Shall we then conclude that this is what the mishna taught? All agree that what the mishna taught was: We learned in the mishna:

What is a new town, and what is an old town? A new town is one that was first surrounded by a wall, and only afterward settled, meaning that the town's residents arrived after the wall had already been erected; an old town is one that was first settled, and only afterward surrounded by a wall. Ravina raised his objection: And this orchard should also be considered like a town that was first surrounded by a wall and only afterward settled, as it had not been enclosed from the outset for the purpose of residence. Even if a dwelling was later erected there, this should not turn it into a place that had been enclosed for the purpose of residence.

Seeing that an additional objection could be raised against his teacher's position, Rav Pappa said to Rava: Didn't Rav Asi say that the temporary screens erected by architects to serve as protection against the sun and the like are not deemed valid partitions? Apparently, since it was erected only for privacy, and not for the purpose of permanent dwelling, it is not considered a valid partition. Here too, then, with regard to the fence around the orchard, since it was erected only for privacy, it should not be considered a valid partition.

And Rav Huna, son of Rav Yehoshua, said to Rava: Didn't Rav Huna say that a partition made for resting objects alongside it and thereby providing them with protection is not considered a valid partition?

This is as Rabba bar Avud did, when he constructed an eiruv separately for each row of houses in the new town of Meĥoza, due to the ditches from which the cattle would feed that separated the rows of houses from one another. Shouldn't such cattle ditches be considered like a partition made for resting objects alongside it? Such a partition is invalid. All these proofs indicate that Rava was wrong to remove the reed fences erected by Rav Huna bar Hinnana, for those fences were indeed necessary.

With regard to the resolution of this incident, the Exilarch recited the following verse about these Rabbis: “They are wise to do evil, but to do good they have no knowledge” (Jeremiah 4:22), as on Friday they ruined the arrangement that Rav Huna bar Hinnana had made to permit carrying from the house to the pavilion, and the next day all they could do was prove that they had acted improperly the day before and that it was prohibited to carry in the orchard.

We learned in the mishna: Rabbi Elai said: I heard from Rabbi Eliezer that one is permitted to carry in a garden or karpef, even if the garden is the size of a beit kor, thirty times larger than a beit se’a. The Gemara notes that all agree that what the mishna taught was not in accordance with the opinion of Hananya, as it was taught in a baraita that Hananya says: One is permitted to carry even if it is the size of forty beit se’a, like the court of a king.

NOTES

Ravina raised an objection –umption: Some commentators explain that a partition made for resting is referring to a partition on which people generally walk, its status as a partition is then nullified. Other authorities read: A partition that is not made for nahor; and state that it is referring to a partition that was intended to be moved, rather than one made to be fixed in one spot (Rambam and others).

Cattle ditches – ḥaim: The Arukh explains that this is a pit in which oxen rest. According to the explanation that a partition made for nahor is referring to a partition on which people walk, the reference in this context is to a pit that does not have real partitions. Rather, it is partitioned off by being lower than its surroundings. However, the people tending the animals continually walk on this partition and trample it down (see Me’iri).

HALAKHA

New and old towns – נהורים: In the case of a new town, one that was first surrounded by a wall and only afterward settled, the Shabbat limit is measured from its settled area, rather than from its wall. However, in the case of an old town, which was first settled and only afterward surrounded by a wall, the limit is measured from the wall, as stated in the baraita (Shulḥan Arukh, Ḥolah Nisim 318:1).

Screens of architects – עיר חדש וישנה: A partition that was constructed for a purpose other than to establish an enclosure for residence, such as a partition erected by a builder to rest objects against it, serves as a partition to permit one to carry, but does not render a place enclosed for the purpose of residence (based on the Rosh; Shulḥan Arukh, Ḥolah Nisim 312:1).

BACKGROUND

The eiruv of Meĥoza – eidut: Rows of houses separated by cattle ditches require a separate joining of courtyards [eiruv] for each row.
Rabbi Yohanan said: Both Rabbi Elai and Hananya derived their opinion from the same verse, as it is stated: “And it came to pass, before Isaiah was gone out into the middle courtyard, that the word of the Lord came to him, saying” (I Kings 20:4). In the biblical text, it is written: “The city [ha’ir],” and we read it as: “The middle courtyard [hatzer],” as there is a difference in this verse between the written word and how it is spoken. From here it is derived that royal courts were as large as intermediate-sized cities. Consequently, there is no contradiction, as the central courtyard of the royal palace was itself like a small town.

The Gemara explains: With regard to what principle do Rabbi Elai and Hananya disagree? One Sage, Rabbi Elai, maintains: Intermediate-sized towns are the size of a field that had an area of a betik kor; and one Sage, Hananya, maintains: They are the size of forty sa’ot.

The Gemara asks about the Biblical narrative cited above: What did Isaiah need to do there in the middle court, i.e., why was he there? The Gemara answers: Rabba bar bar Ḥana said that Rabbi Yohanan said: This teaches that Hezekiah took ill, and Isaiah went and established a Torah academy at his door, so that Torah scholars would sit and occupy themselves with Torah outside his room, the merit of which would help Hezekiah survive.

Based on this, it is derived, with regard to a Torah scholar who took ill, that one establishes an academy at the entrance to his home. The Gemara comments: This, however, is not a proper course of action, as perhaps they will come to provoke Satan against him. Challenging Satan might worsen the health of a sick person rather than improve it.

The mishna cites another statement made by Rabbi Elai in the name of Rabbi Eliezer: And I also heard from him another halakha: If one of the residents of a courtyard forgot and did not join in an eiruv with the other residents, and on Shabbat he ceded ownership of his share in the courtyard to the other residents, it is prohibited for him, the one who forgot to establish an eiruv, to bring in objects or take them out from his house to the courtyard; but it is permitted to the other residents to bring objects from their houses to that other person’s house via the courtyard, and vice versa.

Rabbi Sheshet said: This is not difficult.
This, the mishna here, is in accordance with the opinion of Rabbi Eliezer, while that, the other mishna, is in accordance with the opinion of the Rabbis.

Rav Sheshet adds: When you examine the matter closely, you will find that according to the statement of Rabbi Eliezer, one who renounces his authority over his share in the courtyard to the other residents of the courtyard also renounces his authority over his own house. However, according to the opinion of the Rabbis, one who renounces his authority over his share in the courtyard to the other residents does not renounce his authority over his own house to them.

The Gemara expresses surprise at this comment: But it is obvious that this is the point over which the Tanna'im disagree.

The Gemara answers: Rava said: Both Rav Huna bar Hinnana and I explained: Rav Sheshet's explanation was necessary only with regard to the case of five people who lived in the same courtyard, one of whom forgot to join in an eiruv with the others.

According to the statement of Rabbi Eliezer, when he renounces his authority, he need not renounce it to each and every one of the residents, as we already know that Rabbi Eliezer holds that one who renounces authority does so in a generous manner, renouncing authority not only of his share in the courtyard, but also of his own house. Consequently, if he is required to renounce authority to many people, we assume that he does so even if this is not explicitly stated.

In contrast, according to the opinion of the Rabbis, when he renounces his authority, it does not suffice that he renounces it in favor of one person; rather, he must explicitly renounce it to each and every one, as we cannot presume that he renounces authority in a generous manner.

The Gemara continues: In accordance with which Tanna is the ruling that was taught in the following baraita? If five people lived in the same courtyard, and one of them forgot and did not join in an eiruv with the other residents, when he renounces his authority, he need not renounce his authority to each and every one of the residents. The Gemara asks: In accordance with whose opinion is it? It is in accordance with Rabbi Eliezer, as explained above.

Rav Kahana taught the passage this way, as cited above, that it was Ravhaya and Rav Huna bar Hinnana who applied Rav Sheshet's explanation to the case of the five people living in the same courtyard. Rav Tavymei, on the other hand, taught it as follows, that it was Rav Sheshet himself who applied it to that case: In accordance with which Tanna is the ruling that was taught in the following baraita? If five people lived in the same courtyard, and one of them forgot and did not join in an eiruv with the other residents, when he renounces his authority, he need not renounce his authority to each and every one of the residents. This statement is in accordance with whose opinion? Rav Huna bar Yehuda said that Rav Sheshet said: In accordance with whom? In accordance with Rabbi Eliezer.

Rav Pappa said to Abaye: According to the opinion of Rabbi Eliezer, which presumes that one renounces his authority over his house as well, if one who forgot to join in an eiruv with the other residents of the courtyard explicitly stated: I am not renouncing authority of my house, and likewise, according to the opinion of the Rabbis, if he explicitly stated: I am renouncing authority of my house, what is the halakha in such cases?
HALAKHA

Once one reveals his wishes, he has revealed them—בִּיטוּל רְשׁוּת לְרַבִּים ישון. If one explicitly says that he is renouncing authority over his own house as well, it is considered renounced (Shulḥan Arukh, Orah Hayyim 81a).

Arkablin – עַרְבְּבָלִין: A wide range of identities have been suggested for the plant called arkablin or ar kablin. Indeed, it is doubtful whether all of the references to it in the Talmud are referring to the same plant. One proposed identity is a plant from the family of the scorpion’s tail, Heliotropium. These are annual or perennial plants, whose flowers have the appearance of a scorpion’s tail.

These plants grow wild in various parts of Eretz Yisrael. Some species are cultivated for decorative purposes, due to their shape and scent. The leaves of several similar species were used for the extraction of various medicines, and they are also apparently mentioned in the Talmud.

BACKGROUND

Arkablin – עַרְבְּבָלִין: A wide range of identities have been suggested for the plant called arkablin or ar kablin. Indeed, it is doubtful whether all of the references to it in the Talmud are referring to the same plant. One proposed identity is a plant from the family of the scorpion’s tail, Heliotropium. These are annual or perennial plants, whose flowers have the appearance of a scorpion’s tail.

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Atzvata haruziyata – אַצְוָותָא חֲרוּזִיָאתָא: One tradition with regard to atzvata haruziyata identifies the arkablin with a prickly climber, a species of spurge, possibly Euphorbia officinalis.

The Gemara clarifies: Is Rabbi Eliezer’s reason because he maintains in general that one who renounces authority over his share in a courtyard to the other residents presumably also renounces to them authority over his own house, but that since this person explicitly stated: I am not renouncing authority over my house, he therefore maintains his authority?

Or perhaps Rabbi Eliezer’s reason is because people do not generally live in a house without a courtyard, and therefore anyone who renounces authority over his share in a courtyard automatically renounces authority over his own house regardless of what he says. Therefore, when he says: I am not renouncing authority over my house, it is not in his power to do so, as even though he says: I will continue to live in and retain authority over my house, he has said nothing.

And the question likewise arises according to the opinion of the Rabbis. If one explicitly stated: I am renouncing authority of my house as well, what is the halakha? Is the reason for the opinion of the Rabbis because they maintain that one who renounces authority over his share in a courtyard to the other residents presumably does not renounce authority over his own house to them, but since this person explicitly stated: I am renouncing authority over my house, the other residents should be permitted to carry?

Or perhaps the for the opinion of the Rabbis is because one does not usually remove himself entirely from a house and courtyard, making himself like a guest among his neighbors. And therefore, when he states: I am renouncing authority over my house, it is not in his power to do so, and his statement is disregarded.

Abaye said to Rav Pappa in answer to his question: Both according to the Rabbis and according to Rabbi Eliezer, once one has revealed his wishes, he has revealed them, and everything follows his express wishes.

The mishna records yet another teaching handed down by Rabbi Elia: And I also heard from Rabbi Eliezer another halakha, that one may fulfill his obligation to eat bitter herbs on Passover with arkablin, a certain bitter herb. The Gemara asks: What is arkablin? Reish Lakish said: It is Atzvata haruziyata, a type of fiber that wraps itself around a date palm.
The Gemara notes:

**HALAKHA**

One may establish a joining of houses and one may merge courtyards with all kinds of food except for water and salt. One may not create an eiruv with all types of food except for water and salt. One may not create an eiruv even with both water and salt, unless they are mixed together (Shulhan Arukh, Orach Hayyim 386:5).

**NOTES**

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**LANGUAGE**

Beit haperas — בית חפירות: Various explanations have been suggested for this phrase. Some authorities explain that it comes from the word paros, meaning spread out or widening, because the ritual impurity is spread throughout the field (Rambam’s Commentary on the Mishna). Rashi teaches that the impurity in the field is perusa, meaning broken. Tosafot explain that the word is referring to footsteps, paraos, because people refrain from treading there.

Other commentators explain that this term is related to the Latin word forum, meaning plaza or in this context a plaza in front of a cemetery, or to the Greek equivalent φόρος, fóros (Rabbi Binyamin Musafya).

**NOTES**

One may not learn from general statements — לא יהיה לו מ实事求ון פאוץ: Some say that this only applies to tannaitic statements, since the tanna'im speak in a tannite style and occasionally fail to fully explain themselves. However, this principle is not applicable to the statements of amoraim (see Rabbenu Yehonatan). The Rashba, the Ritva, and other commentators explained that this principle includes amoraim statements as well. In terms of determining the practical Adakha, some authorities state that this principle is not to be taken literally. Rather, if there is a proof from a mishna or a baraita that indicates a ruling contrary to the general statement, the general statement is not considered to contradict it. However, in the absence of any proof to the contrary, one may in fact learn from general statements (Ramban). Others dispute this qualification (Tosafot; see Yad Malakh).