

1 Our Shiur began with a well-known Machlokes of רבא and אביי: -
 איתמר לחי העומד מאליו -
 A לחי which just happened to be at the entrance of a מבוי, and was not put there specifically to allow carrying in the מבוי -
 לחי אמר רבא - Abaye says it is a valid לחי.
 לחי אמר רבא - Rava says it is not a valid לחי.

At first, the Gemara assumes that this Machlokes applies as well, to
 מחיצה העשויה מאליה -
 A partition that was there naturally, and was not specifically made to enclose the area -

1



איחמר... לחי העומד מאליו
 A לחי which just happens to be at the entrance of a מבוי

מחלוקת

רבא	אביי
לא הוי לחי It's NOT valid	הוי לחי It's valid

At first...
 Machlokes applies as well, to...
מחיצה העשויה מאליה
 A natural partition
 not specifically to enclose the area

2 The Gemara proceeds to bring four proofs that a מחיצה העשויה מאליה is a valid מחיצה.
 The proofs come from the following cases:
 -1- A סוכה with trees as walls -
 -2- A wall of reeds used as a corner of ביראות to enclose the area around a well -
 -3- A tree that forms a canopy and walls over an area where one may carry on שבת -
 -4- Where one establishes his Shabbos residence on a mound or in a cleft in a rock, by making an תחומין עירובי.

The first three proofs are rejected because each case may be speaking of where the trees or reeds were planted for the purpose of making a מחיצה. The last proof though, stands since mounds and clefts in rocks are not man made!

2

4 proofs that it's a valid מחיצה...

1 סוכה Trees as walls	2 Reeds As סביב ביראות around a well	3 Trees Creating a canopy & walls to allow carrying on שבת	4 Mound or cleft in rock To make an תחומין עירובי ✓ NOT man made!
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Rejected
 Maybe the TREES or REEDS were PLANTED purposely to make a מחיצה

3 Based on this last proof the Gemara concludes;
 אלא במחיצות כולי עלמא לא פליגי דהויא מחיצה -
 Everybody agrees that a מחיצה העשויה מאליה - is a valid מחיצה.
 לחי רבא and אביי only argue about a לחי -
 אביי holds לחי משום מחיצה a לחי works because it is considered to be a partition, therefore, לחי העומד מאליו is valid, just as לחי רבא holds לחי משום הכירא a לחי works because it serves as a reminder, therefore, לחי העומד מאליו is not valid, because לחי רבא - אי עבידא בידיה הויא היכר ואי לא הוי היכר -
 If it was placed there for this purpose people take note, and it serves as a reminder. If it was just there, it does not serve as a reminder.

3

אלא במחיצות...
 כולי עלמא לא פליגי דהויא מחיצה
 רבא and אביי
 only argue about לחי

רבא	אביי
לחי משום הכירא Reminder	לחי משום מחיצה Partition
לחי העומד מאליו ✗	לחי העומד מאליו ✓

אי עבידא בידיה הויא היכר ואי לא הוי היכר
 Only if placed for its purpose, will people take note

Similar to מחיצה פקוליה מאליה

4 The גמרא cites 2 Braisos which seem to prove לחי העומד מאליו הוי לחי.

First, the ברייתא says that bricks that protrude from a wall within three טפחים of each other can combine to form a לחי, by dint of לבוד. Now, the bricks don't seem to have been made to protrude for this purpose!

4

2 Braisos...
לחי העומד מאליו הוי לחי
 1st
 Bricks that protrude within 3 טפחים of each other
 Combine to form a לחי

Don't seem to be made for this purpose!

5 The גמרא rejects the proof, because perhaps they WERE built this way for the purpose of making a לחי, and the ברייתא is just teaching that even though it looks like it was left that way to add more bricks later, it is still a proper reminder.

5

Perhaps...
They WERE built for the purpose of a לחי
Although...
 It looks like it was left, to add more bricks later
 It's still a proper reminder!

6 Second, a ברייתא teaches about an indented wall, where the wall itself serves as a לחי, apparently even though it was not made for this purpose!

6

2nd
 An indented wall

Even though it was not made for the purpose of a לחי

7 The Gemara rejects this proof as well with the same argument - perhaps it was built this way for the purpose of making a לחי, and it is teaching
 - נראה מבחוץ ושוה מבפנים נדון משום לחי
 Even though the לחי is not visible from inside the מבוי, it still is a valid לחי.

7 The Gemara uses the same rejection
 Perhaps...
They WERE built for the purpose of a לחי
 It's just teaching...
 נראה מבחוץ ושוה מבפנים נדון משום לחי
 Although not visible inside, it's still a valid לחי!

8 Finally, the Gemara relates an incident where Rav once told his שמש not to rely on a palm tree as a לחי since they had not relied on using it as a לחי before Shabbos - implying that had they been relying on it, the tree would have been a valid לחי even though it was not put there on purpose, clearly supporting אב"י!
 In fact, Rashi points out that this is one of the six cases of יע"ל קג"ם - where we pasken like אב"י rather than רבא.

8 **רב**
 Don't rely on a palm tree as a לחי
 Since they didn't rely on it before שבת
 Had they relied on it, it would have been a valid לחי
Clearly supporting אב"י!
 רש"י
 This is one of six cases of... יע"ל קג"ם
 Like אב"י...

9 The Gemara had pointed out at the outset that - as in the case of Rav - if they did not rely on this לחי העומד מאליו before שבת, for example, they had put up another לחי, which subsequently fell down on שבת - all agree that they cannot now rely on this לחי העומד מאליו.

The מחלוקת אב"י ורבא is only in a case where they did rely on this לחי העומד מאליו to permit carrying in this מבוי.

9 In the case of... **רב**
 Where they put up a לחי Which subsequently fell down
 All agree
 They can't now rely on this לחי העומד מאליו
 מחלוקת
רבא **אב"י**
 Where they did rely on לחי העומד מאליו To permit carrying in the מבוי

10 The following Mishnah lists three Halachos which would apply even if a live animal was used.
 Zugt di Mishnah;
 - בכל עושין לחיין אפילו בדבר שיש בו רוח חיים ורבי מאיר אוסר -
 Anything may be used for a לחי, even a live animal, and ר' אוסר forbids it.

10 **מלבי**



1 בכל עושין לחיין אפילו בדבר שיש בו רוח חיים ורבי מאיר אוסר

2 ומטמא משום גולל Although generally not susceptible to טומאה A live animal used as a tomb cover DOES become טמא

ורבי מאיר אוסר

11 - וכותבין עליו גיטי נשים ורבי יוסי הגלילי פוסל -
 We may write a גט, a divorce document on a live animal, and רבי יוסי הגלילי invalidates it.
 The Gemara explains both רבי יוסי הגלילי and the רבנן each understand the הלכה about what a גט may be written on from the passuk כריתות ספר. וכתב לה ספר כריתות ספר.
 רבי יוסי הגלילי learns:
 teaches that one may write even on things that are not parchment, while ספר teaches that it must be written on something similar to a ספר, in that it is not food or a living thing.
 The רבנן learn:
 teaches that she cannot get divorced with money. ספר just teaches that the גט should tell the story of the divorce.
 Tangentially, the Gemara teaches several additional Halachos of גיטין that are derived from this passuk in different ways, according to their respective opinions.

11 **מלבי**

3 וכותבין עליו גיטי נשים We may write a גט on a live animal ורבי יוסי הגלילי פוסל

גט

רבנן Can't get divorced with money סיפור Tells the story of the divorce

וכתב לה

ר' יוסי הגלילי May write even on things NOT parchment Similar to a ספר NOT food or living things

ספר

12 Zugt di Mishnah;
 - שיירא שחנתה בבקעה והקיפיה כלי בהמה מטלטלין בתוכה -
 A caravan had encamped in an open field over Shabbos, in which one may not carry on שבת because it's a כרמלית. To solve this problem, they encircled the area with the trappings and utensil of the animals. They obviously don't have enough materials to create a complete partition. Therefore, the משנה gives the 3 minimum requirements for a מחיצה.
 - ובלבד שיהא גדר גבוה עשרה טפחים -
 The partition must be at least 10 טפחים high -

12 **מלבי**

שיירא שחנתה בבקעה והקיפיה כלי בהמה מטלטלין בתוכה

A caravan encamped in a כרמלית encircled by an incomplete partition MAY CARRY Provided...

1 ובלבד שיהא גדר גבוה עשרה טפחים Partition... at least 10 טפחים high

13

- ולא יהו פירצות יתירות על הבנין -
The total gaps should not be more than the total walls -
otherwise known as
פרוץ מרובה על העומד

- כל פירצה שהיא כעשר אמות מותרת מפני שהיא כפתח יתר מכאן אסור -
An opening of up to 10 אמות is considered a doorway, and
they may carry in the enclosed area. An opening of more
than 10 אמות is considered a breach, and they may not carry
there.

13

2
ולא יהו פירצות
יתירות על הבנין
Total gaps...
not more than total walls
פרוץ מרובה על העומד

3
כל פירצה שהיא כעשר אמות מותרת
מפני שהיא כפתח
יתר מכאן אסור
Any opening
more than 10 אמות wide...
considered a breach

14

- אתמר פרוץ כעומד -
If the open space is exactly the same as the fencing, there is a
מחלוקת:

- רב כפא אמר מותר
It is a valid מחיצה, and they may carry there. His reasoning -
הכי אגמריה רחמנא למשה לא תפרוץ רובה
The רב הונא בריה למושה מסניי as - Do not leave most
of the enclosure open. Therefore, 50-50 is OK.
רב הונא בריה דרב יהושע אמר אסור
It is NOT a valid מחיצה, and they may not carry there. His
reasoning - it was taught to משה as
גדור רובה - Enclose most of it. Therefore, 50-50 is not a valid
partition.

14

אתמר...
פרוץ כעומד
OPEN SPACE = CLOSED SPACE
רב פפא אומר
לא תפרוץ רובה
Don't leave
most open!
רב הונא בריה דרב יהושע אומר
גדור רובה
Enclose
most of it!
50/50
50/50

15

The גמרא goes on to bring several proofs, some of which
appear on this דף.

The first proof is left as a question on רב הונא בריה דרב יהושע
because our Mishnah invalidates only a מחיצה of יתירות
פירצות - where the breaches are more than the wall, but if
they are the same the implication is that it is okay.

15

The first of several proofs...
Left as a question on...
רב הונא בריה דרב יהושע
Because...
Our Mishnah invalidates only
פירצות יתירות על הבנין
But...
50/50
OK

16 The Gemara next cites a Braisa in מסכת סוכה which OK's a סוכה which apparently had equal spaces of non-kosher סכך - such as a spit, which is metal - and kosher סכך, which seems to contradict רב הונא בריה דרב יהושע. Similarly, the Gemara cites a Braisa which elaborates on the case of the caravan encampment, and OK's the enclosure as long as the open space between animals does not equal the width of an animal - clearly implying that if the ratio of open and closed sections is exactly 50/50 it is not a valid מחיצה - רב פפא contradicting!

Both would answer that they are speaking of a case where כשנכנס ויוצא - it was not exactly 50/50 - rather there is some wiggle room.

In both cases the open space is actually more than the closed part.

In the case of the סוכה, a spit could easily fit in the space between 2 other spits - leaving us with more kosher סכך than non-kosher סכך. Therefore it's a kosher succah even according to רב הונא בריה דרב יהושע.

In the case of the caravan, an animal can easily get through the space between 2 animals. Therefore, the מחיצה is not valid even according to רב פפא.

This discussion continues on the next Daf.

