The Gemara asks about the mishna itself: In the latter section of the mishna, instances in which they are both exempt are enumerated. However, wasn’t a prohibited labor performed between the two of them? Since together they performed an act prohibited by a severe Torah prohibition, how is it possible that their partnership will result in both being exempt? The Gemara answers that it was taught in a baraita that Rabbi Yehuda HaNasi said: It is written: “And if one soul sins unwittingly from the people of the land when he does it, one of the laws of God that should not be done and he is responsible” (Leviticus 4:27). The verse’s emphasis on the words “when he does it”, means: One who does all of it, i.e., the entire transgression, is liable and not one who does part of it. Therefore, an individual, and he performed an action in its entirety, is liable. However, two people, and they performed an action together, are not liable, as each one performed only part of the action. The Gemara comments: It was also stated in support of Rabbi Yehuda HaNasi’s opinion: Rabbi Hiyya bar Gamda said: Amidst a discussion of these matters, it emanated from the group of Sages and they said: From the verse’s emphasis on “when he does it” it is derived: An individual who performed it is liable. However, two who performed it are not liable.

Rav raised a dilemma before Rabbi Yehuda HaNasi: One whom another person loaded with food and drink on his back in the private domain on Shabbat, and he carried them out while they were still on his back, what is the halakha with regard to the prohibition of carrying out on Shabbat? Clearly, one who lifts an object with his hand in the private domain, and carries it out into the public domain is liable, as he performed the complete act of carrying out. However, in the case of one who is laden with an object; is moving his body itself, is liable etc., is not part of the original text of the mishna; however, one is prohibited from doing so.

Background

An answer that is not an appropriate answer – יָשָׁנוּשׁ קַשּׁיָּו: The answer (shinuy) is one of the common forms of talmudic discourse. In general, a shinuy distinguishes between the case under discussion and the case upon which the question is based. Many times the answer is merely an attempt to stave off that difficulty. If that is the case, even if the attempt to stave off the difficulty is successful, it is not viewed as a definitive explanation of the matter at hand. Consequently, at times the Gemara emphasizes that a certain answer is not merely an attempt to deflect the question but an actual explanation.

Notes

It emanated from the group – הֶעֱלָה מֵעַמַּי: The reason that the Gemara cited the anecdote by saying that this halakha emanated from the group, in addition to citing the explicit baraita of Rabbi Yehuda HaNasi’s statements, is explained in various ways. Some explain that it was necessary because the baraita alone could have led to the conclusion that this is Rabbi Yehuda HaNasi’s individual opinion, and the Rabbis disagree with him. The Gemara cited this anecdote to indicate that this is the consensus opinion (Rashi; Riva). Others explain that the conclusion: An individual who performed it is liable, etc., is not part of the original text of the baraita. Rather, it is an elaboration by the Gemara. Therefore, the need arose to reinforce that conclusion with the statements emanating from the group (D millisLeMes Beria; see Tosafot for two additional explanations).

His hand is not at rest – וֹלֶקֶת לָא אָמִינָא לָךְ: The Gemara only said this in a case where one’s hand and body are in different domains. However, if they are in the same domain, his hand is considered part of his body (Ran).

Moving his body – מַאי וּמוֹ: Moving his body when it is laden with a burden on Shabbat is tantamount to lifting the object itself. Coming to a stop with the object on his body is tantamount to placing the object on the ground upon which he is standing. Therefore, if he were laden with an object and he carried it out from domain to domain he is liable (Rambam Sefer Zemanim, Hilkhot Shabbat 13:8).

Halakha

When Rabbi is involved in this tractate do not ask him questions in another tractate – בִּדִינֵי שַׁבָּת הָלָכָה בְּדִינֵי שַׁבָּת: It is improper for a student to ask his teacher a question dealing with a topic not included in the subject matter that he is studying. His teacher might be temporarily unable to answer and be embarrassed (Rambam Sefer Hamadda, Hilkhot Talmud Torah 4:6).
It is obvious to me – לא יתכן - that this is one of the set forms in the organized presentation of a complex question. First, the questioner explains what is obvious to him in the matter, and only after laying the groundwork with that prelude, does he proceed with: Rabbi…raised a dilemma.

HALAKHA

His hand was filled with fruits and he extended it outside – ולא יתכן. If someone in the private domain extended his hand filled with objects out to the public domain, within ten handbreadths of the ground, he may not bring his hand back to the private domain. If he extended his hand unwittingly, he is permitted to bring his hand back to the private domain. This is in accordance with the final explanation suggested by the Gemara, which is apparently the conclusion. Others explained that if he did so intentionally, the Sages, nevertheless, permitted him to bring the object back. They did so in order to avoid placing him in a situation where he will come to throw the objects from his hand and thereby violate a prohibition punishable by stoning. According to that opinion, only in a case where he took the object out into the public domain while it was still day and kept it there until after dark did the Sages penalize him and prohibit him from bringing it back. Others explained that this is not a concern in modern times (Shuṭhan Arukh HaRav 13:20). If he extended his hand with an object in it, when that person reached his hand above ten handbreadths, he will come to throw the objects from his hand out to the public domain. If he extended his hand unwittingly, he is permitted to bring his hand back to the private domain (Ritva).

Abaye said: It is obvious to me4 that the hand of a person in and of itself, when he moves it out of the domain where he is located, is considered to be neither like the public domain nor like the private domain, even if it is the hand of someone standing in one of those domains. Proof that the hand is not considered like the public domain can be derived from the ruling of the mishna with regard to the hand of the poor person. As we learned with regard to the poor person who brought his hand carrying an object that he lifted from the public domain into the private domain and the homeowner took the object from his hand; the homeowner is not liable. Apparently, the hand of the poor person is not considered part of the public domain, even though he himself is located in the public domain. Proof that it is not considered like the private domain can be derived from the ruling of the mishna with regard to the hand of the homeowner. As we learned with regard to the homeowner who moved his hand carrying an object that he lifted from the private domain into the public domain and the poor person took the object from his hand; the poor person is not liable for carrying out from a private domain.

However, Abaye raised a dilemma: What is the ruling with regard to the hand of a person with an object in it, when that person reached his hand into a different domain? Does it assume karmelit status? A karmelit is an intermediate domain established by the Sages that is neither a private nor a public domain. This dilemma is based on the fact that his hand left one domain and did not yet enter a second domain. In terms of practical halakha, the two sides of this dilemma are: Did the Sages penalize him and issue a rabbinic decree prohibiting him from bringing his hand with the object back to the domain where he is standing or not?

The Gemara says: Come and hear a resolution to this dilemma from that which we learned elsewhere, with regard to the question: What must one in the private domain do in a case where his hand was filled with fruits and he extended it outside,6 into the public domain? It was taught in one baraita that it is prohibited for him to bring it back into his house, and it was taught in another baraita that it is permitted for him to bring it back. Is it not with regard to this that they disagree; that the Sage in one baraita holds that his hand is like a karmelit, and the Sage in the other baraita holds that it is not like a karmelit?

The Gemara rejects this explanation: No, everyone agrees that it is like a karmelit, and yet, this is not difficult, as the difference between the baraitot can be explained in the following manner: Here, the baraita prohibiting him from bringing his hand back, is referring to a case where he took it out at a height below ten handbreadths off the ground, within the airspace of the public domain. And there, the baraita permitting him to bring his hand back, is referring to a case where he took it out at a height above ten handbreadths off the ground, outside the airspace of the public domain. Consequently, the object is considered to be neither in the public domain nor in a karmelit.

And if you wish, say instead that this baraita and that baraita are both referring to a case where he took his hand out to the public domain at a height below ten handbreadths, and his hand is not considered a karmelit. And yet, this is not difficult. As here, the baraita permitting him to bring it back, is referring to a case where he took it out while it was still day on Shabbat. Since he extended his hand before Shabbat and, in doing so, did nothing wrong, the Sages did not penalize him and permitted him to bring his hand back on Shabbat itself. However, there, the baraita prohibiting him from bringing it back, is referring to a case where he took it out after dark, and Shabbat had already begun. Since there is an element of prohibition involved, the Sages penalized him and prohibited him from bringing it back.

NOTES

Here below ten and there above ten – פה עליון משל שבעה למטה שבעה עליון משל שבעה. The question was raised: What is the novel element in that explanation? More than ten handbreadths above the ground of a public domain is an exempt domain into which one is permitted ab initio to take out an object and all the more so he may return it. Some explain that the phrase: Here above ten, means that one who took the object into the public domain below ten handbreadths is even permitted to raise it above ten handbreadths and take it back inside. Even if the halakha is that his hand is considered like a karmelit, it is permissible to take an object from a karmelit to an exempt domain and from an exempt domain to a private domain (Riva).

Abaye said: There is a case where he took it out at a height below ten handbreadths, and his hand is not considered a karmelit. And yet, this is not difficult, as the difference between the baraitot can be explained in the following manner: Here, the baraita prohibiting him from bringing his hand back, is referring to a case where he took it out at a height below ten handbreadths off the ground, within the airspace of the public domain. And there, the baraita permitting him to bring his hand back, is referring to a case where he took it out at a height above ten handbreadths off the ground, outside the airspace of the public domain. Consequently, the object is considered to be neither in the public domain nor in a karmelit.
The Gemara comments that this explanation is difficult. On the contrary, the opposite is reasonable. In the case where he extended his hand while it was still day, when even were he to throw the object from his hand into the public domain, he would not incur liability to bring a sin-offering because the object was lifted from its place on a weekday, let the Sages penalize him. However, in the case where he extended his hand after dark, where were he to throw the object from his hand into the public domain, he would thereby incur liability to bring a sin-offering, let the Sages not penalize him. Were the Sages to penalize him by prohibiting him from bringing his hand back, he is liable to drop the object in the public domain, and by doing so he would violate a Torah prohibition.

And from the fact that we did not explain it that way, but preferred the contrary distinction, resolve the dilemma raised by Rav Beivai bar Abaye, whose dilemma is predicated on the same fundamental issue. As Rav Beivai bar Abaye raised the dilemma: One who unwittingly stuck bread in the oven on Shabbat, as bread was baked by sticking the dough to the sides of a heated oven, did they permit him to override a rabbinic prohibition and remove it from the oven before it bakes, i.e., before he incurs liability to bring a sin-offering for baking bread on Shabbat, or did they not permit him to do so? Removing the bread is also prohibited on Shabbat. However, its prohibition is only by rabbinic law. The fundamental dilemma is: May one violate a rabbinical prohibition in order to avoid violating a Torah prohibition or not?

Based on the above, resolve that the Sages did not permit one to do so. In resolving Abaye’s dilemma, the concern that one would likely throw the object from his hand, and thereby violate a Torah prohibition, was not taken into consideration. The one who extended his hand into the public domain was penalized by the Sages and prohibited to bring his hand back. Here too, resolve the dilemma and say that he may not remove the bread, even though he will thereby violate a Torah prohibition. The dilemma of Rav Beivai bar Abaye, which was thought to be unresolved, is thereby resolved. As a result, there is room for uncertainty whether or not the resolution of the previous dilemma, through which Rav Beivai’s dilemma would also be resolved, is valid. The Gemara rejects this difficulty: That is not difficult. It is possible that even though a resolution had not been previously found for the dilemma of Rav Beivai bar Abaye, that does not mean that it cannot be resolved and, indeed, as proof can be brought from the resolution of the other dilemma, resolve this dilemma as well.

And if you wish, say instead: Actually, do not resolve the dilemma, but, nevertheless, resolve the contradiction between the baraita in the following manner. Here, the baraita that taught that it is permitted to bring one’s hand back is referring to a case where he extended it unwittingly. There, the baraita that taught that it is prohibited for one to bring it back is referring to a case where he took it out intentionally. When he took it out unwittingly, the Sages did not penalize him. When he took it out intentionally, the Sages penalized him and prohibited him from bringing it back.

And if you wish, say instead, in order to resolve the contradiction that this baraita and that baraita are both referring to a case where he took his hand out unwittingly. And here they disagree with regard to the question: Did the Sages penalize an unwitting offender due to an intentional offender? The Sage who prohibits him from bringing his hand back holds that they penalized an unwitting offender due to an intentional offender. Therefore, even though he took his hand out unwittingly, they penalized him and prohibited him from bringing the object back so that he would not come to do so intentionally. The Sage who permits him to bring it back holds that they did not penalize an unwitting offender due to an intentional offender. Therefore, they did not prohibit him from bringing it back.

And if you wish, say instead that, actually, they did not penalize an unwitting offender due to an intentional offender, and still, this is not difficult, and there is no contradiction. Here, the baraita that permits bringing it back is referring to bringing it back to the same courtyard where he is standing.
Adjacent courtyards

Kor – המידה החשובה ביותר למידת נפחatron המידה החשובה ביותר למידת נפח.

In most of the halakhot with regard to punishment in the Torah, as well as those with regard to atonement, the general principle is that one's intention must be consistent from the beginning of the action through to the end, and the action is evaluated based on that intention. Any deviation from the original intention, whether in the direction of leniency or stringency, changes the assessment of the act. The action can no longer be categorized in any existing framework; neither in terms of punishment nor in terms of atonement.

Prohibition punishable by stoning – איסור סכין: The accurate phrase here is: Before he comes to violate a prohibition punishable by stoning, and not: Before he incurs a liability of stoning. Since he regretted his action in the middle of its performance, he is no longer liable to be stoned for his action.
Rav Sheshet strongly objected to this. And does one tell another person: Sin so that another will benefit? Permitting one to violate a prohibition, even one prohibited by rabbinic law, in order to help another perform a mitzva is inconceivable. The same is true with regard to preventing another from violating a more severe prohibition.

Rav Shela said: Actually, it is referring to a case where he did so unwittingly, and the dilemma whether or not they permitted removing the bread is not with regard to the person who stuck it in the oven, as he remains unaware of his transgression. Rather, with regard to whom is Rav Beivai raising a dilemma whether or not the Sages permitted him to remove the bread? It is with regard to others who wish to spare the unwitting sinner from violating a Torah prohibition.

Rabbi said: Whose opinion is it in this mishna? It is the opinion of Rabbi Akiva who said that we do not require a place of four by four handbreadths. According to his opinion, even a smaller area is considered a significant place in terms of carrying out on Shabbat. As we learned in a mishna: One who throws an object from the private domain to the other private domain and there is the public domain in the middle, Rabbi Akiva deems him liable for carrying out into the public domain, and the Rabbis deem him exempt because the object merely passed through the public domain and did not come to rest in it.

This dispute can be explained as follows: Rabbi Akiva holds that we say that an object in airspace is considered at rest. In his opinion, an object that passed, even briefly, through the airspace of the public domain is considered as if it came to rest in that domain. Therefore, one who threw the object has, for all intents and purposes, lifted the object from the private domain and placed it in the public domain, and he is liable. And the Rabbis hold that we do not say that an object in airspace is considered at rest. In their opinion, although he lifted the object from the private domain, it never came to rest in the public domain. Since he never placed it in the public domain, he is not liable.

Lifting and placing from the surface of an area four by four – The Gemara assumes that liability exists only in a case where an object is lifted from an area that measures at least four by four handbreadths. The commentators seek a source for that assumption. Some explained that one does not generally place objects on a smaller surface due to concern that they might fall. In all of the prohibited labors of Shabbat, the standard manner in which the action is performed is the determining factor (Rabbeinu Tam; see the Rashba). Others explained that the verses themselves include allusion to the fact that an object requires a defined area. There is no smaller defined area (Tosafot). Yet others explained that, although the reason was not clear, the Sages of the Talmud had a tradition that this is the halakha (Rashba; Rikvah).

Sin so that another will benefit – The use of this and similar phrases is common in the Talmud. After the Gemara cites various theoretical considerations and reaches the conclusion that there is a need to emend the text of the torah, occasionally it turns out that one of the Sages had already received a tradition with that emended version of the torah.

NOTES

BACKGROUND

Would teach it explicitly – The use of this and similar phrases is common in the Talmud. After the Gemara cites various theoretical considerations and reaches the conclusion that there is a need to emend the text of the torah, occasionally it turns out that one of the Sages had already received a tradition with that emended version of the torah.

HALAKHA

Lifting and placing from the surface of an area four by four – The Gemara assumes that liability exists only in a case where an object is lifted from an area that measures at least four by four handbreadths. The commentators seek a source for that assumption. Some explained that one does not generally place objects on a smaller surface due to concern that they might fall. In all of the prohibited labors of Shabbat, the standard manner in which the action is performed is the determining factor (Rabbeinu Tam; see the Rashba). Others explained that the verses themselves include allusion to the fact that an object requires a defined area. There is no smaller defined area (Tosafot). Yet others explained that, although the reason was not clear, the Sages of the Talmud had a tradition that this is the halakha (Rashba; Rikvah).
And wasn’t it raised as a dilemma – קולא מיכה ביני. The Gemara uses this expression to ask: Since Rabba raised this dilemma and was unable to resolve it, how is it possible that a resolution to that dilemma would incidentally appear as a given in another discussion? That leads to the conclusion that the resolution is not sufficiently substantiated.

An object in airspace is considered at rest – קולא מיכה ביני. It is possible to identify two fundamental approaches in clarifying the essence of this halakhic principle. According to Rashi and Rabbeinu Hananel, an object passing through airspace of a certain domain is considered as if it were placed on the ground of that domain. In the Jerusalem Talmud, on the other hand, this phrase was understood to mean that all the airspace in a certain domain is considered as if it were solid matter upon which the objects rest. The principle was formulated: The air within the partitions is like its substance, i.e., the ground beneath it.

Perhaps placing does not require, but lifting does require – קולא מיכה ביני. Some explain that the fact that lifting would require an area of four by four handbreadths, while placing would not, is derived from the Torah. Lifting an object from its place is alluded to in the verse: “A man should not carry out [yotzer] from his place” (Exodus 16:29). This verse can be interpreted: “A man should not carry out [yotzer] from his place”.

Projection of any size – קולא מיכה ביני. The gemolin define ziz as anything that projects from the wall of a house; both the house and the projection are considered private property. A projection of any size means that it can be less than four by four handbreadths.

Projection from the wall of a house

The Gemara answers: That is not difficult. It can be explained that, after he raised the dilemma, it was later resolved for him that the correct understanding is that Rabbi Akiva alone holds that an object in airspace is considered at rest.

However, there is room to question the parallel between Rabbi Akiva’s opinion and the case in our mishna. Perhaps placing alone does not require an area of four by four in order to be considered halakhic placing, but lifting does require a minimum of four by four handbreadths to be considered halakhic lifting. Perhaps placing, which is merely the conclusion of the prohibited labor, does not require the same conditions as lifting, which is the beginning and the essence of the labor of carrying out (Rashba). From Rabbi Akiva’s opinion, a conclusion may be drawn that an object in airspace is considered placed even without the surface area of four by four handbreadths. But, a conclusion may not be drawn that an object lifted from a surface lacking that area is considered lifted.

Rather, Rav Yosef said: Whose opinion is it in this mishna? It is the opinion of Rabbi Yehuda HaNasi.

The Gemara asks: To which of Rabbi Yehuda HaNasi’s halakhot is Rav Yosef referring? If you say that he is referring to this halakha, as it was taught in a baraita: One who threw an object in Shabbat in the public domain from the beginning to the end of four cubits, and it, the object, came to rest atop a projection of any size, Rabbi Yehuda HaNasi deems him liable, and the Rabbis deem him exempt. Apparently, this proves that, according to Rabbi Yehuda HaNasi, there is no minimum area required for lifting and placing. This is the halakha to which Rav Yosef referred.
The Gemara rejects this. There, the explanation is according to what we will need to say later in accordance with the statement of Abaye, as Abaye said: Here, the baraita is not dealing with just any situation. Rather, it is dealing with a special case where there is a tree standing in the private domain and its boughs lean into the public domain, and one threw an object from the public domain and it rested upon the boughs of the tree.

Rabbi Yehuda HaNasi holds that we say: Cast its boughs after its trunk. The tree's branches are considered an extension of its trunk. Therefore, the entire tree is considered a private domain, and one who throws onto it is liable. And the Rabbis hold that we do not say: Cast its boughs after its trunk. Therefore, the boughs themselves are not considered to be a private domain, and one who throws atop them from the public domain is not liable. Since Rabbi Yehuda HaNasi considers the boughs of the tree like part of the trunk, something thrown atop the tree is considered as if it were placed on the trunk, which is four by four handbreadths. If so, one cannot conclude from here that there is no need for a significant area according to Rabbi Yehuda HaNasi.

Rather, it is possible that Rav Yosef referred to this halakha of Rabbi Yehuda HaNasi, as it was taught in a baraita: One who throw an object on Shabbat from the public domain to the public domain and the private domain was in the middle, Rabbi Yehuda HaNasi deems him liable for carrying out from domain to domain, and the Rabbis deem him exempt.

And Rav Yehuda said that Shmuel said: In that case, Rabbi Yehuda HaNasi holds that the one who threw the object is liable to bring two sin-offerings, as he violated two prohibitions: One, due to carrying from the public domain into the private domain, when the object passed through the airspace of the private domain; and one, due to carrying from the private domain out to the public domain. Apparently, he requires neither lifting nor placing upon an area of four by four handbreadths, as not only is he liable for carrying the object into a private domain and placing it by means of passing through its airspace, but he is also liable for lifting the object from that private domain and bringing it to the public domain. According to Rabbi Yehuda HaNasi, neither lifting nor placing requires a significant area.

The Gemara rejects this proof. Wasn't it stated with regard to this dispute that Rav and Shmuel both said:

Rabbi Yehuda HaNasi only deemed him liable in the covered private domain, with a roof, as we say: The house is considered as one that is full! The entire house with all its space is considered one unit, and each part of it is considered as if it is filled with actual objects. Therefore, an object passing through the house is considered as if it landed on an actual surface of at least four by four handbreadths. However, in a private domain that is not covered, Rabbi Yehuda HaNasi does not deem him liable.

And if you say: Here too our mishna is speaking about a covered domain, and therefore the lifting from and the placing on the hand are considered as if they were performed in a place that is four handbreadths; granted, in a covered private domain lifting from and placing in a hand are considered as if it were lifted from and placed onto an area of four by four handbreadths, but in a covered public domain is he liable at all? Didn't Rav Shmuel bar Yehuda say that Rabbi Abba said that Rav Huna said that Rav said: One who carries an object four cubits from place to place in a covered public domain, even though transferring an object four cubits in the public domain is like carrying out from one domain to another and prohibited by Torah law, in this case, he is not liable! The reason is that since the covered public domain is not similar to the banners in the desert, i.e., the area in which the banners of the tribes of Israel passed in the desert. The labors prohibited on Shabbat are derived from the labors that were performed in the building of the Tabernacle during the encampment of Israel in the desert, and the desert was most definitely not covered. Consequently, even according to Rabbi Yehuda HaNasi’s opinion, it is impossible to explain that our mishna is referring to the case of a covered public domain.
The Gemara rejects this: This is not a proof, and one could say: Perhaps it is specifically for placing that we do not require an area of four by four; however, for lifting we require an area of four by four in order to consider it significant. And with regard to placing as well, one could say: Perhaps it was performed in a manner in which he extended the corners of his coat and received it, so in that case there is also placing upon an area of four by four. Therefore, there is no proof from here.

Rabbi Abba said: Our mishna is speaking about a special case where he received, i.e., lifted, the object that was in a basket [teraskal] and he placed it atop a basket. In that case, there is also placing performed upon an area of four by four handbreadths. The Gemara asks: Wasn’t it taught in the mishna: His hand? So how can you say that he received it in a basket? The Gemara answers: Emend the text of the mishna and teach: The basket in his hand.

The Gemara asks about this matter: Granted, when the basket was in the private domain, but if it was a basket that was placed in the public domain, doesn’t it immediately become the private domain? Presumably, the basket is ten handbreadths above the ground, and its surface is the requisite size for creating a private domain.

Since that is not the explanation given, let us say that this is a proof that our mishna is not in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda. As it was taught in a baraita: Rabbi Yosei, son of Rabbi Yehuda, says: One who stuck a stick into the ground in the public domain, and hung a basket atop it, and threw an object from the public domain, and it landed upon it, he is liable, because he threw it from the public domain into the private domain. Since the surface of the basket is four by four handbreadths and it is ten handbreadths above the ground, it is considered a private domain. Even though the stick, which is serving as the base for this basket, is not four handbreadths wide, since the basket is that wide, we consider it as if the sides of the basket descend in a straight line. Consequently, a type of pillar of a private domain is formed in the public domain.

Our mishna is not in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, as if it were in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, in a case where the owner of the house extended his hand outside and placed an object in the basket in the hand of the poor person in the public domain, why is he liable? According to his opinion, the basket is considered a private domain and he, the owner of the house, is merely carrying out from private domain to private domain. This proves that the opinion of our mishna is not in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda.
A person’s hand is considered like four by four – יד פי ארבעה פי ארבעה. Apparently, this is because a hand is the standard conduit for placing and lifting objects in a specific place. The hand does not have the requisite area of a significant place, the measure of a significant area for placing being four by four handbreadths. However, the hand, regardless of its size, is also a significant area in the sense of carrying and has the legal status of an area of four by four handbreadths.

A person’s hand is considered like four by four – יד פי ארבעה פי ארבעה. Apparently, this is because a

The Gemara answers: Even if you say that our mishna is in accordance with the opinion of Rabbi Yosei, son of Rabbi Yehuda, there, when we learned that a basket is considered like a private domain, it was in a case in which the basket was above ten handbreadths off the ground. Here, in our mishna, the basket was below ten handbreadths off the ground. Even according to the opinion of Rabbi Yosei, son of Rabbi Yehuda, in a case where it is below ten handbreadths it is not considered a private domain, rather it is part of the public domain. Therefore, it is considered carrying out and he is liable.

The Gemara comments: Nevertheless, this explanation is difficult for Rabbi Abbahu: Was the language taught in the mishna: A basket in his hand? His hand, was taught. There is no reason to emend the mishna in that way. Rather, Rabbi Abbahu said: The mishna here is referring to a case where the poor person lowered his hand below three handbreadths off the ground and received that object in his hand. Below three handbreadths is considered, in all respects, to be appended to the ground and, therefore, a place of four by four handbreadths.

The Gemara asks: Didn’t the mishna teach: The poor person stands outside? If he is standing, how is it possible that his hand is within three handbreadths of the ground? Rabbi Abbahu answered: It is describing a case where he is bending down. In that case, his hand could be adjacent to the ground even though he is standing. And if you wish, say instead that it is possible in a case where the poor person is standing in a hole and his hand is adjacent to the ground. And if you wish, say instead a different depiction of the situation: The mishna is speaking about a case involving a midget — nanas, whose hands, even when standing, are within three handbreadths of the ground.

About all of these Rava said: Did the tanna go to all that trouble in an effort to teach us all these cases? It is difficult to accept that the tanna could not find a more conventional manner to explain the halakha. Rather, Rava said: The problem must be resolved by establishing the principle: A person’s hand is considered like four by four handbreadths for him. It is true that lifting and placing upon a significant place are required. However, even though a significant place is normally no less than four handbreadths, the hand of a person is significant enough for it to be considered a significant place as far as the halakha of Shabbat are concerned. And, so too, when Ravin came from Eretz Yisrael to Babylonia, he said that Rabbi Yohanan said: A person’s hand is considered like four by four handbreadths for him.

Midget (nana) — νᾶνος: From the Greek νᾶνος, nanos, meaning midget.

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A person’s hand is considered like four by four – יד פי ארבעה פי ארבעה. Apparently, this is because a hand is the standard conduit for placing and lifting objects in a specific place. The hand does not have the requisite area of a significant place, the measure of a significant area for placing being four by four handbreadths. However, the hand, regardless of its size, is also a significant area in the sense of carrying and has the legal status of an area of four by four handbreadths.

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Ravin – רבי: An abbreviation of Rabbi Avin, who is called Rabbi Bon in the Jerusalem Talmud.

He was the most important of “those who descended to,” i.e., who went from Eretz Yisrael to Babylonia, in the third to fourth generation of the Babylonian amoraic leadership. Rabbi Avin was born in Babylonia and emigrated to Eretz Yisrael at an early age. There he was able to study Torah from Rabbi Yohanan, who lived to a very old age. After Rabbi Yohanan’s death, Ravin studied from his many students. Rabbi Avin was appointed to be one of “those who descended,” namely, those Sages who were sent to Babylonia to disseminate innovative Torah insights from Eretz Yisrael, as well as various Eretz Yisrael traditions that were unknown in other lands. Ravin was the emissary from Eretz Yisrael before Ravin. However, Ravin transmitted new and revised formulations of the halakha. Therefore, Ravin is considered an authority and, as a rule, the halakha was decided in accordance with his opinion.

Ravin returned to Eretz Yisrael several times. There he served as the transmitter of the Torah studied in Babylonia. His statements are often cited in the Jerusalem Talmud. We knew little about his family and the rest of his life. It is known that his father died even before he was born, and that his mother died when he was born. Some say that his father’s name was also Rabbi Avin and that he was named after him. Some believe that the Eretz Yisrael amora Rabbi Yosei bar Bon was his son.

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HALAKHA

One who stood in his place… he moved from his place, etc. – If one throws an object from one domain to another domain, and the object is caught by a person who remained in his place in the second domain, the one who threw it is liable because he placed the object in another domain. However, if the second person moved from his place and caught the object in his hand, the one who threw it is exempt. This is in accordance with the statement of Rabbi Yoĥanan, with regard to which there is no dispute (Rambam Sefer Zemanin, Hilkhot Shabbat 13:15).

BACKGROUND

What is his dilemma – איה? This expression in the Gemara is a question that comes to clarify the essence of a certain dilemma. Frequently, the problem is, in and of itself, clear. Nevertheless, it is necessary to explain the context of the dilemma and the broader issue that it comes to clarify.

NOTES

Two forces in one person – איה? According to Rabbeinu Hananel’s variant text, some explain: Are two forces in one person considered like two people, in the sense that it is considered as if one threw it so the other would catch it, and he is liable? Or, perhaps it is considered like one person performed each half of the prohibited labor independent of the other half and he would be exempt (Ramban).

Rabbi Avin said that Rabbi Elai said that Rabbi Yoĥanan said: One who threw an object and it landed in the hand of another who is in a different domain is liable. The Gemara asks: What is he teaching us? What halakhic principle is conveyed through this statement? Is it that a person’s hand is considered four by four for him? Didn’t Rabbi Yoĥanan already say that one time? Why was it necessary to repeat it, albeit in a different context? The Gemara answers: It was necessary to teach the halakha cited by Rabbi Elai as well, lest you say that this, the principle that a person’s hand is significant, applies only where he himself deemed his hand significant by lifting or receiving an object with his hand. However, where he did not deem his hand significant, rather the object fell into another’s hand without his intention, perhaps the hand is not considered a significant place and he would not be liable. Therefore, he teaches us that the hand’s significance is absolute and not dependent upon the intention of the one initiating the action.

Rabbi Avin said that Rabbi Elai said that Rabbi Yoĥanan said additionally: One who stood in his place and received an object that was thrown to him from another domain, the one who throws it is liable. However, if he moved from his place and then received the object, the one who threw it is exempt. That was also taught in a baraita. Aherim say: If he stood in his place and received in his hand the object that was thrown from another domain, the one who threw it is liable. And if he moved from his place and received it, he is exempt.

Rabbi Yoĥanan raised a related dilemma: One who threw an object from one domain and moved from his place and ran to another domain and then received the same object in his hand in the second domain, what is his legal status?

To clarify the matter, the Gemara asks: What is his dilemma? Didn’t one person perform a complete act of lifting and placing? Rav Adda bar Ahava said: His dilemma was with regard to two forces in one person. Rabbi Yoĥanan raised a dilemma with regard to one who performs two separate actions rather than one continuous action. Are two forces in one person considered like one person, and he is liable? Or, perhaps they are considered like two people, and he is exempt? This dilemma remains unresolved and therefore, let it stand.

Rabbi Avin said that Rabbi Yoĥanan said: If he brought his hand into the courtyard of another and received rainwater that fell at that time into his hand and carried it out to another domain, he is liable. Rabbi Zeira objects to this: What is the difference to me if his friend loaded him with an object, i.e., his friend placed an object in his hand, and what is the difference to me if Heaven loaded him with rainwater? In neither case did he perform an act of lifting. Why then should he be liable for carrying out from domain to domain? The Gemara answers: Do not say: He received rainwater, indicating that he passively received the rainwater in his hand. Rather, read: He actively gathered rainwater in his hand from the air, which is tantamount to lifting. The Gemara asks: In order to become liable, don’t we require lifting from atop an area of four handbreadths, and in this case there is none? How, therefore, would he be liable?

Rabbi Hiiya, son of Rav Huna, said: It is a case where he gathered the rainwater from atop and on the side of the wall, so he lifted it from a significant place. Therefore, it is considered an act of lifting, and he is liable. The Gemara questions: Atop a wall, too, the rain did not come to rest. Rather, it immediately and continuously flowed. If so, the lifting was not from the wall at all. The Gemara answers: As Rava said in another context that the case involves an inclined wall, here too the case involves an inclined wall. The Gemara asks: And where was this statement of Rava stated? It was stated with regard to that which we learned in a mishna:
One who was reading a sacred book in scroll form on Shabbat on an elevated, wide threshold and the book rolled from his hand outside and into the public domain, he may roll it back to himself, since one of its ends is still in his hand. However, if he was reading on top the roof, which is a full-fledged private domain, and the book rolled from his hand, as long as the edge of the book did not reach ten handbreadths above the public domain, the book is still in its own area, and he may roll it back to himself. However, once the book has reached within ten handbreadths above the public domain, he is prohibited to roll it back to himself. In that case, he may only turn it over onto the side with writing, so that the writing of the book should face down and should not be exposed and degraded. And we discussed this halakha: Why must he turn it over onto the side with writing, and he is prohibited to bring the book back to himself? Didn’t the book not yet come to rest upon a defined area in the public domain? Even if he brought it back it would not constitute lifting.

And Rava said: It is referring to the case of an inclined wall. Because it is inclined, the scroll is resting upon it to some degree. However, that answer is not effective in explaining the case of gathering water. Say that Rava said that the legal status of the slanted wall is different, specifically with regard to a book, as it is wont to come to rest upon an inclined wall. In contrast, water wont to come to rest upon an inclined wall! It continues flowing. Consequently, the question with regard to water remains.

Rather, Rava said: Here, it is referring to a case where he gathered the rainwater from on top of a hole filled with water. The Gemara asks: If he gathered it from on top of a hole, it is obvious that it is considered like lifting from a significant place. The Gemara answers: Lest you say that since the water that comes down from the roof into the hole it is water on top of water and, perhaps, it is not considered placing. Therefore, he taught us that collecting water from on top of a hole filled with water is considered an act of lifting an object from its placement.

The Gemara comments: And Rava follows his standard line of reasoning, as Rava already said: It is obvious to me that water on top of water, that is its placement, and lifting the water from there is an act of lifting in every sense. It is also obvious that if a nut is floating on top of water, that is not considered its placement, and therefore lifting it from there is not considered an act of lifting. However, Rava raised a dilemma: In a case where a nut is in a vessel, and that vessel is floating on top of water, and one lifted the nut from the vessel, is that considered an act of lifting? The sides of the dilemma are: Do we go according to the nut and the halakha is decided exclusively based on its status, and it is at rest in the vessel? Or perhaps, we go according to the vessel and it is not at rest, as it is moving from place to place on the surface of the water. This dilemma remained unresolved, and therefore let it stand.
One who immersed himself during the day—urtles. Some Rabbis held that a liquid that becomes impure through contact with an impure body immediately assumes first-degree ritual impurity status and renders other liquids that come into contact with it impure. How ever, there is room in principle to raise this question.

As we learned in a mishna: Oil that was floating on top of wine and one who immersed himself during the day touched the oil, he disqualiﬁed the oil alone and not the wine, as he only touched the oil and the oil does not render the wine impure. And Rabbi Yoḥanan ben Nuri says: They both are considered connected to each other, and therefore they are both rendered impure through the same contact. The consideration of whether the oil and the wine are considered connected is the determining factor with regard to the laws of Shabbat as well.

Rabbi Avin said that Rabbi Elai said that Rabbi Yoḥanan said: One who was laden with food and drinks entered and exited all day long—urtles. If a similar dilemma was raised with regard to oil that was floating on top of wine. Oil does not mix with wine. Rather, it floats on top of it in a separate layer. Resolution of this dilemma is dependent on a dispute between Rabbi Yoḥanan ben Nuri and the Rabbis. Is oil considered a discrete entity placed on the wine? Or, perhaps it is considered to be connected to the wine? As we learned in a mishna: Oil that was floating on top of wine and one who immersed himself during the day touched the oil, he disqualiﬁed only the oil alone and not the wine, as he only touched the oil and the oil does not render the wine impure. And Rabbi Yoḥanan ben Nuri says: They both are considered connected to each other, and therefore they are both rendered impure through the same contact. The consideration of whether the oil and the wine are considered connected is the determining factor with regard to the laws of Shabbat as well.

Rabbi Avin said that Rabbi Elai said that Rabbi Yoḥanan said: One who was standing in the private domain or the public domain laden with food and drinks on Shabbat, and his intention was to carry them to another corner of the same domain, if once he began walking he changed his mind and exited that domain, and he enters and exits from domain to domain, even if he does so all day long, he is exempt by Torah law for carrying out on Shabbat until he stands still. Moving the object is not considered carrying out, since he did not intend from the outset to move himself in order to carry out. Therefore, only after he stands still can it be considered a bona fide placement, and only when he subsequently moves and walks would he incur liability.

Abaye added and said: And that is speciﬁcally if he stopped to rest; then it is considered placement. However, if he stopped to adjust his burden, it is not considered placement. The Gemara comments: From where did Abaye arrive at this conclusion? From that which the Master said with regard to the laws of carrying in the public domain: Although, by Torah law, one who transfers an object four cubits in the public domain is liable, if while transferring the object he stopped to rest within four cubits, he is exempt. By stopping to rest, he performed an act of placement in the middle of the transfer. As a result, he did not carry the object four complete cubits. However, if he stopped to adjust the burden on his shoulders, he is liable, as stopping in order to adjust his burden is not considered an act of placement. It is considered an action required to facilitate the continuation of carrying that burden. On the other hand, after he walked beyond four cubits, if he stopped to rest, he thereby performed an act of placement and completed the prohibited labor, and he is liable; if he stopped to adjust the burden on his shoulders, he is exempt. From this halakha, Abaye learned that only when one stops to rest is it considered an act of placement in terms of the prohibited labor of carrying on Shabbat.
With regard to the essence of Rabbi Yohanan's halakha about entering and exiting all day long, the Gemara asks: What principle is he teaching us with this halakha? Is it to teach that one is exempt from bringing a sin-offering for performing the prohibited labor of carrying out on Shabbat when the lifting of the object from its place from the first moment was not for that purpose of carrying out, but for another purpose? Didn’t Rabbi Yohanan already say it once? As Rav Safra said that Rabbi Ami said that Rabbi Yohanan said: One who transfers objects from corner to corner[1] in a private domain, and, while carrying them, he changed his mind about them and took them out to the public domain, is exempt because the lifting at the first moment was not for that purpose of carrying out to another domain. Why then, was it necessary to repeat the same halakha? The Gemara answers: They are different amora'im[2] who transmitted this matter. One Sage said it in this language and one Sage said it in that language. They chose different halakhot to relate the principle that Rabbi Yohanan stated a single time.

The Gemara clarifies the opinions. Granted, the opinion of ben Azzai makes sense, as he holds that walking is considered like standing. In other words, with each step, he is considered as if he came to a complete stop. Therefore, as he walked through the colonnade, which is neither a public domain nor a private domain, he came to rest there. Consequently, he did not carry from a private domain to a public domain; he carried into and out of a karmelit. However, the Rabbis, although they hold that walking is not considered like standing, their opinion is difficult. Where do we find a comparable case where one is liable? There is no direct transfer from domain to domain. The transfer is via a domain where there is no Torah prohibition. Where do we find that the Torah deemed one who carried out in that manner liable?

Rav Safra said that Rabbi Ami said that Rabbi Yohanan said: That is not an exceptional case,