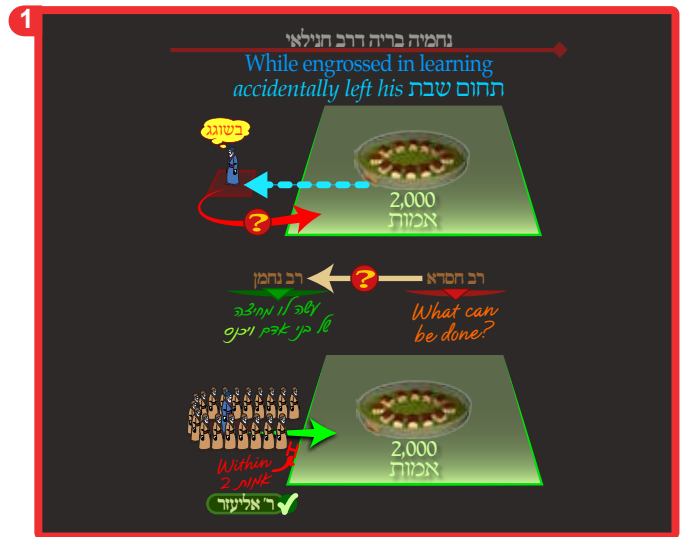


1 Our shiur began with the גמרא relating the following incident:
 נחמיה בריה דרב חנילאי, while engrossed in learning, accidentally walked out of his שבת תחום, leaving him stranded and restricted to אמות 2.
 When נחמיה רב חסדא asked רב נחמן what can be done to help נחמיה out of his predicament, רב נחמן advised;
 עשה לו מחיצה של בני אדם ויכנס -
 Make a path with a human partition leading back to his תחום. Even if the enclosure only comes to within two אמות of his תחום, he may re-enter in accordance with ר' אליעזר who holds that anybody within two אמות of his תחום may go back inside the תחום.



2 רבא - איתיביה רב נחמן בר יצחק לרבא - יום טוב or שבת on סוכה - indicating that it is אסור to make a human wall on שבת or יום טוב!
 The גמרא answers that there is another ברייתא that allows using a person or a bed as a wall for a סוכה and seems to support רב נחמן. However, these two ברייתות apparently contradict each other?



3 The גמרא offers three approaches to resolve the contradiction:
 - לא קשיא הא רבי אליעזר הא רבנן -
 Perhaps, the first ברייתא follows רבי אליעזר who does not allow using window shutters unless they are attached and hanging from the window, which makes them part of the structure, and he is not making even an עראי, but otherwise forbids אהל עראי - while the second ברייתא follows the רבנן who are much more lenient, and allow אהל עראי - temporary structures.



4 The Gemara rejects this approach because ר' יוחנן taught; - הכל מודים שאין עושין אהל עראי בתחלה - All agree that one may not make a NEW temporary partition, as in the case of the human partition for the סוכה. - לא נחלקו אלא להוסיף - רבי אליעזר forbids even a temporary addition, while the רבנן allow adding a temporary partition to an existing wall, as in the case of the shutters.

4

Rejected
Because...
ר' יוחנן

All Agree

אין עושין אהל עראי בתחלה
NEW human partition for the סוכה
סוכה

They Argue

מוסיפין על אהל עראי

וחכמים אומרים	רבי אליעזר אומר
מוסיפין	אין מוסיפין
ALLOWS	FORBIDS
temporary addition	temporary addition

5 - הא כרבי מאיר הא כרבי יהודה -2-
The first ברייתא which forbids making a human or animal wall follows רבי יהודה who says that an animal is a valid wall for a סוכה, therefore he may not put it up on יום טוב.
The second ברייתא which permits making a human or animal wall follows רבי מאיר who says that an animal is not a valid wall for a סוכה, therefore, he may put it up on יום טוב, because it does not accomplish anything anyway.

5

2

הא כרבי מאיר הא כרבי יהודה

1st בריתא: רבי יהודה

Forbids human or animal wall

Animal WALL

סוכה ✓
יום טוב ✗

2nd בריתא: רבי מאיר

Allows human or animal wall

Animal WALL

סוכה ✗
יום טוב ✓

Doesn't accomplish anything anyway

6 The Gemara rejects this approach because maybe רבי מאיר only invalidated animals as walls, because they may run away, but humans who know to stay there would be valid walls and should therefore be אסור to use on יום טוב!

6

Rejected
Perhaps...
רבי מאיר

✗ Animal → May run away
✓ Person → Knows to stay

Therefore...
אסור to use on יום טוב!

7 - הא והא רבנן -
Both hold like the רבנן that it is מותר to temporarily add on to an existing structure, but אסור to make a new temporary structure.

- וכלים אכלים לא קשיא הא בדופן שלישית הא בדופן רביעית -
The ברייתא that says it is אסור to make a wall of כלים for the סוכה is talking about using them for the THIRD wall which validates the סוכה, while the ברייתא that says it is מותר to make a wall of כלים for the סוכה is talking about using them for the FOURTH wall of the סוכה, which does not accomplish anything, since the סוכה is valid without that wall.

7

3
הא והא רבנן

ברייתא: 1st ברייתא: 2nd

חכמים

<p>✓</p> <p>Temporary add on to EXISTING STRUCTURE</p>	<p>✗</p> <p>Making a new TEMPORARY STRUCTURE</p>
<p>✓</p> <p>הא בדופן רביעית Doesn't accomplish anything</p>	<p>✗</p> <p>הא בדופן שלישית Validates the סוכה</p>

וכלים אכלים לא קשיא

8 Rashi speaks out that אדם אדם cannot be answered similarly, because the Braisa states;
- עושה אדם את חברו דופן כדי שיאכל וישתה וישן
One may make a human partition for the סוכה so that he may eat, drink, and sleep - clearly indicating that it is permitted even for the third wall.

8

רש"י

אדם אדם
Can't be answered similarly
ברייתא:

עושה אדם את חברו דופן
כדי שיאכל וישתה וישן
Indicating, a human IS permitted even for the third wall!

9 Therefore, we must say,
- אדם אדם נמי לא קשיא כאן לדעת כאן שלא מדעת -
The discrepancy between the two ברייתות about using a human partition can be answered, that the ברייתא that forbids using a human partition is speaking of a person who realizes that he is being used as a wall, and will therefore be mindful to stand erect like a wall, while the ברייתא that permits using a person as a wall is speaking of a person who does not realize he is being used as a wall, and will therefore not stand in a way that makes it obvious that he is a wall.

The Gemara continues that according to this resolution we must say that רב נחמן permitted making a human partition to allow תחומי to re-enter the תחום only when none of the people realized that they are being used as walls, and רב חסדא who gathered them all together was not one of the people used to form the walls.

9

Therefore, we must say...
אדם אדם נמי לא קשיא

<p>כאן שלא מדעת ברייתא: 2nd</p> <p>✓ Person Doesn't realize He doesn't look like a wall</p>	<p>כאן לדעת ברייתא: 1st</p> <p>✗ Person Realizes Mindful to stand erect like a wall</p>
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רב נחמן
אלו בני אדם ויבנו
2,000 אמות

✓
ONLY when they didn't realize & רב חסדא was not used

10 משנה the זאגט:
 מי שיצא ברשות ואמרו לו כבר נעשה מעשה
 One who went out of his תחום with permission,

As Rashi explains - to do a מצוה, such as לעדות החודש - to testify to seeing the new moon - OR להציל מן הגייס ומן הנהר - to save lives - OR חכמה ליילד - a midwife to assist in a birth,

ואמרו לו כבר נעשה מעשה -
 And he was informed that he is no longer needed for the מצוה - he is still granted a new תחום of 2000 אמות in every direction from where he is.

10

מי שיצא ברשות

2,000 אמות

To do a מצוה

לעדוץ החודש
 מן הגייס ומן הנהר
 חכמה ליילד

ואמרו לו כבר נעשה מעשה
 Informed, he's no longer needed

He's granted a new תחום of 2,000 אמות

2,000 אמות

2,000 אמות

11 אם היה בתוך התחום כאילו לא יצא
 There is a מחלוקת in the גמרא how to interpret this phrase:

רבה explains that it simply teaches that if he was still within his original תחום, he measures his תחום from his original location. If he was outside his תחום, he is restricted to the new תחום of 2000 אמות from his current location.

11

אם היה בתוך התחום כאילו לא יצא

מחלוקת

How to interpret this phrase

רבה

תחום original

Measures from his original location

2,000 אמות

12 רב שימי בר חייא explains that if his new תחום of 2000 אמות overlaps his original תחום, we apply the concept of הבלעת תחומין - overlapping תחומין - and he can walk back into his original תחום, and all the way back home. הבלעת תחומין apparently does not apply the concept of רבה

12

Outside original תחום

Restricted to new תחום from his current location

2,000 אמות

2,000 אמות

רב שימי בר חייא

New תחום of 2,000 אמות overlaps original תחום

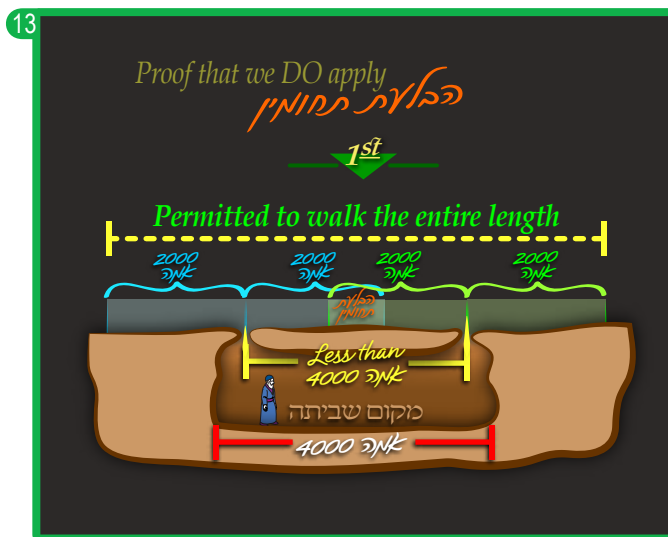
2,000 אמות

2,000 אמות

רבה

13 The Gemara cites two examples as proof that we DO apply הבלעת תחומין.

First - In a case where a person was in a 4000 אמה long cave at the onset of שבת - which makes the entire cave his מקום שביטה - and the area on the ground above the cave was less than 4000 אמות, we use הבלעת תחומין to permit him to WALK the entire length of the area above the cave and an additional 2000 אמות from the two entrances in each direction.



14 Second - We also have a case of overlapping תחומין when the second תחום only became operative on שבת itself:

A person walked two אמות beyond his תחום, where his new ד' תחום overlaps with his original תחום and ר' אליעזר therefore allows him to walk back into his original תחום!

The חכמים who do not allow him back in, disagree only in a case of

לדבר הרשות - where he went out of the תחום for discretionary matters, but if it was

לדבר מצוה - for the purposes of a מצוה, they agree that we apply the concept of תחומין, and he may re-enter.

