has heard? Have we in fact relied upon the palm tree previously?"*

HH. *So the operative consideration is that we didn't rely on the palm tree previously, but if we had done so, it would have been a valid sidepost.*

II. *May we say that Abbayye and Raba then differ only in a case in which the people didn't rely on the sidepost, but if they had relied on it, it would be regarded as valid?*

JJ. *Don't think it! For there was a certain open space in the household of Bar Habu [Slotki: and one of the supporting poles was situated at the entrance to an alley], concerning which Abbayye and Raba disputed all their years!*

1:7

- A. With any sort of material do they make sideposts,**
- B. even something which is animate.**
- C. And R. Yosé prohibits [using an animate object].**

- D. And [an animate creature which is used to cover up the entrance of a tomb] imparts uncleanness as a sealing stone.
- E. [15B] But R. Meir declares it clean [when used for that purpose].
- F. And they write on [an animate creature] writs of divorce for women.
- G. And R. Yosé the Galilean declares it invalid [when used for that purpose].

I.1

- A. *It has been taught on Tannaite authority:*
- B. R. Meir says, “With any animate object one may not make the wall of a sukkah or the sidepost of an alleyway or partitions for watering stations or a covering for a grave.”
- C. In the name of R. Yosé the Galilean they said, “Also they do not write on it writs of divorce for women.”

I.2

- A. *What is the scriptural basis for the position of R. Yosé the Galilean?*
- B. *It is as has been taught on Tannaite authority:*
- C. “...a bill [of divorcement]...” (Deu. 24: 1) –
- D. **I know that the document is valid if it is written only on a scroll [as the word for “bill” indicates].**
- E. **How on the basis of Scripture do I know that it is valid if written on anything else [Sifré Deut.: on leaves of a reed, nut tree, olive, or carob]?**
- F. **Scripture says, “...and he shall write for her....”**
- G. **That speaks of any manner of document.**
- H. **If that is the case, why does Scripture say, “...bill...”?**
- I. **What is singular about a bill is that it is something that is inanimate and does not eat, so the writ of divorce must be something that is inanimate and does not eat [Sifré to Deuteronomy CCLXIX:IV.1].**
 - J. *And rabbis [opposed to Yosé the Galilean]?*
 - K. *If Scripture had said, “In a bill...,” matters would have been as you maintain. But now that it is written, “...a bill [of divorcement]...(Deu. 24: 1)” —it speaks to a record of the matter.*
 - L. *Then what do rabbis make of the statement, “And he shall write for her”?*
 - M. *They require it to make the point that it is with the written document that a woman is divorced, and she is not divorced by a gift of money. For it might have entered your mind to suppose that there is a comparison to be made with her leaving the marriage and her*

entering into it. Just as her entering into it is accomplished through a gift of money, so her leaving it also should be accomplished with a gift of money. So we are informed that that is not the case.

N. And the other party?

O. He derives that lesson from the words, “A document of cutting off” (Deu. 24: 1), meaning, it is a document that cuts off the marital bond, and nothing else cuts off the marital bond.

P. And the other party?

Q. They require that to mean, it must be something that utterly cuts the bond between him and her, as has been taught on Tannaite authority:

R. “Here is your writ of divorce on condition that you not drink wine,” “On condition that you not go to your father’s house ever again” — this is not a valid act of severing the marital bond.

S. If he said, “...for thirty days,” lo, this is a valid severing of the marital bond.

T. And the other party?

U. He derives that from the usage of a complex form of the word, cutting off, when a simple form would have served.

V. And the other party?

W. They draw no lesson from that usage.

1:8

- A. A caravan which encamped in a valley, and which [the travelers] surrounded with a fence made out of cattle yokes –**
- B. they carry [things] about in it,**
- C. on condition that the fence be ten handbreadths high,**
- D. and there not be breaks [in the fence] larger than the built-up parts.**
- E. Any break [in the fence] which is about ten cubits wide is permitted,**
- F. because it is tantamount to a doorway.**
- G. [But a break in the fence] larger than that is prohibited.**

I.1+2 SUPPLEMENT THE MISHNAH’S RULE WITH A FURTHER PERTINENT ITEM; IT IS INSERTED BECAUSE IT CALLS ON OUR MISHNAH RULE FOR A FACT PERTINENT TO ITS PROBLEM.

I.1 A. *It has been stated:*

- B. [In the case of a fence erected on a temporary basis by a caravan so as to form a distinct domain to permit carrying on the Sabbath,] if there is a breach in the perimeter that is as long as a standing portion [of the perimeter of the fence, so that the fence consists of a standing part, a breach, a standing part, another breach, and so on, and the breaches are as long in distance as the parts of the perimeter filled in by a standing partition of some sort],
- C. R. Papa said, “[The fence] is permitted [so as to allow for carrying in the enclosed area].”
- D. And R. Huna, son of R. Joshua, said, “It is forbidden.”
 - E. R. Papa said, “[The fence] is permitted [so as to allow for carrying in the enclosed area]” —*for this is how the All-Merciful instructed Moses*: “You may not permit the greater part of a fence to be made up of gaps.”
 - F. And R. Huna, son of R. Joshua, said, “It is forbidden” —*for this is how the All-Merciful instructed Moses*: “The greater part must be fence.”
- G. *We have learned in the Mishnah: and there not be breaks [in the fence] larger than the built-up parts.* So if they were equal to the built-up parts, it would be permitted [contrary to Huna’s position]!
- H. *Don’t say*, So if they were equal to the built-up parts, it would be permitted, *but rather*, if the built-up parts were more than the gaps, it would be permitted.
- I. *Then if the gaps were equal to the built-up parts, what’s the law?* Forbidden? *Then it should surely have read*, “The gaps are not equal to the built-up parts”!
- J. *That’s a problem.*
- K. *Come and take note: He who makes a roof for his sukkah out of spits or with the side pieces of a bed —if there is a space between them equivalent to their own breadth, [the sukkah] is valid [M. Suk. 1:8A-C].* [Slotki: The intervening spaces can be filled up with proper roofing. So when the measure of the suitable and unsuitable parts are equal, the structure is valid, and the same would apply here, thus an objection against Huna.]

- L. *Here with what situation do we deal? With parts that can be easily moved in and out [so the width of each spit or bed piece is less than that of each properly roofed-over intervening space].*
- M. But is it possible to measure so exactly?
- N. Said R. Ammi, “We deal with a case in which the householder makes them larger.” [That is, M. **Suk. 1:8A-C** speaks of a case in which the space is not exactly equivalent but somewhat larger than the breadth of the boards.]
- O. Raba said, “Even if you say we deal with a case in which the householder did not make the spaces larger, [the arrangement would be valid]. How so? If [the boards or spits] were arranged as web, he puts the valid sukkah roofing on as woof, or, if the boards were set as woof, he puts the valid sukkah roofing on as the web.” [Slotki, *Sukkah*, p. 65, n. 16: The valid covering is placed crosswise to the invalid, and, therefore, always exceeds it in volume.]
- P. *Come and take note:* A caravan that encamped in a field, which they surrounded with camels, saddles, **[16A]** saddle cushions, saddle bags, reeds, or stalks — it is permitted to carry objects around in that area, so long as there is no more than the space of one camel between any two camels, one saddle between any two saddles, one saddle cushion between any two saddle cushions.
- Q. *Here again, with what situation do we deal? With parts that can be easily moved in and out [so the width of each spit or bed piece is less than that of each properly roofed-over intervening space].*
- R. *Come and take note:* **The result is that there are three measures of a partition: All sections of a partition that measure less than three handbreadths wide —it is necessary that there not be between one section of the partition and the next a gap of three handbreadths, a space sufficient for a kid to enter. And all sections of a partition that measure three to four handbreadths in width —it is necessary that there not be between one section of the partition and the next a gap fully as wide as one section of the partition, so that the measure of the breaches may not equal that of the structure itself. If the measure of the breaches exceeded that of the structure, even opposite the structure it is prohibited to sow diverse kinds. All sections of a partition that measure four handbreadths and upward**

to four cubits, and from four cubits to ten cubits —it is necessary that there not be between one section of the partition and the next a space fully as wide as one section of the partition, so that the measure of the breaches may not equal that of the part that stands. If the measure of that which stands is equal to that of the breaches, opposite that which stands it is permitted to sow diverse kinds, but opposite the breaches it is prohibited to sow diverse kinds. If the measure of that which stands exceeded that of the breaches, even opposite the breaches it is permitted to sow diverse kinds, provided that the breaches do not exceed ten cubits in width. If the reeds were pronged, that is, split at the top, and he made for them a plait at the top by running a string through them, even if the breaches exceed ten cubits, it is permitted to sow diverse kinds opposite the breaches [T. Kil. 4:6 (Mandelbaum, in Neusner, Tosefta I, pp. 265-266)]. *So in any event the opening clause states as the Tannaite formulation: And all sections of a partition that measure three to four handbreadths in width —it is necessary that there not be between one section of the partition and the next a gap fully as wide as one section of the partition, so that the measure of the beaches may not equal that of the structure itself. Doesn't this refute the position of R. Pappa?*

- S. *R. Pappa may say to you, "What is the meaning of fully as wide as? It means, the width of the space through which the reed can be easily moved to and fro [Slotki]. And that stands to reason, since the Tannaite formulation maintains, If the measure of the breaches exceeded that of the structure, even opposite the structure it is prohibited to sow diverse kinds. Then if the measure was the same, it is permitted."*
- T. *That's pretty decisive.*
- U. *Then must one say that this forms a refutation of the position of R. Huna b. R. Joshua?*
- V. *R. Huna b. R. Joshua may say to you, "By your own line of reasoning, then, how do you deal with what follows: If the measure of that which stands exceeded that of the breaches, even opposite the breaches it is permitted to sow diverse kinds, provided that the breaches do not exceed ten cubits in width. Then it follows, if it were equal to the gaps, sowing would be forbidden."*

- W. *The upshot is that the latter clause presents a problem to R. Pappa, and the former clause to R. Huna b. R. Joshua!*
- X. *The latter clause presents no problem to R. Pappa: Since the opening formulation stated, **If the measure of the breaches exceeded that of the structure**, the later clause formed the counterpart, **If the measure of that which stands exceeded that of the breaches**.*
- Y. *The former clause presents no problem to R. Huna b. R. Joshua: Since the intent was to state at the latter clause, **If the measure of that which stands exceeded that of the breaches**, the earlier clause formed the counterpart: **If the measure of the breaches exceeded that of the structure**.*
- Z. *Well, then, from the viewpoint of R. Pappa, that is why the Tannaite framer did not fuse the entire matter and present them together in one statement [Slotki: for instance, wherever the width is three or less than three handbreadths it is necessary to have a gap between any two reeds less than three handbreadths; such a statement would be wrong, since in the latter case, from Pappa's viewpoint, the gap may be three handbreadths wide]. But from R. Huna b. R. Joshua's perspective, why not fuse the whole and present them as a single Tannaite statement, namely: In any case in which the width of the reed is less than three or as much as three handbreadths, the gap between any two reeds must be less than three handbreadths.*
- AA. *The reason is that the reason that in the first clause the setup is invalid is not the same as that that explains in the second clause why the setup is invalid. The reason in the first clause is that a kid shouldn't be able to jump through the gap; the reason in the second clause is that the gaps are not to be equal to the standing parts.*

I.2 A. *Who is represented by the view that the gap must be less than three handbreadths? Isn't it rabbis, who hold that the law of the fictive extension pertains to a gap of less than three handbreadths, but the law of fictive extension doesn't apply to a gap greater than three handbreadths?*

B. *Note what follows: **And all sections of a partition that measure three to four handbreadths in width —it is necessary that there not be between one section of the partition and the next a gap fully as wide as one section of***

the partition, so that the measure of the breaches may not equal that of the structure itself. [16B] *Doesn't this stand for the view of Rabban Simeon b. Gamaliel, who has said, "The law of fictive extension applies to a gap that is less than four handbreadths" [since there is now a distinction between four and less than four]? For if it represented the position of rabbis, then how could they refer to the rule in such a way, since so far as they are concerned, if the gap is between three and four handbreadths, it wouldn't matter, both situations being subject to the same rule!*

C. *Said Abbaye, "Since the first clause stands for the position of rabbis, the second also must stand for their view. But rabbis concede that, whenever the question involves permitting sowing grain over against a standing part, if it is four handbreadths wide, it is deemed a valid partition, but if not, it isn't."*

D. *And Raba said, "Since the final clause stands for the position of Rabban Simeon b. Gamaliel, the first clause likewise must belong to him. But it is only to a gap that is up above that he applies the rule of fictive extension, but in the case of a gap below, it is comparable to a fence that kids can break through, and there the rule of fictive extension does not apply."*

E. *Come and take note: As to walls that are made up mostly of doors and windows, [the space enclosed by such walls] is permitted [for carrying on the Sabbath], but that is on condition that the standing part is more than the breaches. Can you imagine that the correct reading is "mostly"? Rather, read: As to walls that are made up of many doors and windows, [the space enclosed by such walls] is permitted [for carrying on the Sabbath], but that is on condition that the standing part is more than the breaches. So it follows that if the standing parts equal the gaps, it is forbidden—a refutation of R. Pappa!*

F. *Yes, it refutes his view. But the law accords with R. Pappa.*

G. *How is it possible that he should be refuted and that the law should accord with his view?*

H. *The reason is that a close reading of our Mishnah paragraph accords with his position, as we have learned in the Mishnah: **and there not be breaks [in the fence] larger than the built-up parts.*** Hence if they are equal to the built-up parts, it is permitted.

1:9

- A. They surround [the camp] with three ropes one above the other,
- B. on condition that between one rope and the next there be no space more than three handbreadths.
- C. The size of the ropes must be so that their [total] thickness is more than a handbreadth,
- D. so that the whole will be ten handbreadths high.

1:10A-F

- A. They surround [the camp] with reeds,
- B. on condition that there not be between one reed and the next three handbreadths [of empty space].
- C. “And they spoke specifically of the case of a caravan [at rest],” the words of R. Judah.
- D. And sages say, “They spoke of a caravan only because of prevailing conditions.”
- E. “Any partition which is not of warp and woof is no partition,” the words of R. Yosé b. R. Judah.
- F. And sages say, “One of the two [is enough] .”

I.1

- A. Said R. Hamnuna said Rab, “Lo, [sages] have said, ‘If the standing part is more than the broken-down part in a partition of vertical stakes, it is valid.’”
- B. *R. Hamnuna raised the question, “What is the law as to horizontal ropes?”*
- C. *Said Abbaye, “Come and take note: **The size of the ropes must be so that their [total] thickness is more than a handbreadth, so that the whole will be ten handbreadths high.*** But if a barrier with gaps wider than three handbreadths were valid, what need is there to insist that **their [total] thickness is more than a handbreadth?** Leave a distance of slightly less than three handbreadths, and stretch a rope of any thickness, then leave a distance of less than three handbreadths and stretch a rope of any thickness, then leave a distance slightly less than a handbreadth and stretch a rope of any thickness.”

[Slotki: Two of the gaps, each less than three handbreadths, would be deemed closed by the law of fictive extension, and this together with the ropes would provide a standing part six handbreadths, which exceeds the third gap of four; since this was not permitted, it must follow that in the case of horizontally drawn ropes, the barrier is invalid even where the standing parts exceed the gaps.]

- D. *But how do you understand the situation, specifically: Where are you going to leave the gap less than four handbreadths in breadth? If it were left below, between the lowest rope and the ground, then it would constitute a partition that kid-goats can break through. If it were left above, then the air space on the one side of the rope is not limited, and that on the other would join together to invalidate the contraption; and if it were left in the middle, the standing parts would exceed the gaps only by combining the parts on its two sides [and that wouldn't serve]. Or would you infer that where the standing parts exceed a gap only by combining those on its two sides, they still are valid?*
- E. *In fact this is what R. Hamnuna wanted to know: "If someone brought a mat that was seven handbreadths and a fraction and cut out in it a hole of three handbreadths, leaving the remaining four handbreadths and a fraction and put it within a distance of less than three handbreadths from the ground, [what is the law]?"* [Slotki: With the fractional section below the gap in the mat and the four-handbreadths one above it, in such a case the lowest gap to the ground and the fractional section of the mat is regarded as fictively extended; 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 the air space on the one side below it.]
- F. *R. Ashi said, "What he was asking about was a suspended partition, along the lines of the question that R. Tabla set before Rab: 'As to a partition that is suspended, what is the law on its making it permissible to carry around in a ruin?' And he said to him, 'A suspended partition does not make it permissible to carry around except in water, for that is a lenient ruling that sages extended in the case of water.'"*

II.1 A. They surround [the camp] with reeds, on condition that there not be between one reed and the next three handbreadths [of empty space]:

- B. *Is this so only of a camp but not of the lodging of an individual? But hasn't it been taught on Tannaite authority: R. Judah says, "All defective partitions in connection with the Sabbath [that posed a problem] if the space involved exceeds two bet seahs are not permitted to an individual"? [So an individual could gain the advantage of this kind of partition for an area less than the specified one.]*
- C. *The answer is in accord with what R. Nahman said, and some say, R. Bib bar Abbaye, "That ruling was required only to allow them all the space that may be needed." Here, too, the statement allows people all the space that they need [even though it is more than two bet seahs, but such a big area would not be given to an individual, who should not require it].*
- D. *Where was this statement that R. Nahman, and some say, R. Bibi bar Abbaye, made?*
- E. *It was made with reference to that which we have learned in the Mishnah: "Any partition which is not of warp and woof is no partition," the words of R. Yosé b. R. Judah. But did R. Yosé b. R. Judah make such a statement? And hasn't it been taught on Tannaite authority: "All the same are an individual and a caravan when it comes to a partition of ropes [and such a partition is suitable, even without vertical stakes]. But what is the difference between an individual and a caravan? An individual is permitted an area of two bet seahs, so, too, two are allowed that same area, but three of them are classified as a caravan and are allowed to enclose in such a way an area of six bet seahs," the words of R. Yosé b. R. Judah. And sages say, "All the same are an individual and a caravan—they assign them all the space they need, so long as no area of two bet seahs remains unoccupied [not being needed]." And to that objection, R. Nahman said, and some say, R. Bib bar Abbaye, "That ruling was required only to allow them all the space that may be needed."*

- II.2** A. Expounded R. Nahman in the name of our lord, Samuel, "An individual is permitted an area of two bet seahs, so, too, two are allowed that same area, but three of them are classified as a caravan and are allowed to enclose in such a way an area of six bet seahs."
- B. *So do you abandon rabbis and act in accord with R. Yosé b. R. Judah?*
- C. *R. Nahman went and appointed an Amoraic speaker on the subject and expounded, "The things that I said to you were a mistake on my part. But this*

is what sages said: ‘An individual is permitted an area of two bet seahs, so, too, two are allowed that same area, but three of them are classified as a caravan and are allowed to enclose in such a way an area of six bet seahs.’”

- D. **[17A]** *So is the ruling R. Nahman has given first in accord with R. Yosé [who gives an individual only two bet seahs, not all he needs], and the concluding part rabbis’ position?*
- E. *Yes indeed, because his father [Judah] stands with him [allowing an individual no more than two bet seahs when the partition is made only of vertical or horizontal stakes or ropes (Slotki)].*

- II.3**
- A. Said R. Giddal said Rab, “Three persons in five bet seahs may be forbidden, and the same number in an area of seven may be permitted [to carry things in an area marked off in the way just now described].”
 - B. *They said to him, “Did Rab really say this?”*
 - C. *He said to them, “By the Torah, the prophets, and the Writings, Rab made that statement.”*

D. *Said R. Ashi, “Well, what did people find difficult in Rab’s statement? Maybe this is the sense of what he said: If they needed six bet seahs and they roped off seven, then even the area of seven bet seahs are an area permitted for carrying [the unoccupied area being less than two bet seahs]. If they needed only five and they roped off seven, then even the area of five bet seahs is forbidden to them.”*

E. *Well, then, what about this statement, “On condition that there not be two bet seahs left unoccupied”? Doesn’t this mean, unoccupied by people? [Slotki: Three persons, each entitled to an area of two bet seahs, would not be jointly allowed to use eight, that is, $(3 \times 2) + 2$, since after allowing six to which they are jointly entitled, there still remain two without an occupier; but if the area measured only seven bet seahs, all of it is permitted to them, since only one bet seah, that is, $7 - (3 \times 2)$, is left unoccupied. So how then is Rab’s statement that three persons are sometimes forbidden in five to be explained?]*

F. *No, it means, unoccupied by objects. [Slotki: Even several persons are not entitled to use an area of twice as many bet seahs as their number, but only as many bet seahs as they actually require, plus an area less than two bet seahs.]*

- II.4**
- A. *It has been stated:*

- B. If there were three people, and one of them died, or two, and someone joined them –
- C. R. Huna and R. Isaac –
- D. One said, “The Sabbath dictates the ruling” [Slotki: the extent of the area permitted is dependent on the number of persons alive at the moment the Sabbath begins; if at that time the three were alive, the survivors may continue to use the full area throughout the Sabbath; if only two persons were there when the Sabbath began and they enclosed an area larger than two bet seahs, they are forbidden to use it even if their number had been augmented during the Sabbath].
- E. The other said, “The number of residents dictates the ruling” [Slotki: if an area larger than two bet seahs was enclosed, it is permitted to use it if the number of tenants was three, even though when the Sabbath began, there were only two; and it is forbidden if the number was two, though at the start of the Sabbath it was three].

F. *Now you may conclude that it is R. Huna who has said, “The Sabbath dictates the ruling,” for said Rabbah, “I asked R. Huna and I asked R. Judah: The rule where a fictive fusion meal was set out depending on a certain door [that connected two courtyards inhabited by different tenants], and the door was blocked up during the Sabbath; or on a certain window, and the window got stopped up, and he said, ‘Once it is permitted to rely upon that area for the Sabbath, it continues through the day.’”*

G. *You may indeed draw that conclusion.*

II.5 A. *May we say, further, that R. Huna and R. Isaac dispute about what is at issue between R. Yosé and R. Judah? For we have learned in the Mishnah: A courtyard which [on the Sabbath] was breached [to give access] to public domain on two sides, and so, too, a house which was breached on two sides, and so, too, an alleyway the beams or sideposts of which have been removed —“They are permitted on that Sabbath but prohibited in time to come,” the words of R. Judah. R. Yosé says, “If they are permitted on that Sabbath, they are permitted in time to come. And if they are prohibited in time to come, they are prohibited on that Sabbath” [M. Er. 9:3]. Now may we say that R. Huna makes*

his statement in accord with the view of R. Judah, and R. Isaac accords with R. Yosé?

B. R. Huna may say to you, "I make my statement even within the view of R. Yosé. R. Yosé takes the position that he does there, only because there are no partitions, but here there are partitions."

C. And R. Isaac said, "I make my statement even within the position of R. Judah. R. Judah says what he says there only because there are residents in existence, but here there is not a sufficient number of residents."

III.1 A. And sages say, "One of the two [is enough]":

B. That's the same thing that the initial authority says!

C. At issue between them is the case of an individual in an area that is settled. [Slotki: According to the initial Tannaite authority such a defective partition is permitted to an individual only where he finds himself under way, as in the case of a caravan, and cannot procure the materials for a proper one; according to sages, such a partition is valid both for a caravan and an individual, wherever located.]

1:10G-K

G. Four matters did they declare exempt [from liability if done by people] in [military] camp:

H. They gather wood from any location.

I. And they are exempt from the requirement of washing hands [before eating];

J. and from the laws concerning doubtfully tithed produce;

K. and from the requirement to prepare an erub [to join the several tents so that things may be taken from one another].

I.1 A. Our rabbis have taught on Tannaite authority:

B. A military detachment that goes forth to a discretionary war is permitted to grab dried wood. R. Judah b. Tema says, "They may pitch camp anywhere, even without the permission of the owner of the field, and wherever they are killed, there they are to be buried" [T. Er. 2:6].

I.2 A. Is permitted to grab dried wood:

B. *Wasn't this an ordinance that Joshua set forth, for a master has said, "Ten stipulations did Joshua make: ...people are allowed to feed their cattle in the words and gather wood from their fields..."?*

C. *That spoke of thorns and shrubs, this ruling refers to other types of wood. Or, that refers to what is attached to the ground, this refers to what is chopped up from the ground. Or, that refers to what is fresh, this speaks of dry wood.*

I.3 A. R. Judah b. Tema says, "They may pitch camp anywhere, even without the permission of the owner of the field, and wherever they are killed, there they are to be buried":

B. *Well, that's pretty obvious!* They are classified as neglected corpses, which have every right to burial wherever they are found!

C. *The rule is required. Even though [17B] the soldier has comrades who will bury him, he still is buried where he fell. For it has been taught on Tannaite authority:* What is the definition of a neglected corpse? It is any that has no relations to bury him. If he should call out and there should be others to respond to him, this is not the definition of a neglected corpse.

D. And does a neglected corpse acquire title to the spot where it is found? *And hasn't it been taught on Tannaite authority:* He who finds a corpse lying in the road removes it to the right or the left side of the road. If on the one side of the road is a field that is not cultivated and on the other a field that is fallow, he removes him to the uncultivated field; if on one side is a fallow field and on the other a seeded field, he removes him to the fallow field. If both are uncultivated or both fallow or both sown, he may take the corpse anywhere he wants. [So how can we maintain that a dead body that someone finds neglected and subject to immediate burial acquires the spot on which it is found?]

E. *Said R. Bibi, "We deal with a corpse that was lying crossways across the boundary, so it was necessary to give permission to remove him from there [he is, after all, a source of uncleanness], in which case, he may be taken anywhere the finder pleases."*

II.1 A. And they are exempt from the requirement of washing hands [before eating]:

B. Said Abbaye, "This refers only to the washing prior to the meal, but as to washing after the meal, that is obligatory."

C. Said R. Hiyya bar Ashi, “How come have they said, ‘Washing after the meal, that is obligatory’? Because there is a salt from Sodom that has the power to blind the eyes.”

D. *Said Abbayye, “It is found in proportion of one grain to a kor.”*

E. *Said R. Aha b. Raba to R. Ashi, “If one measured out no salt, what is the rule?”*

F. *He said to him, “Don’t bother to ask.”*

III.1 A. And from the laws concerning doubtfully tithed produce:

B. *For we have learned in the Mishnah: They feed the poor demai produce, and billeted troops doubtfully tithed produce [M. Dem. 3:1A].*

C. *Said R. Huna, “A Tannaite statement: The House of Shammai say, ‘They do not feed the poor doubtfully tithed produce or billeted troops doubtfully tithed produce.’ And the House of Hillel say, ‘They do feed the poor doubtfully tithed produce or billeted troops doubtfully tithed produce.’”*

IV.1 A. And from the requirement to prepare an erub [to join the several tents so that things may be taken from one another]:

B. They said at the household of R. Yannai, “They made this statement only with respect to the fusion meal prepared for courtyards, but their obligation to prepare a fusion meal for boundaries remains in tact, *since R. Hiyya stated as a Tannaite rule: ‘They flog for violation of the rule governing the fusion meal for boundaries, by the law of the Torah.’”*

C. *Objected R. Jonathan, “So do they administer a flogging on account of the violation of a negative commandment expressed not with ‘you shall not’ but merely, ‘may you not.’”*

D. *Objected R. Aha bar Jacob, “Well, what about this verse of Scripture: ‘May you not turn to those that have familiar spirits or wizards’ (Lev. 19:31) —here, too, should no flogging be imposed upon one who violates that rule?”*

E. *This is what was troubling R. Jonathan: Isn’t this a negative commandment that was given to authorize a warning of the death penalty to be inflicted by a court? And for any negative commandment given to authorize a warning of death, no flogging is incurred [Slotki: even where the penalty of death is not inflicted; how then could it be ruled by Hiyya that people are flogged for transgressing the laws of the fusion meal for boundaries]?*

- F. Said R. Ashi, “Is it written, ‘Let no man carry out’? What is written is, ‘Let no man go out’ (Exo. 16:29).” [Slotki: Since the expression used is actually that of going out, flogging is rightly incurred for acting against this prohibition.]