And with regard to what first entered our minds, that Rav and Shmuel disagree both in the case where the residents of the alleyway and the residents of the yard established an eiruv together, as well as in the case where they did not establish an eiruv together, explanation is necessary. The Gemara seeks to explicate on what point they disagree in the case where they did not establish an eiruv, and on what point they disagree in the case where they did not establish a joint eiruv. That is to say, what is the crux of the argument in these two cases?

The Gemara explains: In the case where they did not establish a joint eiruv, Rav and Shmuel disagree concerning the halakha governing an alleyway that appears closed from the outside. Outside the alleyway there is a wider courtyard, so that from the perspective of those standing in the courtyard, the breach at the end of the alleyway seems like an entrance, and the alleyway appears to be closed, but appears to be even from the inside. From the perspective of those inside the alleyway, the breach is even with the walls of the alleyway, so that the breach does not look like an entrance, and the alleyway appears to be open. The dispute revolves around the question of whether an alleyway of this kind is considered open or closed. According to the authority who says that it is considered a closed alleyway, one is permitted to carry within an alleyway that terminates in a backyard in this manner.

And in the case where they established a joint eiruv, they disagree about the principle stated by Rav Yosef. For Rav Yosef said: The allowance to carry in an alleyway that terminates in a backyard was only taught in a case where the alleyway terminates in the middle of the backyard, so that when viewed from the yard, the alleyway appears to be closed. But if it terminates on one of the sides of the backyard, so that the alleyway and yard appear continuous, carrying in the alleyway is prohibited.

Rabba took the discussion one step further and said: That which you say: Where the alleyway terminates in the middle of the backyard, carrying is permitted, this was only stated with regard to a case where the breach in the back wall of the alleyway into the yard and the breach in the facing wall of the yard into the public domain are not opposite one another. But if the two breaches are opposite one another, carrying within the alleyway is prohibited.

**Background**

Terminates on one of the sides of the backyard – This refers to an alleyway that ends on one of the sides of a yard, so that the wall of the alleyway and the wall of the backyard are continuous.

Opposite one another – An alleyway that ends in a backyard, such that the breach of the yard that opens into the public domain is directly across from the breach of the alleyway into the yard, forms an alleyway that is open on two opposite sides to a public domain.

**Notes**

Where the alleyway terminates in the middle of the backyard – This refers to an alleyway that opens into a backyard that was either surrounded by a fence for the purpose of residence, or whose size is no greater than two Beit Sura (Tosafot; Rosh). Alternatively, the case involves an alleyway that terminates in a courtyard. If the alleyway is breached in the middle of the wall of the yard, from the perspective of one standing in the yard, it appears that these are two separate domains. Consequently, as long as the residents of the yard established an eiruv with the other residents whose yards are connected to the alleyway, nothing further is required to permit carrying in both areas. However, if the alleyway ends in one of the sides of the yard, such that the wall of the backyard is a continuation of the wall of the alleyway, it is all considered one long, open alleyway. Therefore, it is forbidden to carry in it or to establish an eiruv in it until it is corrected according to the requirements of an open alleyway (Shulhan Arukh, Oraĥ Ĥayyim 365:3).

If the two breaches are opposite one another – It is permitted to carry in an alleyway that ends in the middle of a wall of a yard, when the opening of the yard into the public domain does not line up with the breach of the alleyway into the yard. If, however, the two breaches are opposite one another, it is forbidden to carry, in accordance with the statement of Rabba (Shulhan Arukh, Oraĥ Ĥayyim 365:3).
HALAKHA

A backyard of an individual – יד ייחודי

Permission to carry in an alleyway that opens into a yard is limited to a yard where many people reside. However, if the yard belongs to an individual, carrying in the alleyway is prohibited, in accordance with the statement of Rav Mesharshiya (Shulhan Arukh, Oraĥ Haya'im 353).

A refuse heap and the sea – נאמות

A public refuse heap is not considered likely to be cleared away, and one can assume that it will remain as is. In addition, there is no concern that the sea might raise up sand and change the shape of the beach. Rema cites opinions that express concern for whether the Gemara reads: We are concerned, or: We are not concerned (Vilna Gaon; Shulhan Arukh, Oraĥ Haya'im 355-56).

Terminated in the sea – הכניע

There is a variant reading: One of its sides is the sea, which is Arukh.

The seashore does not remain in place permanently, as it is shifting sandbanks (Rosh; 36). The beach. Rema cites opinions that express concern for the sea might raise up sand and change the shape of the beach. Rema cites opinions that express concern for whether the Gemara reads: We are concerned, or: We are not concerned (Vilna Gaon; Shulhan Arukh, Oraĥ Haya'im 355).

NOTES

One of its sides terminated in the sea – ליה לה ליה

There is the seashore on one side and a refuse heap on the other, and the two ends of the alleyway are properly closed or have an opening in the form of a doorway. According to our reading, only the entrances to the alleyway face the sea and the refuse dump, but not its lengthwise walls (Rabbeinu Hananel; see Riva).

Rav Mesharshiya continued this line of thought and said: That which you say: If the two breaches are not opposite one another, carrying within the alleyway is permitted, this was only stated with regard to the case where the backyard belongs to many people. But if the yard belongs to a single individual, he might sometime change his mind about it and build houses in that part of the yard that is wider than the alleyway, and then the alleyway will become like an alleyway that terminates on one of the sides of the backyard, which is prohibited. If the owner of the yard closes off one side of the yard with houses, the alleyway will no longer terminate in the middle of the yard, but on one of its sides, in which case carrying will be forbidden. Consequently, although the houses have not yet been built, adjustments must be made in the alleyway to permit carrying, so that no problems should arise in the future.

Rav Mesharshiya adds: And from where do you say that we distinguish between a backyard that belongs to many people and a backyard that belongs to a single individual? As Ravin bar Rav Adda said that Rabbi Yitzḥak said: There was an incident involving a certain alleyway, where one of its sides terminated in the sea, and one of its sides terminated in a refuse heap, resulting in an alleyway closed on both sides. And the incident came before Rabbi Yehuda HaNasi, so that he may rule on whether these parties are sufficient or whether some additional construction is necessary, and he did not say anything about it, neither permission nor prohibition.

The Gemara clarifies: Rabbi Yehuda HaNasi did not state a ruling indicating a prohibition to carry in the alleyway, for partitions, i.e., the sea and the refuse heap, indeed stand, and the alleyway is closed off on both sides. However, he also did not state a ruling granting permission to carry in the alleyway, for we are concerned that perhaps the refuse heap will be removed? But didn’t we learn in a mishna: A refuse heap in the public domain that is ten handbreadths high, so that it has the status of a private domain, and there is a window above the pile of refuse, i.e., the window is in a house adjacent to the refuse heap, we may throw refuse from the window onto the heap on Shabbat. Carrying on Shabbat from one private domain, i.e., the house, to another, i.e., the refuse heap, is permitted. We are not concerned that someone might remove some of the refuse, thus lowering the heap until it is no longer a private domain, such that throwing refuse upon it is prohibited. This seems to present a contradiction, for in some cases we are concerned that the refuse heap might be removed, but in other cases we are not.

Apparently, we distinguish between a public refuse heap and a private refuse heap, such that in the case of a private refuse heap we cannot assume that it will remain in place permanently, as it is likely to be emptied at some point.

Here, too, we distinguish between a backyard belonging to many people, where buildings are not likely to be added, and a backyard belonging to a single individual, where he might consider making changes and add buildings.

The case involving an alleyway opening on one side to the sea and on the other side to a refuse heap was brought before Rabbi Yehuda HaNasi, who did not rule on the matter. The Gemara inquires: And the Rabbis of Rabbi Yehuda HaNasi's generation, what was their opinion with regard to this case? The fact that we are told that Rabbi Yehuda HaNasi did not want to issue a ruling indicates that his colleagues disagreed with him.

The Gemara continues: Are we really concerned that perhaps the refuse heap will be removed? But didn’t we learn in a mishna: A refuse heap in the public domain that is ten handbreadths high, so that it has the status of a private domain, and there is a window above the pile of refuse, i.e., the window is in a house adjacent to the refuse heap, we may throw refuse from the window onto the heap on Shabbat. Carrying on Shabbat from one private domain, i.e., the house, to another, i.e., the refuse heap, is permitted. We are not concerned that someone might remove some of the refuse, thus lowering the heap until it is no longer a private domain, such that throwing refuse upon it is prohibited. This seems to present a contradiction, for in some cases we are concerned that the refuse heap might be removed, but in other cases we are not.
Rav Yosef bar Avdimi said: It was taught in a baraita: And the Rabbis prohibit carrying in such an alleyway. Rav Nahman said: The halakha is in accordance with the statement of the Rabbis. There are some who state a different version of the previous statements as follows: Rav Yosef bar Avdimi said: It was taught in a baraita: And the Rabbis permit carrying in such an alleyway. Rav Nahman said: The halakha is not in accordance with the opinion of the Rabbis.

The Gemara relates: Mareimar would block off the ends of the alleyways of Sura, which opened to a river, with nets so to serve as partitions. He said: Just as we are concerned that perhaps the sea will raise up sand, so too, we are concerned that the river will raise up sand, and hence we cannot rely on its banks to serve as partitions.

The Gemara further relates: With regard to a certain crooked L-shaped alleyway that was in Sura, the residents of the place rolled up a mat and placed it at the turn to serve as a side post to permit carrying within it. Rav Hisda said: This was done neither in accordance with the opinion of Rav nor in accordance with that of Shmuel. The Gemara explains: According to Rav, who said that the halakha of a crooked L-shaped alleyway is like that of an alleyway that is open on two opposite sides, it requires an opening in the form of a doorway. And even according to Shmuel, who said that its halakha is like that of an alleyway that is closed at one side, so that carrying is permitted by means of a side post, this applies only to a case where a proper side post was erected. But with regard to this mat, once the wind blows upon it, it throws it over; it is regarded as nothing and is totally ineffective.

The Gemara comments: But if a peg was inserted into the mat, and thus the mat was properly attached to the wall, it is considered attached and serves as an effective side post.

The Gemara examines Rav Yirmeya bar Abba’s statement cited in the course of the previous discussion. As to the matter itself, Rav Yirmeya bar Abba said that Rav said: An alleyway that was breached along the entire length of its back wall into a courtyard, and likewise the courtyard was breached on its opposite side into the public domain, the courtyard is permitted for carrying, and the alleyway is prohibited for carrying.

Rabba bar Ulla said to Rav Beivai bar Abaye: My Master, is this case not the same as our Mishna? A smaller courtyard that was breached along the entire length of one of its walls into a larger courtyard, the larger one is permitted for carrying, and the smaller one is prohibited, because the breach is regarded as the entrance to the larger courtyard. With regard to the larger courtyard, the breach running the entire length of the smaller courtyard is considered like an entrance in one of its walls, for the breach is surrounded on both sides by the remaining portions of the wall of the larger courtyard, and therefore carrying is permitted. With regard to the smaller courtyard, however, one wall is missing in its entirety, and therefore carrying is forbidden. This seems to be exactly the same as the case of an alleyway that was breached along the entire length of its back wall into a courtyard.

He, Rav Beivai bar Abaya, said to him, Rabba bar Ulla: If this was learned from there alone, I would have said that we must distinguish between the cases: The Mishna’s ruling only applies in a place where many people do not tread. The breach between the smaller and larger courtyard will not cause more people to pass through the larger courtyard, and therefore it remains a unit of its own. But in a place where many people tread, i.e., in the case where a courtyard is breached on one side into an alleyway and on the other side into the public domain, you might say that carrying is prohibited even in the courtyard as well, owing to the people passing through it from the alleyway to the public domain.
A public domain with regard to ritual impurity – רְשׁוּת הָרַבִּים לְטוּמְאָה: As is derived from the verses, in cases of uncertainty with regard to the ritual purity of a person or object, if the item was found in a private domain, it is considered impure based on the uncertainty. However, if it is found in a public domain, it is considered pure based on the uncertainty. For the purpose of the halakhot of ritual impurity, a public domain is not defined by partitions or by ownership. Instead, its status is determined by the number of people who regularly pass through it.

HALAKHA

A courtyard through which many people cross – רְחָבָה שֶׁל יָחִיד: With regard to the halakhot of Shabbat, a courtyard that is properly enclosed by partitions is treated like a private domain, even if many people pass through it, as stated by the Tosefta (Shhilhan Aruk, Orah Hayyim 365:3). With regard to the halakhot of ritual impurity, however, a courtyard of this kind has the status of a public domain, and in cases of uncertainty, the person or article is considered pure (Rambam Ge’on Ya’akov 365:29). However, if it is found in a public domain, it is considered pure based on the uncertainty. However, if it is found in a public domain, it is considered pure based on the uncertainty. For the purpose of the halakhot of ritual impurity, a public domain is not defined by partitions or by ownership. Instead, its status is determined by the number of people who regularly pass through it.

The Gemara raises a difficulty: But didn’t we already learn this as well, that the mere fact that many people tread through a yard is liable, since it is considered a private domain according to the halakhot of ritual impurity, by a fence for the purpose of residence. However, with regard to Shabbat, the sole criterion is the existence of partitions, and the fact that many people pass through the courtyard does not impair its status as a private domain.

The Gemara refutes this argument: If this was derived there alone, I would have said that this only applies in a case where the two breaches are not opposite one another,
An alleyway that is shaped like a centipede – נְדוֹל

It was stated that the amora'im disagree about the following matter: With regard to an alleyway that is shaped like a centipede, i.e., a long alleyway that opens to the public domain but with a series of small alleyways branching off of it on both of its sides, all of which also open to the public domain, Abaye said: An opening in the form of a doorway is made for the large alleyway, and all the small alleyways are permitted by means of a side post or a cross beam.

Rava said to him: According to whom do you state this halakha? Apparently according to the opinion of Shmuel, who said that the halakha of a crooked L-shaped alleyway is like that of an alleyway that is closed at one side. For in this case of an alleyway that is shaped like a centipede, when each of the smaller alleyways connects to the larger alleyway, it forms a crooked L-shaped alleyway. However, if the halakha is indeed in accordance with the opinion of Shmuel, why is the form of a doorway needed for it? According to Shmuel, an alleyway of this kind only requires a side post or a cross beam at each end in order to permit carrying within it. And furthermore, with regard to the crooked, L-shaped alleyway in Nehar'ea, which was Shmuel’s place of residence, didn’t they take into consideration the position of Rav? This indicates that the halakha in practice follows Rav as opposed to Shmuel.

Rather, Rava said: An alleyway made like a centipede can be rendered fit for one to carry within it as follows: An opening in the form of a doorway is made for all of the small alleyways on this one of their sides, and the other side is permitted by means of a side post or a cross beam.

The Gemara considers a new case: Rav Kahana bar Tahalifa said in the name of Rav Kahana bar Minyumi, who said in the name of Rav Kahana bar Malkiyu, who said in the name of Rav Kahana, the teacher of Rav; and some say that Rav Kahana bar Malkiyu is Rav Kahana, the teacher of Rav. With regard to an alleyway that opens into the public domain, its one side being long and its other side being short, i.e., one side juts out into the public domain more than the other, the halakha is as follows: If the difference in length between the two sides is less than four cubits, the cross beam is placed diagonally across the opening between the ends of the two walls of the alleyway. If, however, the difference is four cubits or more, the cross beam is placed straight across the alleyway at the end of the short side, i.e., at the end of the short side straight across toward the corresponding spot on the longer wall such that the beam is perpendicular to both walls, and no use may be made of the portion of the alleyway that lies beyond the cross beam. Rava disagreed and said: In both this case and in that case, the cross beam is placed straight across the alleyway at the end of the short side.

HALAKHA

An alleyway that is shaped like a centipede – נְדוֹל

This applies when a large alleyway has a series of smaller alleyways extending from both sides, all of which open to the public domain, even if the small alleyways are not positioned one across from the other (Rambam). An opening in the form of a doorway must be made on the side where each of the small alleyways open into the large alleyway, and a side post or a cross beam must be placed on the side that opens into the public domain in order to permit carrying within each of them, in accordance with Rava’s conclusion (Shulhan Arukh, Orah Hayyim 364:5).

An alleyway that opens into the public domain, its one side being long – נְדָלוֹן וַתָּאָכָל

If the entrance to an alleyway from the public domain has one wall that is longer than the other, the cross beam must be placed across the entrance perpendicularly toward the corresponding spot on the longer wall. Similarly, when using a side post, it must be positioned directly across from the end of the short wall (Magen Avraham). However, if a cross beam is placed on a diagonal inside the alleyway within the area of the short wall, it is permitted to utilize the area of the alleyway up to where the cross beam meets the short wall (Rosh, Shulhan Arukh, Orah Hayyim 363:30).

NOTES

Centipede (nadal) – מַנִּיחַ אֶחָד זֶה וְאֶחָד זֶה

An alleyway that is shaped like a centipede – מַנִּיחַ אֶחָד זֶה וְאֶחָד זֶה

Centipede of the genus Scolopendra - מַנִּיחַ אֶחָד זֶה וְאֶחָד זֶה

Cross beam placed on a diagonal from the end of the short wall to the end of the long wall.

An alleyway shaped like a centipede – מַנִּיחַ אֶחָד זֶה וְאֶחָד זֶה

Centipede [nadal] – מַנִּיחַ אֶחָד זֶה וְאֶחָד זֶה

The poisonous centipede, Scolopendra, possesses twenty-one pairs of legs. It has a pair of poisonous claws near its head, used to deliver venom into its prey. Its bite is painful, although not usually dangerous to humans. It is likely that these and similar species are what the Torah refers to as multi-legged creatures (see Rashi on Leviticus 11:2).
The more accepted method, however, is to position the cross beam, in accordance with the opinion of Rav and Rabbi Yoĥanan, since the cross beam serves as a conspicuous marker, but here they disagree when placed diagonally, it is considered a partition.

Rav Kahana said: Since this involves halakhot of Sages named Kahana, I too will say something with regard to it: That which you said, that the cross beam is placed diagonally across the alleyway, this was only said in a case where the diagonal is no more than ten cubits. But if the diagonal is more than ten cubits, then even if the width of the alleyway itself is less than ten cubits, all agree that the cross beam must be placed straight across the alleyway at the end of the short side, for an entrance wider than ten cubits cannot be permitted by a cross beam, and here the entire length under the cross beam is considered an entrance.

A dilemma was raised before the Sages: What is the halakha with regard to utilizing and carrying in the area beneath the cross beam spanning the opening of an alleyway, which the beam permits carrying? Opinions differ on the matter. Rav, Rabbi Hyya, and Rabbi Yoĥanan said: It is permitted to utilize the area beneath the cross beam.

The Gemara suggests a way to understand this dispute: Shall we say that these amora‘im argue over the following issue, that Master, representing those who permit it, holds: A cross beam serves in an alleyway as a conspicuous marker that separates it from the public domain, and Master, representing those who prohibit it, holds: A cross beam serves as a partition.

The Gemara rejects this argument: No, everyone might agree that a cross beam serves as a conspicuous marker, but here they argue over the following: Master, representing those who forbid it, holds that the conspicuous marker is intended for those situated inside the alleyway, and hence the area outside the inner edge of the cross beam may not be used; and Master, representing those who permit it, holds that the conspicuous marker is intended for those outside in the public domain, and it is therefore permitted to carry up to the outer edge of the cross beam.

**BACKGROUND**

Cross beam positioned diagonally across the entrance to an alleyway that has walls of equal length.

Placed straight across the alleyway at the end of the short side – In a case where one side of an alleyway is longer than the other, there are two ways to position a cross beam at its entrance. In certain cases, the Rabbis permitted positioning a cross beam diagonally at the entrance. The more accepted method, however, is to position the cross beam across from the shorter side, and to make use of the alleyway only up to the cross beam.

**HALAKHA**

Utilizing the space beneath the cross beam – It is permitted to utilize the space beneath the cross beam, in accordance with the opinion of Rav and Rabbi Yoĥanan, since the halakha generally follows them when they disagree with other Sages (Shulĥan Arukh, Oraĥ Ĥayyim 365:4).

Rava added: I will state my reason, and I will state their reason. I will state my reason: What is the reason for a cross beam? To function as a conspicuous marker that separates the alleyway from the public domain, so that the residents of the alleyway should know the boundary within which carrying is permitted, and when placed diagonally, the cross beam is not sufficiently conspicuous. Those who see people carrying in the section extending past the short side will think that one is generally permitted to carry in a public domain.

I will state their reason as well: What is the reason for a cross beam? To function as a partition, that is to say, the cross beam is considered as though it descended to the ground, creating a fourth wall for the alleyway. Hence, even when placed diagonally, it is considered a partition.

**PERSONALITIES**

Halakhot of Sages named Kahana – Sages named Kahana happened to hand down these halakhot, each in the name of the other. In addition to these Sages, who lived in several different generations, there were other Sages called simply Rabbi Kahana, but their similarity in name and chronological proximity make it hard to distinguish between them in a consistent manner.

One source identifies Rav Kahana bar Malkiya as Rav’s teacher, while in a different source, the Jerusalem Talmud, he handed down a teaching in the name of Rav. Neither Rav Kahana bar Tahalila nor Rav Kahana bar Minyumi are mentioned often. There were several Sages that appear as Rav Kahana without mention of their fathers. One was a student-colleague of Rav, called simply Kahana in the Jerusalem Talmud, who was among the first generation of amora‘im. Another was a student of Rav Yehuda, which places him in the third generation of amora‘im. A third was a student of Rava, from the fifth generation of amora‘im. This Rav Kahana was Rav Ashi’s teacher, and he is presumably the one mentioned in connection with the halakha cited in this context. Yet another Rav Kahana was a friend and contemporary of Rav. Some commentaries hold that there was another Sage named Rav Kahana who was a student of Rav from the second generation of amora‘im.

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Rava, however, disagreed and said: Even according to the opinion of the one who prohibits utilizing the area beneath the cross beam, carrying in the alleyway is prohibited, for we require that the cross beam that permits the alleyway be placed on top of the walls of the alleyway, and it is not. A cross beam that merely touches the alleyway from the outside does not permit it.

Rav Adda bar Mattana raised an objection to Rava from a baraita: If the cross beam being used to render an alleyway permitted for carrying is

The Gemara proposes an alternative explanation: And if you wish, you can say that everyone agrees that a cross beam permits carrying as a partition, and here they argue over the following issue: As one Sage holds that the inner edge of the cross beam descends to the ground and seals off the alleyway, and therefore under the cross beam is not within the closed-off area; and the other Sage holds that the cross beam’s outer edge descends to the ground and seals off the alleyway, and therefore it is permitted to carry even in the area beneath the cross beam. Consequently, there is no need to connect the dispute with regard to utilizing the area beneath the cross beam to the dispute with regard to the nature of the cross beam.

Rav Hisda said: All concede that utilizing the area between the side posts placed at the entrance to an alleyway to permit carrying is prohibited, for a side post functions as a partition, and therefore one may only use the space up to its inner edge, but no further.

Rami bar Ḥama raised a dilemma before Rav Hisda: What is the halakha in a case where a person inserted two pegs in the two alleyway walls, one in each wall, on the outside of the entrance facing the public domain, and he placed a cross beam on top of the pegs, such that the beam is attached to the front of the alleyway walls instead of on top of them? Does this cross beam permit carrying within the alleyway?

A cross beam attached to an alleyway – (6b):

A centipede, with small alleyways situated across from one another, each in the name of a rabbi. In addition to these Sages, who lived in several different generations, there were other Sages called simply Rabbi Kahana, but their similarity in name and chronological proximity make it hard to identify them uniquely.

One source identifies Rav Kahana bar Malkiyu as Rav's teacher, another was Rabbi Yoĥanan. A third was a student of Rava, from the fifth generation of amora'im. A third was a student of Rava, from the fifth generation of amora'im. A third was a student of Rava, from the fifth generation of amora'im.

Rav, however, disagreed and said: Even according to the opinion of the one who prohibits utilizing the area beneath the cross beam, carrying in the alleyway is prohibited, for we require that the cross beam that permits the alleyway be placed on top of the walls of the alleyway, and it is not. A cross beam that merely touches the alleyway from the outside does not permit it.

Rav Adda bar Mattana raised an objection to Rava from a baraita: If the cross beam being used to render an alleyway permitted for carrying is

The majority of commentaries, however, explain that it is shaped like a cross, and not as a single, square cross beam. All of them possess elongated bodies, with a pair of short sides. However, if a cross beam is placed on a diagonal outside the alleyway – (6b):

A cross beam outside the alleyway – (6b):

The cross beam rests on pegs and is attached to the alleyway walls on the outside.