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**Tzvi Gershon Ben Yoel (Harvey Felsen) o"n**

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

1. The Gemora explains why many cases where walls are added do not cause prohibition, but actually cause other walls to go away (which causes the resulting prohibition).

For example, the Gemora cites a case where a person planted vines inside a structure that had half a roof. If the vines are under the roof, it is permitted to plant something else on the side that does not have a roof. The Gemora asks, this shows that extending walls can cause prohibition! The Gemora answers that, on the contrary, the reason why it was permitted to plant on the other side was because we say that the edge of the roof is like a wall that goes down, and separates the vines from the roofless side of the structure. This allows a person to plant on the other side. Extending the roof merely makes the wall go away. The wall being taken away causes the prohibition.

2. At first, the Gemora thinks that a wall comprised of half ground and half wall is not a valid wall at all.

Rav Chisda says that if ground is elevated five handsbreaths and a person puts five handsbreaths of man made wall on top of that, the resulting ten handsbreaths do not have the status of a wall, even though a wall only requires ten handsbreaths of height. This implies that it is because it must either

be comprised of ten handsbreaths of ground, or ten of man made wall.

3. The Gemora retracts this understanding of Rav Chisda, and does not rule it is correct at all.

The Gemora proves from a braisa that such a wall is clearly a halachic wall for the shorter yard, as it faces a ten handsbreath wall. The question is regarding its status towards the people on the higher yard. The Gemora ends up saying that this is only correct in a certain case, and proceeds to rule that in general such a wall is a valid wall.

4. If two yards made an eiruv due to a shared doorway that gets plugged up on Shabbos, the eiruv is still valid.

The Gemora explains that being that the eiruv was valid when Shabbos entered, it remains valid throughout Shabbos. This is despite the fact that if the entrance would have been blocked before Shabbos, they would not have been able to make an eiruv at all.

5. Rav says that a wall that fell between two yards on Shabbos causes a prohibition of carrying in these two yards.

The case is where there was no entrance between the two yards, which made separate eiruvim, and a wall between them fell on Shabbos. Rav holds that they cannot carry more than four cubits in their yards. Being that Rav holds that Rabbi Shimon's leniency of carrying from yard to yard only applied to yards which did not make an eiruv, each yard now is forbidden to carry to the other, and one is limited to carrying less than four cubits. Rav also does not agree with the rule above (#4) that being that the eiruv was valid when Shabbos entered, it remains valid throughout Shabbos.

## INSIGHTS TO THE DAF

### ***Mechitzos of Shabbos vs. Mechitzos of Sukkah***

In our sugya, and also in Maseches Gittin (15) the Gemara asks whether a wall five *tefachim* tall can combine with a "*gedud*" of five *tefachim*, to form a *mechitza* of ten *tefachim*. Rashi interprets *gedud* to mean the wall of a pit.

According to this interpretation, the Gemara asks whether a wall must be either entirely above ground or entirely below ground, or if the underground wall of the pit can combine with the above ground wall to equal ten *tefachim*. From the perspective of a person standing in the pit, a wall of ten *tefachim* is visible. However, from the perspective of a person standing outside of the pit, there is only a five *tefachim* wall. The *Amoraim* therefore debated whether this is considered a valid *mechitza*. According to R' Chisda, they do not combine to form a *mechitza*.

In Maseches Gittin (15b s.v. *Ein mitztarfim*), Rashi adds that even relative to the person standing in the pit, who can see the *mechitzos*, it is still not considered a *reshus hayachid*. Tosefos (s.v. *gedud*) rejects this interpretation, and shows that our own sugya shows explicitly to the contrary. When one courtyard is five *tefachim* higher than its neighbor, and there is also a five *tefachim* wall between them, the height difference and the wall combine to form a ten *tefachim* *mechitza*. In regard to the lower courtyard there is a *mechitza*, but in regard to the higher courtyard there is not. This is because a person standing in the lower courtyard sees the wall as an extension of the cliff upon which the higher courtyard is situated. Together, they form a wall of ten *tefachim*. The person standing in the higher courtyard sees only the five *tefachim* wall. The upshot of this distinction is that the lower courtyard makes its own *eiruv chatzeiros* without including the higher courtyard, since a *mechitza* separates the two, but the higher courtyard cannot make an *eiruv chatzeiros* without including the lower, since from their perspective there is no *mechitza*.

Tosefos asks a similar question in Maseches Sukka (4b s.v. *Pachos*). There we find that if a pit is dug five *tefachim* into the ground, and walls of five *tefachim* are built around it, it may be used as a Sukka. Once again we see that the underground walls of a pit, and the aboveground walls that surround it can combine to form a *mechitza* of ten *tefachim*.

**The purpose of mechitzos:** R' David Pavorski zt"l, the former Rosh Yeshiva of Ponevetszh, offered the following explanation to defend Rashi's position (Shiurei R' David Pavorski, Gittin p. 201).

In regard to *mechitzos* of Sukka, it is sufficient for the *mechitza* to be visible only from the inside of the Sukka. This is because a Sukka must be an area large enough for a person to live there. Our Sages deemed seven *tefachim* width by ten *tefachim* height to be sufficient. It is absolutely irrelevant that a person standing outside the Sukka cannot perceive these dimensions, provided that the person inside the Sukka finds the space sufficient for living arrangements.

When Rashi said that the *mechitza* must be visible from both sides, he referred only to the *mechitzos* necessary to form a *reshus hayachid*. A *reshus hayachid* can only be formed by walls that are objective and absolute, from whatever vantage point they are observed.

This same distinction can be applied to the case of two courtyards. Both courtyards are already considered *reshuyos hayachid*, since they are both surrounded by walls. The issue at hand is whether the *mechitza* serves to separate them, in order that they need not be included in the same *eiruv*. In this case, Rashi rules that a *mechitza* may be subjective to the vantage point from which it is perceived. Since the lower courtyard sees the *mechitza*, it is valid for them and they need not include the higher courtyard in their *eiruv*. The higher courtyard cannot see the *mechitza*, therefore it is not valid for them.

### **Combining**

Rav Chisda says that if ground is elevated five handsbreaths and a person puts five handsbreaths of man made wall on top of that, the resulting ten

handsbreaths do not have the status of a wall, even though a wall only requires ten handsbreaths of height. This implies that it is because it must either be comprised of ten handsbreaths of ground, or ten of man made wall. The Gemora proves from a braisa that such a wall is clearly a halachic wall for the shorter yard, as it faces a ten handsbreath wall. The question is regarding its status towards the people on the higher yard.

Tosfos advances an interesting query. It would seem that according to Rav Chisda this area is a paradox. For example, if a pile of earth five handsbreaths tall and four handsbreaths wide would be in the public domain, and a person would add five handsbreaths of man made wall, what would be the law of this area on Shabbos? It seems that Rav Chisda should hold that if a person is in the public domain and throws an object on the surface of this area, he should be liable for carrying from a public domain to a private domain. However, if he was on the surface of the area and he threw from it to the public domain, he should not be liable. This is because he is only facing a wall of five handsbreaths, and therefore is not in a private domain. This would seem to mean, Tosfos concludes, that one could have the same area be a different domain depending on one's perspective.

However, the Keren Orah says that it is obvious that there is no way this has the status of a private domain, even according to Rav Chisda.