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 here 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?
The Gemara answers: What is the meaning of the word down in this context? It means down to the houses; however, it is indeed permitted to bring the fruit down to the courtyards. The Gemara raises a difficulty: But didn’t Rabbi Hiyya explicitly teach in a Tosefta: Provided that neither will this one stand below in his place in his courtyard and eat, nor will that one stand in his place in his courtyard and eat? Rav Ashi said to Ravina: No proof can be cited from this baraita of Rabbi Hiyya with regard to the mishna. If Rabbi Yehuda HaNasi did not explicitly teach it in this manner, from where does his student Rabbi Hiyya know it? If a halakha is not taught by the mishna itself, it should not be distorted to have it correspond with a Tosefta.

It was stated that amoraim dispute the following case: If there were two courtyards and there was one ruin between them, and the residents of one courtyard established an eiruv for themselves, while the residents of the other courtyard did not establish an eiruv for themselves, Rav Huna said: The Sages confer the right to utilize the ruin to the residents of that courtyard that did not establish an eiruv; however, to the residents of the courtyard that established an eiruv, no, they do not confer the right to utilize the ruin. It is prohibited due to a decree, lest people come to take out vessels from one of the houses to the ruin, which is prohibited, as no eiruv was established with the ruin itself. However, this concern does not extend to the courtyard whose residents did not establish an eiruv. They are not permitted to move objects from their houses to the courtyard, and therefore there is no reason to issue a decree prohibiting the carrying of objects from the courtyard to the ruin.

And Hiyya bar Rav disagreed with Rav Huna and said: Rights to the ruin are conferred to the residents of the courtyard that established an eiruv, and consequently, it is prohibited for residents of both courtyards to carry objects. And if you say that it should be permitted for residents of both to move articles to the ruin, that is incorrect. As if that were so, for what reason did the Sages not confer the right to carry to the courtyard that did not establish an eiruv, to the residents of the courtyard that established an eiruv? If there is no cause for concern, it should always be permitted to the residents of a courtyard that did not establish an eiruv.

The Gemara refutes this contention: There, in the case of courtyards, since the vessels from the houses are protected in the courtyard as well, there is a concern lest people come to take them out from the house to the courtyard, where they could be confused with those vessels already in the courtyard, and they might come to move those objects into the other courtyard. Here, in the case of a ruin, since the vessels from the courtyard are not protected in the ruin, there is no concern lest people come to take out the vessels from the courtyard into the ruin. Therefore, it is possible that residents of both courtyards would be permitted to utilize the ruin.

Some say a different version of the previous discussion. Hiyya bar Rav disagreed with Rav Huna and said: The ruin belongs only to the residents of the courtyard that established an eiruv, and it is permitted for residents of both to carry in the ruin. And if you say they should both be prohibited to do so in accordance with the argument presented above, that the Sages do not confer the right to carry in the courtyard that did not establish an eiruv to the residents of the courtyard that established an eiruv, this proof can be refuted. There, since the vessels from the houses are protected in the courtyard, the Sages did not permit carrying them, due to the concern lest people come to take them out from the house to the courtyard and from there to the other courtyard. However, in the case of a ruin, the vessels are not protected in the ruin, and therefore, there is no cause for concern.

NOTES

If Rabbi Yehuda HaNasi did not teach it – אֲמַר לֵירּד וְכִי רַבִּי לֹא שְׁ ָאָרּ: It is evident that this principle is not absolute, for otherwise there would be no point in studying baraitot and comparing them to the mishna, which is one of the primary modes of analysis in the Gemara. This principle simply means that nothing can be learned from a baraita that contradicts the plain meaning of a mishna or that leads to a conclusion not found in a mishna, as in that case it cannot be viewed as an elucidation and explanation of the mishna. Rather, it represents Rabbi Hiyya’s own opinion (see Tosafot Yevamot).

Two courtyards and one ruin – רַבִּי חִיָּיא: The entire discussion is based on Rav’s opinion that Rabbi Shimon’s statement applies only to a courtyard whose residents did not establish an eiruv. Rabbi Huna, Rav’s student, and Hiyya, Rav’s son, disagree about his opinion. Rashi maintains that Hiyya received a tradition from his father that the ruin is permitted even to the residents of the courtyard who did not establish an eiruv, but he could not decide whether in practice it should be prohibited or permitted for both courtyards to use the ruin.

The Ravad explains that this entire discussion with regard to a ruin applies only if it belongs equally to both courtyards. However, if it belongs only to the residents of one of the courtyards, the inhabitants of the other court- yard have nothing to do with it.
Large and small roofs – לְרַבָּר וְרַבִּי זֵירָא וְרַבָּר בַּר רַב חָ ָן, וִיתֵיב רַבָּר וְרַב מְחִיצָּא דְּחָצֵר; מַר חָצֵר מִ ְכַּרָא – אָסוּר לִזְרוֹעַ אֶת מַיִם מִזָּמַת לְ ָטָן – אָסוּר לִזְרוֹעַ אֶת מַיִים מִזָּמַת לְ ָטָן.וֹיִם.

The residents of the large one into the small one – מַר חָצֵר מִ ְכַּרָא מְחִיצָּתָא. The Ritva maintains that the principle is that the larger courtyard is considered as though it spread out and enveloped the smaller one. However, the residents of the smaller one are not considered residents of the larger courtyard. This is in accordance with Rashi’s later version of the text as opposed to his explanation in this context.

If vines in the large courtyard, it is prohibited to sow crops in the small one. In other words, the roof must not extend beyond the walls of the house.

The Gemara poses a question: Why does the mishna teach the same halakha twice? Why is it necessary to repeat the ruling with regard to both roofs and courtyards when the cases are apparently identical?

The Gemara answers: According to the opinion of Rav, with regard to the lenient ruling that the residents may carry on a roof, the repetition comes to teach the halakha of a roof similar to that of a courtyard: Just as a courtyard, its partitions are conspicuous, so too a roof, its extended partitions, based on the principle: Extend and raise the walls of the house, must be conspicuous for it to be permitted for the residents to carry on their account. In other words, the roof cannot extend beyond the walls of the house.

Whereas according to the opinion of Shmuel, the repetition should be understood in the opposite manner, as it comes to teach the halakha of a roof similar to that of a courtyard: Just as a courtyard is a place where multitudes tread, so too, the roof is a place where multitudes tread. However, if it is not used by many people, even the small roof is permitted, as the principle: Extend and raise the walls of the house, is applied to the wall between the houses, despite the fact that the partition is not conspicuous.

Rabba, Rabbi Zeira, and Rabba bar Rav Hanan were sitting, and Abaye was sitting beside them, and they sat and said: Learn from the mishna that the rights of the residents of the large courtyard extend into the small one, but the rights of the residents of the small courtyard do not extend into the large one.

How so? If there are vines in the large courtyard, it is prohibited to sow crops in the small one, even at a distance of four cubits, due to the prohibition against planting other food crops in a vineyard. And if he sowed crops, the seeds are prohibited. As the small courtyard is considered part of the large one, the vines in the larger courtyard render the seeds in the smaller courtyard prohibited.

Vines in the large one and seeds in the small one – נִכְּנֵי גַּג גָּדוֹל וְ ָּטָן – אָסוּר לִזְרוֹעַ אֶת מַיִים מִזָּמַת לְ ָטָן – אָסוּר לִזְרוֹעַ אֶת מַיִים מִזָּמַת לְ ָטָן.מַר חָצֵר מִ ְכַּרָא.
If the congregation was in the large courtyard, and the prayer leader was in the small one:

If a congregation is located in a large courtyard, which is not separated by a wall from a smaller courtyard, and the prayer leader is in the smaller one, the congregants fulfill their prayer obligation through his prayers. However, if the community is in the smaller courtyard and the prayer leader is in the larger one, they do not fulfill their prayer obligation by means of his prayers (Shulhan Arukh, Orah Hayyim 55:16). Excrement in the large courtyard:

If there is excrement or any other filth in a large courtyard, it is prohibited to recite Shema in an adjacent smaller one. Conversely, if there is excrement in the smaller one, it is permitted to recite Shema in the larger courtyard, provided that there is no foul odor there (Shulhan Arukh, Orah Hayyim 79:3).

The vines, however, are permitted, as the small courtyard does not extend into and impact upon the large one. The converse is also true: If there are vines in the small courtyard, it is permitted to sow other crops in the large one (ab initio), even if they are not planted four cubits away from the vines, because the vines are not considered to be located in the larger courtyard, and therefore there is no prohibition whatsoever.

Likewise, if there were two adjacent courtyards, and a wife, who owned both courtyards, was standing in the large courtyard, and her husband threw her a bill of divorce into the small courtyard, she is divorced. Her presence in the larger courtyard extends to the smaller one, and she is therefore considered to be standing in the small courtyard. If, however, the wife was in the small courtyard and the bill of divorce was thrown into the large one, she is not divorced.

The same principle applies to a prayer quorum: If there were nine men in the large courtyard and one man in the small one, they join together to form the necessary quorum of ten, as the small courtyard is subsumed within the large one, and the individual is considered to be in the large courtyard. However, if there were nine men in the small courtyard and one in the large one, they do not join together.

Furthermore, if there was excrement in the large courtyard, it is prohibited to recite Shema in the small one, as the excrement is considered to be in the small courtyard as well, and it is prohibited to recite Shema in the presence of excrement. If, however, there was excrement in the small courtyard, it is permitted to recite Shema in the large one.

Abaye said to them: If so, we have found a partition that causes prohibition. According to these principles, the existence of a partition renders sowing crops prohibited; in the absence of a partition sowing the crops would have been permitted due to their distance from the vines. Ostensibly, this is a counterintuitive conclusion. As, there were no partition at all, it would be sufficient to distance oneself four cubits from the vine and sow the crop, whereas now the area is divided into two courtyards by means of a partition, it is prohibited to sow the crop in the entire small courtyard.

A partition that causes prohibition:

It is, of course, possible for a prohibition to take effect due to the presence of a partition. For example, the domains of Shabbat are based on partitions and the prohibitions that result from them. The meaning of this claim in this context, however, is that the existence of the partition causes two items to be deemed closer together than they actually are, rendering them prohibited. This is problematic, because the essence of a partition is for separation, while here it apparently brings two items together.

Small and large courtyards:

A careful analysis of these cases reveals that at least two fundamental principles are at play. According to Rashi, for example, from the perspective of the smaller courtyard, it is considered as though there were a partition between the domains, which is why it is permitted to sow in the larger courtyard. However, in another sense, the status of the smaller courtyard is negated by that of the larger one. In fact, the smaller one is subsumed within the larger one, as though it were merely its entrance. Furthermore, one additional principle must be taken into account, as the larger courtyard is not invariably considered the main section with the smaller one considered its entrance, as in some cases the situation is reversed. For example, in the case of a woman and her bill of divorce, the guiding principle is that the bill of divorce must enter the woman's domain. The same is true with regard to a prayer leader, and when nine people praying are separated from the tenth (see Ge'on 16:13).
**BACKGROUND**

Even its protrusions — חָצֵר ְטַּר וּגְדוֹלָר. In the image, the partition that separates the smaller courtyard from the larger one is fully breached, while the larger protrudes to the sides of the smaller one. If, however, one were to build partitions opposite the smaller courtyard, as portrayed here by the translucent partitions, the two courtyards would be considered entirely merged, and it would be prohibited to carry in both. This constitutes a partition that renders it prohibited to carry, according to Abaye.

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** NOTES **

A portico that has doorposts — רִשְׁוָר אֶת גִּי׳ּוּ׳ֶירָ. Rashi in tractate Sukka and Tosafot here explain that the Gemara is referring to a portico with doorposts positioned within three handbreadths of each other, which means that the principle of lavud is in effect.

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**HALAKHA**

A portico has doorposts — רִשְׁוָר אֶת גִּי׳ּוּ׳ֶירָ. According to Rashi, it is a portico with two parallel walls that are valid for a sukka, as well as posts in the corners supporting the portico and protruding like doorposts, which are considered as sealing the other two sides of the portico, it is a valid sukka. However, if he evened the doorposts by constructing walls adjacent to the existing walls, obscuring the posts so that they do not protrude, the sukka is invalid. This teaching indicates that the creation of a partition can cause prohibition.

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**BACKGROUND**

Evened the doorposts — רִשְׁוָר אֶת גִּי׳ּוּ׳ֶירָ. The illustration depicts a portico that has doorposts. The doorposts, which support the roof, are in each corner, while the existing partitions are on the outer sides of the doorposts (א). If a second set of partitions were to be constructed on the inside of the doorposts (ב), the doorposts would no longer be considered valid partitions.

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** NOTES **

If one placed roofing on top of a portico that has doorposts, i.e., a portico with two parallel walls that are valid for a sukka, as well as posts in the corners supporting the portico and protruding like doorposts, which are considered as sealing the other two sides of the portico, it is a valid sukka. However, if he evened the doorposts by constructing walls adjacent to the existing walls, obscuring the posts so that they do not protrude, the sukka is invalid. This teaching indicates that the creation of a partition can cause prohibition.

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**HALAKHA**

A house, half of which is roofed — שֶׁ ִּ׳ְרְצָר לִ ְטַ ָּר. The house with a roof covering half of its area, underneath which vines have been planted. In the other, unroofed section, other crops are planted. In accordance with the principle: The edge of the roof descends and seals, it is as though the two sections of the structure are separated by a full-fledged partition. However, if a roof was subsequently erected over the unroofed side the building, the entire area would be considered a single room, and the other crops would be prohibited.

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** NOTES **

A house, half of which is roofed — שֶׁ ִּ׳ְרְצָר לִ ְטַ ָּר. A house with a roof covering half of its area, while the other half is unroofed, it is permitted to sow other seeds beneath the roof even if vines were planted in the unroofed section, or vice versa. However, if one extended the roof to cover the entire structure, it is prohibited to sow a second species of plants (Ramah Sefer Zeraim, Hilkhot Kilayim 7:38).