This was prohibited because it is a dwelling that serves only the air, i.e., it is used only by someone guarding the fields or the like. It is not used as permanent living quarters, despite its partitions. And the rule with respect to any dwelling that serves only the air is that it is not permitted to carry in it if its area is more than two beit se’a. As it is not a proper place of residence, the Sages treated it as an enclosure.

The mishna states: If the roots of the tree are three handbreadths above the ground, one may not sit on them on Shabbat.

It was stated that amora’im disagreed with regard to the roots of a tree that rise up and then bend and come down from above, from a height of three handbreadths to within three handbreadths of the ground. Rabba said: It is permitted to use them, and Rav Sheshet said: It is prohibited to use them.

The Gemara clarifies the rationale of each opinion. Rabba said that it is permitted to use them, as anything less than three handbreadths from the ground is considered as the ground. Rav Sheeshet said: It is prohibited to use them; since they come from a prohibited source, they are prohibited. The section of the tree from which they grow is prohibited. Therefore, these roots should likewise be prohibited.

The Gemara proceeds to qualify the dispute: With regard to ascending and descending roots that resemble a rocky crag, those that rise upward are certainly prohibited according to all opinions; those that fall downward are permitted according to everyone. It is the roots that branch out to the sides that are the subject of the dispute between Rabba and Rav Sheshet. Rav Sheshet prohibits using them, while Rabba is lenient.

And likewise, Rabba and Rav Sheshet disagree about a tree that grows in a ditch that has elevated roots, some of which are concealed by the banks of the ditch. The amora’im dispute whether the roots concealed by the banks are considered part of the ground. And likewise, in the case of a tree that grows in a corner between two walls, they disagree as to whether the section between the walls is considered part of the ground.

The use of roots: It is prohibited to use tree roots that are more than three handbreadths above the ground. However, one may use roots that are within three handbreadths of the ground (Shulhan Arukh, Oraĥ Hayyim 336:2).

Roots of a tree that come from above: With regard to roots of a tree that are connected to the tree above three handbreadths, it is permitted to sit on the part of the root that lies below three handbreadths. The halakha is in accordance with the opinion of Rabba, as Rav Yosef ruled in this manner (Shulhan Arukh, Oraĥ Hayyim 336:2).

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Roots of a tree that grow in a ditch: The height of a tree planted in a ditch can be measured either from the bottom of the ditch or from its banks.

A tree in a corner – אֵין זָוִית בָּרֶן: There is a dispute with regard to a tree growing in a corner as to whether the three handbreadths are measured from the ground or from the top of the walls.
The Gemara relates that Abaye had a certain palm tree that grew in his house and that projected through an opening in the roof. 1 He came before Rav Yosef to ask him about it, and he permitted him to use the first three handbreadths of the palm tree above the roof, as the tree’s lower part is treated as though it were in the ground.

Rav Aha bar Talhia said to Abaye: He who permitted it to you, permitted it to you in accordance with the opinion of Rabba, who maintains that a section of a tree concealed from view in at least two directions is considered as though it were underground. Consequently, the first three handbreadths above that section may be used on Shabbat, as they have the status of the ground.

The Gemara expresses surprise: This is obvious. What novel element is Rav Aha bar Talhia teaching us? The Gemara answers: It is necessary, lest you say that in this case it should be permitted even according to Rav Sheshet, as the house is considered full, i.e., it is as though it were filled with earth, and this would mean it is permitted to use the section less than three handbreadths from the roof. Rav Aha bar Talhia therefore teaches us that Rav Sheshet is stringent even in this case.

The Gemara attempts to adduce proof from the mishna, in which we learned: If the roots of the tree are three handbreadths above the ground, one may not sit on them. What are the circumstances of this case? If the situation is that the roots do not bend over again, this is obvious, as anything higher than three handbreadths is part of the tree. Rather, doesn’t it mean that one may not sit on them even though they bend back downward to within three handbreadths of the ground? The mishna apparently indicates that if parts of the roots are more than three handbreadths above the ground, it is prohibited to use them along the rest of their entire length, as maintained by Rav Sheshet, contrary to Rabba.

The Gemara rejects this contention: No, actually the mishna is referring to a case where they do not bend back downward, and the tanna comes to teach us the following: Although on one side of the tree the roots are level with the ground, nevertheless, it is prohibited to sit on them, as the roots on the other sides are more than three handbreadths above the ground.

The Sages taught in a baraita: With regard to roots of a tree that are three handbreadths above the ground, or if there is a hollow space beneath them of three handbreadths, although on one side of the tree the roots are level with the ground, one may not sit on them.36 because of the following rule: One may not climb a tree, nor may one hang from a tree by one’s hands, nor may one even lean against a tree on Shabbat.36

And similarly, one may not climb a tree on Friday while it is still day and sit there the entire day of Shabbat. This constitutes the use of the tree itself, not merely climbing it, and it is therefore prohibited. This halakha applies both to a tree and to all animals; one may not climb upon them, hang from them, or lean against them. However, the prohibition is not due to the effort involved in climbing, as is evident from the case of a cistern, ditch, cave, or a fence. One may climb up and climb down them, even if they are a hundred cubits deep.

The Gemara comments: It was taught in one baraita: If one climbed up a tree, he is permitted to climb down; and it was taught in one other baraita that he is prohibited to climb down. The Gemara resolves this apparent contradiction: This is not difficult. Here, where it is permitted to descend, one climbed up on Friday, while it was still day; there, where it is prohibited to descend, one climbed up on Shabbat after nightfall.

And if you wish, say instead that both baraitot are referring to a case where one climbed up the tree after nightfall. But even so, it is not difficult: Here, it is permitted to descend, as one climbed up the tree unwittingly; there, it is prohibited to descend, as the baraita is dealing with one who climbed intentionally.
And if you wish, say instead that both baraitot are referring to a case where one climbed up unwittingly, and they disagree about whether or not the Sages penalized an unwitting offender due to an intentional offender. One Sage, who ruled that it is prohibited to descend, maintains that they penalized an unwitting sinner to prevent others from climbing up on purpose and descending. Therefore, one may not come down even if he ascended by mistake. And one Sage, who ruled that it is permitted, maintains that they did not penalize the unwitting sinner in this manner.8

Rav Huna, son of Rav Yehoshua, said: This dispute between the baraitot is parallel to the dispute of the tanna'im, who disagreed with regard to a different matter. The blood of certain sacrifices, e.g., the firstborn and tithe offerings, is sprinkled once on the altar, while the blood of other sacrifices, e.g., burnt-offerings, is sprinkled four times. They require two sprinklings that are four, i.e., two sprinklings on opposite corners, so that the blood falls on all four sides. If the blood of sacrifices that require only one sprinkling becomes intermingled with the blood of other sacrifices that require only one sprinkling, the mixture will be sprinkled once. Likewise, if the blood of sacrifices that require four sprinklings becomes intermingled with the blood of other sacrifices that require four sprinklings, the mixture will be sprinkled four times.

If, however, the blood of a sacrifice that requires four sprinklings becomes intermingled with the blood of a sacrifice that requires only one sprinkling, the tanna'im disagree: Rabbi Eliezer says: The mixture of blood is sprinkled four times. And Rabbi Yehoshua says: It is sprinkled once, and this suffices for the atonement of the sacrifice.9

Rabbi Eliezer said to Rabbi Yehoshua: If one sprinkles the blood only once, he transgresses the prohibition “you shall not diminish,” which prohibits the omission of any elements of the performance of a mitzva, as he has not sprinkled the blood of the burnt-offering in the proper manner. Rabbi Yehoshua said to Rabbi Eliezer: According to your ruling, that one must sprinkle the blood four times, he transgresses the prohibition: Do not add (Deuteronomy 13:1), which prohibits the addition of elements to a mitzva, as he sprinkles the blood of the firstborn animal more times than necessary.

Rabbi Eliezer said to Rabbi Yehoshua: They said the prohibition against adding to the mitzvot only where the blood stands by itself, not when it is part of a mixture. Rabbi Yehoshua said to Rabbi Eliezer: Likewise, the prohibition: Do not diminish, was stated only in a case where the blood stands by itself.

And Rabbi Yehoshua further said in defense of his position: When you sprinkle four times, you have transgressed the prohibition: Do not add, with regard to one of the sacrifices, and you also performed an action with your own hand, i.e., you transgress the Torah's command by means of a positive act. By contrast, when you do not sprinkle four times, even if you have transgressed the prohibition: Do not diminish, you did not perform the action with your own hand. If one is forced to deviate from the commands of the Torah, it is better to do so in a passive manner.

Rav Huna, son of Rav Yehoshua, sought to argue the following: According to Rabbi Eliezer, who said there, with regard to sacrifices, that if both alternatives involve the violation of a prohibition it is preferable to stand and take action, i.e., perform a positive action, here too, one should climb down from the tree, as it is better to perform a single positive transgression by climbing down rather than commit a passive transgression throughout the entire Shabbat by remaining on the tree. By contrast, according to Rabbi Yehoshua, who said with regard to sacrifices that it is preferable to sit and not take action, here too, one should not descend from the tree.
Some authorities state that if one ascended Friday intentionally, with Shabbat, lean against it, hang from one its branches, or utilize it in any handbreadths beneath them, even if they are level with the ground on both sides, it is prohibited to climb a tree on Shabbat. One might mistakenly pull off a branch from such a tree. The blood of a sacrifice that requires four sprinklings becomes mixed with the blood of another sacrifice if the mixture is sprinkled once. If the blood of a sacrifice that requires a single sprinkling becomes intermingled with the blood of another sacrifice, only once as the baraita is in accordance with the opinion of Rabbi Yehuda. The Gemara cites an apparent contradiction: In the case dealt with by Rav Yehoshua, where one performs a mitzva whatsoever by descending, indeed, he should not descend. Alternatively, the comparison can be rejected in a different fashion: Rabbi Yehoshua may have stated his opinion that it is preferable to sit and not take action only in the case dealt with there, where one does not commit a transgression by refraining from action. However, here, where one commits a transgression every additional moment he remains in the tree, indeed, he should descend from it.

The Gemara refutes this comparison: Perhaps that is not the case, as the two halakhot are not identical. Rabbi Eliezer might have stated his opinion that it is preferable to stand and take action only in the case dealt with there, where one performs a mitzva with respect to the additional sprinklings of the burnt-offering. However, here, where one performs no mitzva whatsoever by descending, indeed, he should not descend.

Although the Gemara concludes that the comparison is invalid, it raises a difficulty: In the summer, the fruit of the previous year left on the dry tree will fall off when he climbs it, and climbing the tree should therefore be prohibited lest he come to pick the fruit. The Gemara answers: We are dealing here with a case where there is no fruit on the tree. The Gemara asks: But small branches will fall off when he climbs the tree, and once again this should be prohibited in case he comes to break them off. The Gemara answers: We are dealing here with a tree that has already been stripped of all its small branches.

Rami bar Abba said that Rav Asi said: It is prohibited for a person to walk on grass on Shabbat, due to the fact that it is stated: “And he who hastens with his feet sins” (Proverbs 19:2). This verse teaches that mere walking occasionally involves a sin, e.g., on Shabbat, when one might uproot the grass on which he walks.
The Gemara cites another apparent contradiction: It was taught in one baraita that it is permitted to walk on grass on Shabbat, and it was taught in another baraita that it is prohibited to do so. The Gemara answers: This is not difficult. This baraita is referring to green grass, which one might uproot, thereby transgressing the prohibition against reaping on Shabbat. That other baraita is referring to dry grass, which has already been cut off from its source of life, and therefore the prohibition of reaping is no longer in effect.

And if you wish, say instead that both baraitot are referring to green grass, and yet there is no difficulty: Here, the baraita that prohibits walking on grass is referring to the summer, when the grass includes seeds that might be dislodged by one's feet, whereas there, the baraita that permits doing so is referring to the rainy season, when this problem does not exist.

And if you wish, say instead that both baraitot are referring to the summer, and it is not difficult: This baraita, which permits walking on grass, is referring to a case where one is wearing his shoes, whereas that other baraita, which prohibits it, deals with a situation where one is not wearing his shoes, as the grass might get entangled between his toes and be uprooted.

And if you wish, say instead that both baraitot are referring to a case where one is wearing his shoes, and nevertheless this is not difficult: This baraita prohibits walking on grass, as it involves a case where one's shoe has a spike on which the grass might get caught and be uprooted, whereas that other baraita permits it, because it deals a case where one's shoe does not have a spike.

And if you wish, say instead that both are referring to a case where the shoe has a spike, and it is not difficult: This baraita, which prohibits walking on grass, is referring to a case where the grass is long and entangled, and it can easily get caught on the shoe, whereas that other baraita is referring to a case where the grass is not long and entangled.

The Gemara concludes: And now, when we maintain that the halakha is in accordance with the opinion of Rabbi Shimon, who maintains that there is no liability for a prohibited act committed unwittingly during the performance of a permitted act, all of these scenarios are permitted, as here too, one's intention is merely to walk and not to uproot grass on Shabbat.

The Gemara cites another halakha derived from the verse mentioned in the previous discussion. Rami bar Hama said that Rav Asi said: It is prohibited for a man to force his wife in the conjugal mitzva, i.e., sexual relations, as it is stated: “And he who hastens with his feet sins” (Proverbs 19:2). The term his feet is understood here as a euphemism for intercourse.

And Rabbi Yehoshua ben Levi said: Anyone who forces his wife to perform the conjugal mitzva will have unworthy children as a consequence. Rav Ika bar Hinnana said: What is the verse that alludes to this? “Also, that the soul without knowledge is not good” (Proverbs 19:2). If intercourse takes place without the woman's knowledge, i.e., consent, the soul of the offspring will not be good.

That was also taught in a baraita: “Also, without knowledge the soul is not good”; this is one who forces his wife to perform the conjugal mitzva. “And he who hastens with his feet sins”; this is one who has intercourse with his wife and repeats the act in a manner that causes her pain or distress.

The Gemara is surprised by this teaching: Is that so? But didn't Rava say: One who wants all his children to be males should have intercourse with his wife and repeat the act? The Gemara answers: This is not difficult. Here, where Rava issued this advice, he was referring to a husband who acts with his wife's consent. There, the baraita that condemns this behavior is referring to one who proceeds without her consent.
That she should make herself pleasing to him – מִדָּר טוֹבָר בַּ ָּשִׁים.

Although it is inappropriate for a woman to demand her conjugal rights verbally, she is certainly permitted to make herself pleasing to her husband and allude to her desire. Once a woman has expressed her desire, it is a mitzva for her husband to initiate relations with her, even beyond his general conjugal obligation (Shuĥan Arukh, Oraĥ Ĥayyim).

One answer is that despite the fact that it is a laudable trait, the inability to formulate a demand verbally can lead to frustration, so it is a curse as well (Ramban).

The Gemara answers: A woman is a good trait in women, why does the Torah consider this a curse?

The Gemara analyzes the above statement with regard to Eve's ten curses: Are they in fact ten?

The Gemara proposes a question: Is that so? Is it proper for a woman to demand her conjugal rights from her husband? But didn't Rav Yitzhak bar Avdimi say: Eve was cursed with ten curses, due to the sin of the Tree of Knowledge, as it is written: “To the woman He said, I will greatly multiply your pain and your travail; in sorrow you shall bring forth children; and yet your desire shall be to your husband” (Deuteronomy 2:16). Her reward for demanding that Jacob fulfill the conjugal mitzva with her was the birth of Issachar, and it is written: “And of the children of Issachar, men who had understanding of the times, to know what Israel ought to do; the heads of them were two hundred, and all their brethren were at their commandment” (1 Chronicles 12:33).

The Gemara poses a question: When she said, and he shall rule over you, it means that the woman desires her husband, e.g., when he sets out on the road; and he shall rule over you teaches that the woman demands her husband in her heart but is too shy to voice her desire; but the man demands his wife verbally. Ray Yitzhak bar Avdimi adds: This is a good trait in women, that they refrain from formulating their desire verbally. Apparently, it is improper for a woman to demand her conjugal rights from her husband.

The Gemara analyzes the above statement with regard to Eve's ten curses: Are they in fact ten? They are only seven. When Rav Dimi came from Eretz Yisrael to Babylonia, he said that the other curses are: A woman is wrapped like a mourner, i.e., she must cover her head; and she is ostracized from all people and incarcerated within a prison, as she typically spends all her time in the house.

The Gemara asks: What is the meaning of ostracized from all people? If you say this is because it is forbidden for her to seclude herself with a man, it is also forbidden for a man to seclude himself with women. Rather, it means that it is forbidden for her to marry two men, whereas a man can marry two women.

It was taught in a baraita that the three additional curses are: She grows her hair long like Lilit, a demon; she sits and urinates, like an animal; and serves as a pillow for her husband during relations.
And why doesn’t the other Sage include these curses? The Gemara answers: He maintains that these are praise for her, not pain, either because they are modest practices, e.g., urinating in a seated position, or because they add to her comfort, e.g., her bottom position during relations.

As Rabbi Hyya said: What is the meaning of that which is written: “Who teaches us by the beasts of the earth, and makes us wiser by the birds of the sky” (Job 35:11)? He explains: “Who teaches us by the beasts of the earth”; this is the female mule, which crouches and urinates and from which we learn modesty. “And makes us wiser by the birds of the sky”; this is the rooster, which first cajoles the hen and then mates with it.

Similarly, Rabbi Yoĥanan said: Even if the Torah had not been given, we would nonetheless have learned modesty from the cat, which covers its excrement, and that stealing is objectionable from the ant, which does not take grain from another ant, and forbidden relations from the dove, which is faithful to its partner, and proper relations from the rooster, which first appeases the hen and then mates with it.

What does the rooster do to appease the hen? Rav Yehuda said that Rav said: Prior to mating, it spreads its wings as if to say this: I will buy you a coat that will reach down to your feet. After mating, the rooster bends its head as if to say this: May the crest of this rooster fall off if he has the wherewithal and does not buy you one. I simply have no money to do so.

**Background**

**Forbidden relations from the dove — הַּרְּגֶּרֶת **

There are mating rituals unique to various animal species. The Gemara offers an explanation of the mating ritual of chickens. Indeed, the very nature of mating rituals is to appease, as roosters will not engage in sexual intercourse without the prior performance of the ritual.

**Notes**

What does the rooster do to appease the hen — בָּרֶן מְ׳ַיֵּיס הַּרְּגֶּרֶת ? The Gemara asks this question in order to teach the proper way for a man to behave in this situation (Rav Yaĥakov Emden).

**Halakha**

The door to a rear court — הַּרְּגֶּרֶת הַּרְּגֵּרֶת **

With regard to a door to a rear court, i.e., a door that opens from a house to the courtyard situated behind it, which is typically not a proper door but merely a wooden board without hinges that closes off the doorway; and likewise bundles of thorns that seal a breach; and reed mats, one may not close an opening with them on Shabbat. This would be considered building or completing a building, unless they remain above the ground even when they are open.

**Language**

Lattice (kankan) — קָנָן **

Most commentators associate kankan with its common meaning, the blade of a plough. The Ra’avad maintains that it refers to the wooden handle into which the plough blade is inserted. However, the parallel discussion in the Jerusalem Talmud uses the word kankan, with the Hebrew letters nun and lamed transposed. From the Greek κικίλις, kikils, a net or an item crafted into a lattice. Accordingly, kankan in this context refers to a wooden lattice or some other material used to close a door.

**Notes**

To ones that have a hinge — מִתַּרְ ְגוֹלָא **

Why is a hinge effective for these doors but not for a widowed door? One answer is that it is unusual to construct parts of a house from mats and lattices and the like, and therefore the addition of a hinge establishes any one of those items as a door. However, it is not uncommon to install a single plank as a permanent feature of a house, which is why a hinge alone is not effective in rendering it a door (Ture Zannah).