

מתני' הנודר מן הבית – מותר בעלייה, דברי רבי מאיר. וחכמים אומרים: עלייה בכלל הבית. הנודר מן עלייה – מותר בבית.

גמ' מאן תנא: "בבית" – לרבות את היציע: "בבית" – לרבות את העלייה? אמר רב חסדא: רבי מאיר היא. דאי רבנן – האמרי רבנן עלייה בכלל הבית, למה לי קרא "בבית" לריבויא?

אביי אמר: אפילו תימא רבנן, בעיא קרא, דסלקא דעתך אמינא, "בבית" ארץ אחוזתכם" כתיב, דמתבר בארעא – שמייה בית, עלייה – היא לית מתבר בארעא.

כמאן אזלא הא דאמר רב הונא בר חייא משמיה דעולא: "בית בביתי אני מוכר לך" – מראהו עלייה. טעמא דאמר ליה "בית" שבביתי אני מוכר לך, אבל "בית" סתם – אינו מראהו עלייה, ליתא רבי מאיר היא? אפילו תימא רבנן, מאי עלייה – מעולה שבבתים.

MISHNA For one who vows that a house is forbidden to him,^h entry is permitted for him in the upper storyⁿ of the house; this is the statement of Rabbi Meir. And the Rabbis say: An upper story is included in the house, and therefore, entry is prohibited there as well. However, for one who vows that an upper story is forbidden to him, entry is permitted in the house, as the ground floor is not included in the upper story.

GEMARA The Gemara asks: Who is the *tanna* who taught with regard to the *halakhot* of leprosy that in the verse "it appears to me as it were a plague in the house" (Leviticus 14:35), the term "in the house" comes to include the gallery,ⁿ a half story above the ground floor, and "in the house" comes to include the upper story? Rav Hisda said: The *tanna* is Rabbi Meir, as, if the *tanna* was the Rabbis, didn't the Rabbis say that a second story is included in the house? Why then do I need the verseⁿ containing the phrase "in the house" to include the second story?

Abaye said: Even if you would say that the *tanna* is the Rabbis, they too require a verse to include the second story in this case, as it might enter your mind to say that since it is written: "In a house of the land of your possession" (Leviticus 14:34), only that which is attached to the groundⁿ has the status of a house but with regard to a second story, that is not attached to the ground. Even according to the Rabbis, the verse is necessary to prevent the conclusion that the legal status of a second story is not that of a house with regard to leprosy.

The Gemara asks: In accordance with whose opinion is that which Rav Huna bar Hiyya said in the name of Ulla? If the seller says to the buyer: A house in my house^{nh} I am selling to you, he may show the buyer that he purchased the second story [*aliyya*]. The Gemara infers: The reason is that the seller said to him: A house in my house I am selling to you. However, if he sold him a house, unspecified, he may not show him a second story. Let us say that this is the opinion of Rabbi Meir, who states that the second story is not included in the house. The Gemara rejects this claim: Even if you would say that it is in accordance with the opinion of the Rabbis, what is the meaning of the term *aliyya* in this context? It does not mean second story; it means the most outstanding of the houses.ⁿ Rav Huna bar Hiyya said in the name of Ulla that when one says a house in my house, he must show him the most outstanding part of his house. However, if he sold him a house without specification, he may show him a second story.

HALAKHA

הנודר – For one who vows that a house is forbidden to him, it is prohibited to enter its upper story, as that is considered part of the house, in accordance with the opinion of the Rabbis. However, for one who vows that the upper story is forbidden to him, it is permitted to enter the house (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:15; *Shulhan Arukh*, *Yoreh De'a* 217:28).

בית בביתי – For one who writes in a document that he is selling a house in his house to another, it is permitted to give the buyer any house in his possession, even the smallest, as the rights of the owner of the document are inferior. He may not, however, give him an upper story. Only if he stated that he is selling him merely a house, may he give the buyer an upper story. This is in accordance with the opinion of the Rabbis that an upper story is included in the house (Rambam *Sefer Kinyan*, *Hilkhot Mekhira* 21:19; *Shulhan Arukh*, *Hoshen Mishpat* 214:12, in the note).

NOTES

מותר בעלייה – מותר בעלייה: The commentaries note that in tractate *Bava Batra* (61a) it states that one who sells a house sells its upper story as well, indicating that it is included in the house. They explain that in a transaction or as a gift, an upper story is certainly considered part of the house and it is sold along with it. Here, however, the discussion is whether the upper story is defined as a house (*Keren Ora*). In the Jerusalem Talmud, it is stated that Rabbi Meir's opinion is more reasonable in the case of a city dweller, because in cities it is common to use the upper story separately, and therefore it not included in the house (*Korban HaEda*). Others explain that in the common parlance in cities, the word house does not include the upper story (*Penei Moshe*).

לרבות את היציע – One explanation is that gallery refers to the story above the balcony of the upper story. Others maintain that it is a half story inside the house itself, used for storage and the like (Rabbi Yitzhak Tzarfati). Most early commentaries are of the opinion that the text here is corrupted, as it is clear from other sources that the walls of the gallery are not considered part of the house in the *halakhot* of leprosy. Therefore, they adopt the variant reading cited in the halakhic midrash of *Torat Kohanim*: To include the painted walls of the house. The novel element in this *halakha* is that although dyed garments are not susceptible to leprosy of garments, painted houses are susceptible to leprosy of houses.

למה לי קרא – One could say that common parlance differs from the language of the Torah, and in vows the discussion is with regard to common parlance, and perhaps in the language of the Torah the upper story is not included in the house. However, the reliance on common parlance applies only where it is clear that the common parlance differs from the language of the Torah. In this case it is not clear, as there is a dispute between Rabbi Meir and the Rabbis with regard to precisely that matter. Therefore, the thinking was that in this case one can determine the *halakha* based on the language of the Torah (Rabbi Eliezer of Metz).

דמתבר בארעא – Although with regard to other types of impurity, the upper story is considered attached to the ground, it is possible that with regard to leprosy, the *halakha* applies only to structures directly attached to the ground and not to structures connected to structures attached to the ground (Rabbi Eliezer of Metz).

בית בביתי – The early commentaries note that the parallel discussion in tractate *Menahot* (108b) differs from the discussion here, especially in terms of its conclusions. The Gemara here initially raised the possibility that a house in my house is referring to any part of his house that is within his house and not in another building. However, from the passage in *Menahot* it is clear that the phrase is referring to his highest-quality house. The Gemara there concludes that the decisive factor is not the precise definition of the term, but rather the principle: The rights of the owner of the document are inferior, meaning that the person seeking to claim the house on the basis of the document is entitled only to that which is included in the narrowest interpretation. Therefore, he is entitled to the upper story, despite the fact that it is not the highest-quality house.

What is aliyya? It means the most outstanding of the houses – מאי עלייה מעולה שבבתים – *Aliyya*, therefore, does not refer to the second story of the house, but it means the highest-quality section of the house, or of any item in question. This usage is common in rabbinic literature. Clearly then, the upper story is not the highest-quality section of a house, as climbing up and down the stairs demands exertion.

Dargash – דַּרְגָּשׁ: Based on the discussion here, it is clear that even the Sages were uncertain of the precise meaning of *dargash*. The source of the word is also unclear. Some deem it parallel to the Armenian *darguc*, meaning a stretcher or bed used for carrying a person. However, it remains unclear whether it originated in Persian or another language.

מתני' הַנּוֹדֵר מִן הַמֵּטָה – מוֹתָר מוֹתָר בְּדַרְגָּשׁ, דְּבַר רַבִּי מֵאִיר. וְחַכְמַיִם אוֹמְרִים: דַּרְגָּשׁ בְּכָלֵל מֵטָה. הַנּוֹדֵר מִן הַדַּרְגָּשׁ – מוֹתָר בְּמֵטָה.

גמ' מאי דַּרְגָּשׁ? אָמַר עוֹלָא: עֵרְסָא דַּגְדָּא. אָמְרוּ לִיה רַבְנָן לְעוֹלָא: הָא דַּתְנִן: כְּשֶׁהֵן מְבָרִין אוֹתוֹ, כָּל הָעַם מְסוּבִין עַל הָאָרֶץ וְהוּא מִיִּסְבַּע עַל הַדַּרְגָּשׁ. כּוֹלָה שְׂתָא לֹא יְתִיב עָלֶיהָ, הֵהוּא יוֹמָא יְתִיב עָלֶיהָ? מִתְקִיף לָהּ רַבִּינָא: מִיָּדִי דְהוּא אֲבִשָׁר וְיִין, דְּכוֹלָה שְׂתָא אִי בְעֵי – אָכִיל, וְאִי בְעֵי – לֹא אָכִיל, הֵהוּא יוֹמָא – אֲנִן יְהַבִּינָן לִיה!

אֵלָּא הָא קְשִׁיָּא; דַּתְנִינָא: דַּרְגָּשׁ לֹא הִיָּה כּוֹפֵהוּ אֵלָּא זֹקְפּוֹ. וְאִי אָמַרְתָּ עֵרְסָא דַּגְדָּא הוּא, וְהַתְנִינָא: הַכּוֹפֵה אֶת מֵטָתוֹ – לֹא מֵטָתוֹ בְּלִבְדּוֹ הוּא כּוֹפֵה, אֵלָּא כָּל מֵטוֹת שְׂיִישׁ לוֹ בְּתוֹךְ הַבַּיִת הוּא כּוֹפֵה! הָא לֹא קְשִׁיָּא,

MISHNA For one who vows that a bed is forbidden to him,^H it is permitted to lie in a *dargash*,^{LN} which is not commonly called a bed; this is the statement of Rabbi Meir. And the Rabbis say: A *dargash* is included in the category of a bed. Everyone agrees that for one who vows that a *dargash* is forbidden to him, it is permitted to lie in a bed.

GEMARA The Gemara asks: What is a *dargash*? Ulla said: It is a bed of good fortune,^N placed in the house as a fortuitous omen, and not designated for sleeping. The Rabbis said to Ulla: That which we learned in a mishna: When the people serve the king the meal of comfort^H after he buries a relative, all the people recline on the ground and the king reclines on a *dargash* during the meal. According to your explanation, during the entire year he does not sit on the bed; on that day of the funeral he sits on it? Ravina objects to the question of the Rabbis: This anomaly is just as it is with regard to meat^N and wine, as throughout the entire year if he wishes he eats them, and if he wishes he does not eat them; on that day of the funeral, we give him meat and wine in the meal of comfort.

Rather, this is difficult, as it is taught in a *baraita* with regard to the custom of overturning the beds in the house of a mourner: With regard to a *dargash* in his house, the mourner would not overturn it, but he merely stands it^N on its side. And if you say that a *dargash* is a bed of fortune, isn't it taught in a *baraita*: A mourner who is required to overturn his bed^H is required to overturn not only his own bed, but to overturn all of the beds that he has inside his house, even those not used for sleeping. Why, then, is he not required to overturn the *dargash*? The Gemara rejects this contention: This is not difficult;

HALAKHA

הַנּוֹדֵר מִן – מוֹתָר מוֹתָר בְּדַרְגָּשׁ **הַמֵּטָה**: For one who vows that lying on a bed is forbidden to him, it is prohibited to lie on a *dargash* as well, in accordance with the opinion of the Rabbis. For one who vows that lying on a *dargash* is forbidden to him, it is permitted to lie on a bed (Rambam *Sefer Hafla'a*, *Hilkhot Nedarim* 9:15).

כְּשֶׁהֵן מְבָרִין אוֹתוֹ **מִתְקִיף**: When the people serve the king the meal of comfort – If a king is a mourner and the people come to console him, the people sit on the ground and he sits on a

dargash (Rambam *Sefer Shofetim*, *Hilkhot Evel* 7:8; *Sefer Shofetim*, *Hilkhot Melakhim* 2:4).

הַכּוֹפֵה אֶת מֵטָתוֹ – מוֹתָר מוֹתָר: A mourner is required to overturn his bed during the seven days of mourning. He must overturn all the beds in his house. Nowadays the custom of overturning the beds is no longer observed (Rambam *Sefer Shofetim*, *Hilkhot Evel* 5:18; *Shulhan Arukh*, *Yoreh De'a* 387:1–2).

NOTES

Dargash – דַּרְגָּשׁ: Many commentaries explain that a *dargash* is a small bed used as a ladder to climb onto a larger, higher bed (Rambam's Commentary on the Mishna; Meiri; Rabbi Ovadya Bartenura). This interpretation fits the conclusion of the Gemara.

Bed of fortune [gadda] – עֵרְסָא דַּגְדָּא: Some commentaries explain that this is a bed that is placed exclusively for decoration and good fortune (Rashi; *Tosafot*). The *ge'onim* explain that it is a magnificent, high-quality bed. A slightly different explanation is that it is a bed prepared in honor of the guardian angel of the house. In that case, *gadda* would mean demon or minister (*Arukh*; Ran; Rosh). Others explain that based on the adage that there is nothing below on earth that does not have a corresponding angel above, the bed is placed in deference to the emissary of God. That is why it, like the chair designated

for Elijah the Prophet during the circumcision ceremony, does not constitute idolatry (*Shita Mekubbetzet*).

Just as it is with regard to meat – מִיָּדִי דְהוּא אֲבִשָׁר – There is a common reason for both of these practices. They are each part of the attempt to alleviate the mourner's pain and to comfort him. Just as one provides him with meat and wine for this purpose, perhaps one arranges a particularly fine bed for him to raise his spirits (*Shita Mekubbetzet*).

Stands it – זֹקְפּוֹ: One need not overturn the bed entirely, with the surface facing down, as he does with other beds; he merely stands it on its side (Rashi). According to the Rosh, the term stand it means that he may leave the bed in place and need not overturn it at all. Others state that even if it was overturned he may restore it to an upright position (*Shita Mekubbetzet*).

מידי דהוה אַמְטָה המיוחֶדֶת לְכָלִים, דְּתַנָּא: אִם הִיְתָה מִטָּה המיוחֶדֶת לְכָלִים – אֵין צְרִיךְ לְכַפּוֹתָהּ.

אֵלָא אֵי קִשְׂיָא – הָא קִשְׂיָא, דְּתַנָּא: רַבִּין שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר: דְּרָגַשׁ מִתִּיר קִרְבִּיטִיו וְהוּא נוֹפֵל מֵאֲלִיו. וְאֵי דְרָגַשׁ עֲרָסָא דְגֵדָא הוּא – קִרְבִּיטִין מִי אֵית לִיה? כִּי אֲתָא רַבִּין אָמַר: שְׂאִילְתִּיה לְהָהוּא מִרְבָּנָן, וְרַב תַּחְלִיפָא בְּרַ מַעֲרָבָא שְׁמִיה, דְּהוּהוּ שְׂכִיחַ בְּשׁוּקָא דְצַלְעֵי, וְאָמַר לִי: מֵאֵי דְרָגַשׁ – עֲרָסָא דְצַלְעֵי.

אֵיתֵמַר, אֵיזְהוּ מִטָּה וְאֵיזְהוּ דְרָגַשׁ? אָמַר רַבִּי יִרְמְיָהּ: מִטָּה – מְסַרְגִּין אוֹתָהּ עַל גַּבָּהּ, דְרָגַשׁ – מְסַרְגִּין אוֹתָהּ מִגּוֹפּוֹ. מִיְתִיבִי: כְּלֵי עֵץ מֵאֵימְתֵי מְקַבְּלִין טוּמְאָה? הַמִּטָּה וְהַעֲרִיסָה – מְשֻׁשׁוּפִים בְּעוֹר הַדָּג. וְאֵי מִטָּה מְסַתְרָגַת עַל גַּבָּהּ – לְמָה לִי שִׁפְתֵי עוֹר הַדָּג?

this is just as it is with regard to the case of a bed designated exclusively for vessels,^H as it is taught in a *baraita*: If the bed in a mourner's house was a bed designated for vessels and not for sleeping, one need not overturn it. The same is true with regard to the bed of fortune. Since it is not for sleeping, one need not overturn it.

Rather, if defining a *dargash* as a bed of fortune is difficult, this is difficult, as it is taught in a *baraita* that Rabban Shimon ben Gamliel says: A mourner need not overturn a *dargash*; rather, he loosens the loops^H that connect the straps that support the bedding to the bedframe, and it collapses on its own. And if a *dargash* is a bed of fortune, does it have loops [*karvitin*]?^{LN} When Ravin came from Eretz Yisrael to Babylonia, he said: I asked one of the Sages about the meaning of *dargash*, and Rav Tahalifa, from the West, was his name, who frequented the tanners' market. And he said to me: What is a *dargash*? It is a leather bed.^N

It was stated: Which is a bed and which is a *dargash*? Rabbi Yirmeya said: In a bed, one fastens the supporting straps over the bedframe;^B in a *dargash*, one fastens the straps through holes in the bedframe itself.^{NB} The Gemara raises an objection from a mishna in tractate *Kelim* (16:1): With regard to wooden vessels, from when are they considered finished vessels and susceptible to ritual impurity? A bed and a crib are susceptible from when he smooths them^H with the skin of a fish.^B And the objection is: If in a bed the straps are fastened over the bedframe, why do I need smoothing with the skin of a fish? The wood of the bedframe is obscured from view.

NOTES

Does it have loops – קִרְבִּיטִין מִי אֵית לִיה: Rashi explains that the *dargash* had no loops because it was not intended to be moved; rather, it remained fixed in one spot. Therefore, the supporting straps were fixed in place. Others explain that despite its decorative function, it had no loops, like other beds.

A leather bed – עֲרָסָא דְצַלְעֵי: Rashi states that this type of bed was not significant and therefore did not require overturning. *Tosafot* state that it was low to the ground and therefore overturning would not be noticeable (*Tosafot*). That is why Rabban Shimon ben Gamliel instructed to loosen the loops, as that engenders a conspicuous change in the bed. Others maintain that overturn-

ing leather bedding could ruin it. Therefore, the Sages exempted the *dargash* from this custom (Rosh; Ran).

In a *dargash* one fastens the straps through holes in the bedframe itself – דְּרָגַשׁ מְסַרְגִּין אוֹתוֹ מִגּוֹפּוֹ: According to most commentaries, the difference between a bed and a *dargash* is in the manner in which the straps are fastened, i.e., over the bedframe or through the bedframe. *Tosafot*, however, explain that in contrast to a regular bed, a *dargash* is crafted in a manner in which the straps are fastened below the bedframe. The result is that a *dargash* is lower than a standard bed, even if its legs are the same height.

BACKGROUND

One fastens the supporting straps over the bedframe – מְסַרְגִּין אוֹתָהּ עַל גַּבָּהּ:



Detail of bedframe in which the straps supporting the mattress are tied over the bedframe

One fastens the supporting straps through holes in the bedframe itself – מְסַרְגִּין אוֹתוֹ מִגּוֹפּוֹ:



Detail of bedframe in which the straps supporting the mattress are tied through the bedframe

HALAKHA

A bed designated exclusively for vessels – מִטָּה המיוחֶדֶת לְכָלִים: A mourner who is required to overturn the beds in his house need not overturn a bed designated exclusively for vessels or coins (Rambam *Sefer Shofetim, Hilkhot Evel* 5:18).

A *dargash*, he loosens the loops – דְּרָגַשׁ מִתִּיר קִרְבִּיטִיו: When the mourner overturns the beds, he need not overturn a *dargash*. He merely loosens its loops and the bedding falls away on its own, in accordance with the opinion of Rabban Shimon ben Gamliel (Rambam *Sefer Shofetim, Hilkhot Evel* 5:18).

A bed and a crib from when he smooths them – הַמִּטָּה וְהַעֲרִיסָה מְשֻׁשׁוּפִים: Wooden beds and cribs are considered finished only after their surfaces are smoothed with fish skin (Rambam *Sefer Tahara, Hilkhot Kelim* 5:1).

LANGUAGE

Loops [*karvitin*] – קִרְבִּיטִין: From the Greek *κράββατος*, *krabbatos*, meaning mattress, bed, or intersecting straps that support a mattress.

BACKGROUND

The skin of a fish – עוֹר הַדָּג: In the past, the skin of certain kinds of fish was used for smoothing wood and other materials, which is accomplished today with sandpaper. One such fish is the cowtail stingray. This fish, from the *Dasyatidae* family, has a broad pectoral fin as well as a long, whip-like tail equipped with an extended poisonous barb.



Cowtail stingray

LANGUAGE

Two posts [naklitin] – נקליטין: From the Greek ἀνάκλιτα, *anaklita*, meaning armrests or headrests of a bed or a chair.

HALAKHA

A bed whose two posts protrude – מטת שנקליטיה יוצאין – A bed whose two posts protrude need not be overturned during the period of mourning. It is sufficient to stand it on its side (Rambam *Sefer Shofetim, Hilkhot Evel* 5:18).

One who vows that the city is forbidden to him – הנודר מן העיר: For one who vows that a town is forbidden to him it is permitted to enter its two-thousand-cubit Shabbat boundary. However, he may not enter its approximately 70.71-cubit outskirts (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 9:16; *Shulhan Arukh, Yoreh De'a* 217:29).

One who vows that a house is forbidden to him – הנודר מן הבית: For one who vows that a house is forbidden to him it is prohibited to enter the house, including the entire area from the door inward. He may, however, enter into the area beyond the door that is beneath the lintel and above the threshold (Rambam *Sefer Hafla'a, Hilkhot Nedarim* 9:16; *Shulhan Arukh, Yoreh De'a* 217:30).

BACKGROUND

A bed whose two posts protrude – מטת שנקליטיה יוצאין: The parts of this bed that support the head and the feet protrude from the bed. It is difficult to overturn it and if it is overturned, it is not conspicuous.



Bed with protruding posts found in Eretria, dating back to 300 BCE

אָלָא, הָא וְהָא מְגוּפָן; מִטָּה – אַעוּלֵי וְאַפּוּקֵי בְּבוּיָיִ, דְּרָגַשׁ – אַעוּלֵי וְאַפּוּקֵי בְּאַבְקָתָא.

אָמַר רַבִּי יַעֲקֹב בַּר אֲחָא אָמַר רַבִּי: מִטָּה שֶׁנִּקְלִיטֶיהָ יוֹצְאִין – זוֹקְפָהּ, וְדַי. אָמַר רַבִּי יַעֲקֹב בַּר אִידִי אָמַר רַבִּי יְהוֹשֻׁעַ בֶּן לִוִּי: הֲלָכָה בְּרַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל.

מתני' הנודר מן העיר – מותר ליכנס לתחומה של עיר, ואסור ליכנס לעיבורה. אבל הנודר מן הבית – אסור מן האגף ולפנים.

גמ' מנלן דעיבורא דמתא כמתא דמי? אמר רבי יוחנן: דאמר קרא "ויהי בהיות יהושע ביריחו" וגו'. מאי "ביריחו"? אילימא ביריחו ממש – והכתוב "ויריחו סגרת ומסגרת"! אלא שמע מינה – בעיבורה.

Rather, with regard to both this, a bed, and that, a *dargash*, one fastens the straps through holes in the bedframes themselves, and the difference between them is: In a bed, the straps are inserted and extracted through holes in the bedframe; in a *dargash*, the straps are inserted and extracted through loops attached to the bedframe, as Rabban Shimon ben Gamliel said that one loosens the loops and the bedding falls on its own.

Rabbi Ya'akov bar Aḥa said that Rabbi Yehuda HaNasi said: With regard to a bed whose two posts [*nakliteha*]¹ protrude,^{HB} rendering its overturning impossible, he stands it on its side, and that is sufficient for him.^N Rabbi Ya'akov bar Idi said that Rabbi Yehoshua ben Levi said: The *halakha* is in accordance with the opinion of Rabban Shimon ben Gamliel with regard to the overturning of a *dargash*.

MISHNA For one who vows that the city is forbidden to him,^H it is permitted to enter the Shabbat boundary of that city, the two-thousand-cubit area surrounding the city, and it is prohibited to enter its outskirts,^N the seventy-cubit area adjacent to the city. However, for one who vows that a house is forbidden to him,^H it is prohibited to enter only from the doorstep and inward.^N

GEMARA The Gemara asks: From where do we derive that the legal status of the outskirts of a city are like that of the city itself? Rabbi Yoḥanan said that it is as the verse states: "And it came to pass when Joshua was in Jericho, that he lifted up his eyes and looked" (Joshua 5:13). What is the meaning of "in Jericho"? If we say that it means in Jericho proper, isn't it written: "And Jericho was completely shut" (Joshua 6:1)? Rather, learn from here that Joshua was in the outskirts of the city. And although he was in the outskirts, the verse states that he was in Jericho.

NOTES

זוֹקְפָהּ – He stands it on its side, and that is sufficient for him – דַּי: Most commentaries explain that this means to stand it on its side, as overturning it is impossible (Rosh; Meiri). Others, however, maintain that the bed remains upright. He merely places a covering over the posts, rendering it impossible to sit or lie upon it (*Tosafot*; Rabbi Avraham min HaHar, citing Rashi).

Its outskirts – לעיבורה: All commentaries agree that outskirts is referring to the area closest to a city that is considered part of the city itself with regard to the *halakhot* of Shabbat boundaries (see *Eiruv*, chapter 5). There are, however, differences of opinion concerning the practical application of this definition. Rashi and *Talmidei Rabbeinu Peretz* maintain that it refers to recessed inward and recessed outward, meaning that the outermost houses of the city are not in a straight line. Most commentaries, however, maintain that the term outskirts of a city has a precise halakhic definition: The area that lies within a bit more than seventy cubits, roughly 70.71 cubits, of a city.

That corresponds to the length of the side of a square with an area of five thousand cubits (Rosh; Ran).

It is prohibited to enter only from the doorstep and inward – אָסוּר מִן הָאֵגֶף וְלִפְנֵים: The novel element in this *halakha* is not the prohibition, but the leniency that anywhere beyond the doorstep is not considered part of the house, even if it is within the entrance beneath the lintel. This is the explanation of the term: However, in the phrase: However, for one who vows that a house is forbidden to him, as, for one who vows that a city is forbidden to him, it is prohibited to enter even places adjacent to the city, while for one who vows that a house is forbidden to him, it is prohibited to enter only beyond the door. In certain areas of *halakha*, e.g., areas concerning the sanctity of the Temple and Jerusalem, the area beneath the lintel of the doors and frames of the windows are considered to be on the inside, while in other areas of *halakha* that space is considered to be on the outside.

From the doorstep outward – מן הַאֲגָף וְלַחוּץ: When the thickness of a doorway is significant, as is the case in a house with thick walls, and the doorstep is located on the side of the entrance closer to the house, there is a space in the doorway beneath the lintel and beyond the doorstep. This area is not considered part of the house. Clearly, if the door is located on the side of the entrance farther from the house, the legal status of the area beneath the lintel is like that of the house.



Doorway in thick wall

HALAKHA

He stands outside alongside the door jamb and quarantines the house – עומד בצד המשקוף וְיִסְגֵּיר: After the priest has determined that the house is afflicted with leprosy, he leaves the house, stands at its entrance alongside the doorpost, and quarantines the house. If he stood beneath the lintel, or went to his own house and quarantined the house from there, the house is quarantined, although he did not perform his role in the prescribed manner (Rambam *Sefer Tahara, Hilkhhot Tumat Tzara'at* 14:5).

אימא אפילו בתחומה! הא בתיב בתחומה וּמִדֵּתָם מִחוּץ לְעִיר.

The Gemara asks: Say that the legal status of one located even in the Shabbat boundary of a city is like that of one inside the town itself, and perhaps although Joshua was merely within the Shabbat boundary, the verse characterizes him as being in Jericho. The Gemara rejects this: Isn't it written with regard to the boundary of a city: "And you shall measure outside the city... two thousand cubits" (Numbers 35:5)? This indicates that the boundary of a city is considered outside the town and not part of the city itself.

"הַנּוֹדֵר מִן הַבַּיִת אִינוּ אֶסוּר אֲלָא מִן הָאֲגָף וְלִפְנֵים". אֲבָל מִן הָאֲגָף וְלַחוּץ – לֹא. מִתֵּיב רַב מַרִּי: "וַיֵּצֵא הַכֹּהֵן מִן הַבַּיִת" יָכוֹל יֵלֵךְ לְבֵיתוֹ וְיִסְגֵּיר – תִּלְמוּד לֹאמַר "אֶל פֶּתַח הַבַּיִת". אִי אֶל פֶּתַח הַבַּיִת, יָכוֹל יַעֲמֹד תַּחַת הַמַּשְׁקוּף וְיִסְגֵּיר – תִּלְמוּד לֹאמַר "מִן הַבַּיִת", עַד שְׂיֵצֵא מִן הַבַּיִת כּוֹלֵו.

§ We learned in the mishna: For one who vows that a house is forbidden to him, it is prohibited to enter only from the doorstep and inward. The Gemara infers: However, from the doorstep outward,⁸ no, it is permitted to enter. Rav Mari raised an objection based on a verse written with regard to leprosy: "And the priest shall go out from the house to the entrance of the house, and he shall quarantine the house" (Leviticus 14:38). And the question was raised in the halakhic midrash: One might have thought that the priest may go to his house and quarantineⁿ the leprosy house that he examined from there. Therefore, the verse states: "To the entrance of the house" (Leviticus 14:38). If he may go only to the entrance of the house, one might have thought that he may stand beneath the lintelⁿ and quarantine the house from there. Therefore, the verse states: "And the priest shall go out from the house," indicating that he may not quarantine the house until he goes out from the entire house.

הָא בֵּיצַד – עוֹמֵד בְּצַד הַמַּשְׁקוּף וְיִסְגֵּיר. וּמִנֵּן שָׂאֵם הֵלֵךְ לְבֵיתוֹ וְהִסְגִּיר, אִו שְׂעָמַד תַּחַת הַשְּׁקוּף וְהִסְגִּיר, שְׂהִסְגִּירוֹ מוֹסְגֵּיר – תִּלְמוּד לֹאמַר "וְהִסְגִּיר אֶת הַבַּיִת", מִכָּל מְקוֹם! שְׂאִינִי גְבִי בֵּית דְּכֵתִיב "מִן הַבַּיִת" – עַד שְׂיֵצֵא מִן הַבַּיִת כּוֹלֵו.

How so? *Ab initio*, the priest stands outside, alongside the door jamb, and quarantines the house.^h And from where is it derived that if he went to his house and quarantined the house, or stood beneath the lintel and quarantined the house, that his quarantine is an effective quarantine after the fact? The verse states: "And he shall quarantine the house" (Leviticus 14:38), which means in any case. Apparently, the legal status of the area beneath the lintel is identical to the status inside the house, even if it is beyond the doorstep. The Gemara answers: It is different with regard to a leprosy house, as it is written: "And the priest shall go out from the house,"ⁿ indicating that he cannot quarantine the house until he goes out from the entire house.

NOTES

One might have thought that the priest may go to his house and quarantine – יָכוֹל יֵלֵךְ לְבֵיתוֹ וְיִסְגֵּיר: Most commentaries explain that this refers to physically sealing the house and declaring it a leprosy house. In resolving the practical question as to how a priest can physically seal a house from a distance, they explain that he does so through an agent or by means of a long rope (*Tosafot*; Rosh; Ran; Rabbi Avraham min HaHar). The *Mishne LaMelekh* notes that based on numerous sources throughout the Talmud, the Rambam maintains that he need not physically seal the house. Rather, he quarantines the house by declaring it leprosy.

Beneath the lintel [*mashkof*] – תַּחַת הַמַּשְׁקוּף: Rashi distin-

guishes between the term *mashkof*, which refers to the lintel above the door, and *shakuf*, which refers to the threshold, called *askupa* or *askupa tahtona* in the language of the Sages. Whether the reference is to beneath the lintel or above the threshold, the meaning is the same, and the space beyond the threshold is not considered part of the house.

As it is written: And the priest shall go out from the house – דְּכֵתִיב מִן הַבַּיִת: These words are superfluous in the verse, as the verse then states: "To the entrance of the house," indicating that the priest cannot quarantine the house until he exits the house. Therefore, this phrase comes to emphasize that he must exit the house completely (Ran).