The Gemara asks: If so, one should also not be permitted to move an object from one enclosure to another enclosure, due to the concern that perhaps the area of one of the enclosures will diminish and become a private domain, and he will come to move an object from one to the other as before. The Gemara answers: There, if the enclosure is diminished, the matter is conspicuous, as its walls are clearly visible. Here, however, if the roof is diminished, the matter is not conspicuous, as the roof does not have walls.

Rav Yehuda said: After careful analysis, you will find that you can say that according to the statement of Rabbi Meir, roofs are a domain in and of themselves, and one may carry from one roof to another; and likewise courtyards are considered a domain in and of themselves, and one may likewise carry from one courtyard to another.

Similarly, enclosures are a domain in and of themselves, and one is therefore permitted to carry from one enclosure to another. According to the statement of the Rabbis, roofs and courtyards constitute one domain, and therefore, one may carry even from a roof to a courtyard; however, enclosures are one discrete domain. According to the statement of Rabbi Shimon, all of them, roofs, courtyards, and enclosures, are one domain, and therefore it is permitted to carry between any of them.

The Gemara comments: A baraita was taught in accordance with the opinion of Rav, and a baraita was taught in accordance with the opinion of Rav Yehuda. The Gemara elaborates. A baraita was taught in accordance with the opinion of Rav, that according to the Rabbis one may carry only four cubits on each roof: All the roofs of a city are one domain, and it is prohibited to carry objects up or down from the roofs to the courtyard or from the courtyard to the roofs. And with regard to vessels that were inside a courtyard when Shabbat began, it is permitted to carry them in the courtyard even if an cirrus was not established, and it is likewise permitted to carry them from that courtyard to other courtyards. With regard to vessels that were on the roofs when Shabbat began, it is permitted to carry them on the roofs, provided that one roof is neither ten handbreadths higher nor ten handbreadths lower than the other. This is the statement of Rabbi Meir. And the Rabbis say: Each and every one of the roofs is a domain in and of itself, and one may move objects on each roof only within four cubits.

Likewise, a baraita was taught in accordance with Rav Yehuda’s interpretation of the opinion of Rabbi Shimon. Rabbi Yehuda Ha-Nasi said: When we were studying Torah with Rabbi Shimon in Tekoa, we would carry oil for smearing and a towel for drying from roof to roof, and from roof to courtyard, and from courtyard to courtyard, and from courtyard to enclosure, and from enclosure to enclosure, to refrain from carrying in a prohibited place, until we reached the spring in which we would bathe.

And similarly, Rabbi Yehuda said: There was an incident during a time of danger, when decrees were issued that banned religious observance, and we would carry a Torah scroll from courtyard to roof, and from roof to courtyard, and from courtyard to enclosure, to read from it.

The Sages said to him: The halakha cannot be determined from that incident, as an incident occurring during a time of danger is no proof. At a time of danger it is permitted to carry even in places where carrying is ordinarily prohibited by rabbinic law.

NOTES

The opinion of the Rabbis with regard to moving objects – שיסות בערב בֶּלַשׁ is unclear from the formulation of the baraita in this context, with regard to the opinions of Rabbi Yehuda Ha-Nasi and Rabbi Yehuda, whether or not the latter agrees with Rabbi Shimon. The more precise version of the text indicates, as stated in the Jerusalem Talmud, that there are in fact four opinions: The first is that of the Rabbis, who maintain that each roof is considered a domain in its own right. The second opinion is Rabbi Meir’s. He rules that all level roofs form a single domain, but it is one that is discrete from courtyards and enclosures. Rabbi Yehuda offers a third opinion. He teaches that roofs and courtyards are one domain, while enclosures constitute an independent domain. The fourth opinion is that of Rabbi Shimon, who considers all these areas a single domain.

BACKGROUND

Tekoa – תקוה: There are at least two cities in Israel called Tekoa, one in Judea and the other in the Galilee. Based on the time period, the city mentioned in this context is probably the Galilean Tekoa.
The halakha is in accordance with the opinion of Rabbi Shimon – Rav.

Who whispered to you – *Tosafot* point out that this expression also appears in the halakhic midrash. Other commentaries note that it is also featured in various aggadic midrashim. As for its meaning in this context, several commentaries explain, in the wake of Rabbeinu Tam’s interpretation, that the question: Who whispered to you, was asked by Rabbi Yohanan to Shmuel. He asked him who informed him of this halakha. Apparently, as stated elsewhere, this is not Shmuel’s own opinion. Nevertheless, he cited the halakha correctly. Indeed, in the Jerusalem Talmud it is stated that Shmuel is of the opinion that anything from one courtyard to another, including utensils from the courtyard to the roof, is permitted to carry. However, in this case some of the utensils are prohibited (Ritva).

Rav: The halakha stated in the mishna with regard to the three courtyards challenges the opinion that Rabbi Shimon ruled leniently where they did not establish an *eiruv*. The answer is that in the case of three courtyards each person knows which utensils are his and which belong to his neighbor. Consequently, he knows which utensils it is permitted to carry. However, in this case some of the utensils are prohibited, while others are permitted, even though they came from the same place. As there is no obvious difference between them, the residents might mistakenly carry the prohibited objects (Ritva).

Rabbi Shimon says: Roofs, courtyards, and enclosures are all one domain with regard to vessels that were inside them when Shabbat began, and one may therefore carry from one of these areas to the other. However, they are not one domain with regard to vessels that were inside the house when Shabbat began.

Rav said: The halakha is in accordance with the opinion of Rabbi Shimon, provided that the residents of each courtyard did not establish a separate *eiruv* for themselves, as in that case they may not move objects from their houses into the courtyard. However, if they established a separate *eiruv* for each courtyard, without establishing an *eiruv* between the various courtyards, no, that is not the halakha, as we issue a decree lest one come to take out vessels from one of the houses to the courtyard, an action that is fundamentally permitted, and subsequently proceed to carry them out to a different courtyard with which an *eiruv* had not been established, which everyone agrees is prohibited.

And Shmuel said: The halakha is in accordance with Rabbi Shimon, whether they established an *eiruv* or whether they did not establish an *eiruv*. And similarly Rabbi Yohanan said: Who whispered to you, who told you that there is a difference whether they established an *eiruv* or whether they did not establish an *eiruv*?

Rav Hisda strongly objects to this ruling. According to Shmuel and according to Rabbi Yohanan, people will say with regard to two vessels located in the same courtyard, one of which was in the courtyard when Shabbat began while the other was in the house, that moving this one, which was in the courtyard at the start of Shabbat, to another courtyard is prohibited, while moving that one, which was in the house at the start of Shabbat, to another courtyard, is permitted.

The Gemara answers: In this regard, Rabbi Shimon conforms to his standard reasoning, as he did not issue a decree due to these concerns. As we learned in a mishna, Rabbi Shimon said: To what is this matter comparable? It is comparable to three courtyards that are open into each other, and that are also open into a public domain. If the two outer courtyards each established an *eiruv* with the middle one, it is permitted for the residents of the middle one to carry into the two outer ones, and they, the residents of the two outer ones, are permitted to carry into it, but for the residents of the two outer courtyards it is prohibited to carry into each other, as they did not establish an *eiruv* together.

And in that case Rabbi Shimon did not issue a decree prohibiting one to carry objects from the middle courtyard to one of the outer ones lest one come to take out vessels from this outer courtyard to that outer courtyard, despite the fact that both sets of vessels are located in the middle courtyard. Here too, we do not issue a decree lest one come to take out utensils from one of the houses to the courtyard, and carry them to a different courtyard.

Rav Sheshet raised an objection. We learned in the mishna that Rabbi Shimon says: Roofs, courtyards, and enclosures are all one domain with regard to vessels that were inside them when Shabbat began. But they are not one domain with regard to vessels that were inside the house when Shabbat began. Granted, if you say that it is dealing with a case where the residents of the courtyards established an *eiruv*, that is how you find vessels that were taken from the house in the courtyard. Because those vessels were in the house at the beginning of Shabbat, they may not be moved to a different courtyard.

However, if you say it is referring to a case where they did not establish an *eiruv*, under what circumstances can the case of vessels from the house in the courtyard be found? This poses a difficulty for Rav. Rav Sheshet raised the objection, and he resolved it: It refers to the case of a *hat* or a *shawl*, which one wore in the house and subsequently went out to the courtyard and placed it there. In this manner, it is possible that objects taken from the house can be found in the courtyard, even if an *eiruv* was not established.
Come and hear proof from a *baraita*: With regard to the residents of houses that open directly into a courtyard and the residents of upper stories that open onto a balcony from which stairs lead down to that courtyard, who forgot and did not establish an *eiruv* between them, anything ten handbreadths high in the courtyard, e.g., a mound or a pillar, is attributed to the balcony in terms of its use on Shabbat. The residents of the balcony may move objects between the mound or pillar and their apartments. Anything lower than that is attributed to the courtyard. In what case is this statement, that it is prohibited for the residents of the courtyard to carry to the balcony and vice versa, stated? It is in a case where the residents of the courtyard were many, and the residents of the balcony were many, and these established an *eiruv* for themselves, and those established an *eiruv* for themselves; or if the courtyard and the balcony were occupied by individuals who need not establish an *eiruv* for themselves.

However, if the residents of the courtyard and the balcony were many, and they forgot and did not establish an *eiruv* for their courtyard or balcony, in that case roof, and courtyard, and portico, and balcony are all one domain, and it is permitted to carry from one to another any vessels that were located in any one of them when Shabbat began.

The Gemara infers: *The reason* that carrying between them is permitted is that they did not each establish their own *eiruv*; however, if they each established their own *eiruv*, no, it is prohibited to carry between them. This inference supports Rav and poses a difficulty for Shmuel. The Gemara answers: Whose opinion is represented by this *baraita*? It is that of the Rabbis, who maintain that roofs and courtyards form a single domain, contrary to the opinion of Rabbi Shimon. The Rabbis indeed issued a decree that carrying is prohibited if each group established a separate *eiruv*.

The Gemara comments: The language of the *baraita* is also precise, as it is not teaching the cases of an enclosure and an alleyway, in accordance with the opinion of Rabbi Shimon, but only the cases of a roof and a courtyard, in accordance with the opinion of the Rabbis. The Gemara concludes: Indeed, *learn from here* that this is the correct understanding.

Come and hear from another *baraita*: With regard to five courtyards that are open to each other and are also open to an alleyway, and the residents of all the courtyards forgot and did not establish an *eiruv*, it is prohibited to carry in or carry out, from a courtyard to the alleyway or from the alleyway to a courtyard. And with regard to vessels that were in the courtyard when Shabbat began, it is permitted to carry them in the courtyard, but in the alleyway it is prohibited to carry them.

And Rabbi Shimon permits doing so, as Rabbi Shimon would say: Whenever the courtyards are in the possession of many people, and they forgot and did not establish an *eiruv*, the roof, and courtyard, and portico, and balcony, and enclosure, and alleyway are all one domain. These areas are all classified as private domains, and therefore, it is permitted to carry from one to the other.

The Gemara infers: *The reason* that carrying between them is permitted is that they did not each establish their own *eiruv*; however, if they each established their own *eiruv*, no, it is prohibited to carry between them. This inference supports Rav and poses a difficulty for Shmuel. The Gemara answers: What is the meaning of the phrase: *They did not establish an eiruv*? It means that the residents of the courtyards did not establish an *eiruv* with each other; however, the residents of each courtyard established an *eiruv* with the residents of the houses inside it, and it is nevertheless permitted to carry between them, in accordance with the opinion of Shmuel.
The Gemara raises a difficulty. But doesn’t the baraita state: ‘They did not establish an eiruv,’ indicating that they did not establish any eiruv at all, either with the residents of the other courtyard or within each courtyard? The Gemara rejects this argument. What is the meaning of: ‘They did not establish an eiruv’? It means that they did not merge the courtyards facing the alleyway.

And if you wish, say instead: Rabbi Shimon is speaking to the Rabbis in accordance with their own opinion, not enumerating the leniencies inherent in his own ruling. His statement should therefore be understood as follows: According to my own opinion, there is no difference if they established an eiruv and there is no difference if they did not establish an eiruv. However, according to your opinion, agree with me at least that in a case where they did not establish an eiruv it is all considered one domain.

And the Rabbis said to him: No, although we agree with you in the cases of a roof, courtyard, portico, and balcony, in the cases of an enclosure and an alleyway we disagree, as they are two domains and therefore it is prohibited to carry from one to the other.

The Master said above in the baraita: Vessels that were in a courtyard at the start of Shabbat may be carried within the courtyard, but in the alleyway it is prohibited. The Gemara asks: Let us say that this supports that which Rabbi Zeira said that Rav said, as Rabbi Zeira said that Rav said: In an alleyway in which they did not merge the courtyards facing it, one may carry only within four cubits. The Gemara rejects this suggestion. Say that the baraita means: But to an alleyway it is prohibited, i.e., it is prohibited to carry from the courtyard to the alleyway; however, within the alleyway itself it is permitted to carry.

The Gemara raises a difficulty. If so, that is identical to the first clause of the baraita. The tanna would not have taught the very same thing twice. The Gemara answers: The apparently superfluous teaching was necessary, lest you say: When the Rabbis disagree with Rabbi Shimon, it is only in a case where they established an eiruv, but in a case where they did not establish an eiruv, the Rabbis concede to Rabbi Meir that it is all considered one domain and carrying is permitted. The baraita therefore teaches us that the Rabbis disagree with Rabbi Shimon in both cases, as they prohibit carrying in the alleyway even if the residents did not establish an eiruv.

Ravina said to Rav Ashi:

Did Rabbi Yoĥanan actually say this, that the halakha is in accordance with Rabbi Shimon’s opinion that all courtyards constitute a single domain, even if each courtyard established an independent eiruv? But didn’t Rabbi Yoĥanan say that the halakha is in accordance with an unattributed mishna, and we learned: With regard to a wall between two courtyards, ten handbreadths high and four handbreadths wide, they establish two eiruvin, one for each courtyard, but they do not establish one eiruv. If there was fruit atop the wall, these, the residents of one courtyard, may ascend from there and eat it, and those, the residents of the other courtyard, may ascend from there and eat it, provided that they do not take the fruit down from atop the wall to the courtyards. According to Rabbi Yoĥanan, all the courtyards are considered a single domain. Why may they not bring the fruit down?