

פרק רביעי: גי שהוציאווה Introduction to

In the previous פרק, we began exploring עירובי תחומין תחומין, in this פרק, the איסור of תחומין will be assessed, beginning with the implications of "finding oneself" outside of תחום due to circumstances beyond control ("אונס"); how an עירוב "acquires" and the "rights" of the שובת in that place will be assayed

3.4.1

41b (משנה א) → 43a (הלכה כ"ג בספינה והלכה כ"ד בדייר וסוהר)

- I. משנה א: implications of leaving תחום under duress – and if reentered
 - a. If: taken out (by non-Jews or due to temporary insanity) to rural area, may only walk ד"א
 - b. If: subsequently returned (באונס), as if he never left – gains back full תחום
 - c. If: taken to urban area
 - i. תחום שבת ד"ג וראב"ע gains full area (its תחום שבת)
 - ii. ד"ע ור' יהושע may only walk ד"א
 1. Story: these 4 were on a boat that left תחום – ר"ג וראב"ע walked entire boat, ר"ע ור"י were מחמיר on themselves
- II. משנה ב: related story: ר"ג וחכמים were on boat that entered port on שבת
 - a. ד"ג ruled that they may disembark, as he saw that they were within תחום of the port at onset of שבת
- III. Aggadic tangent: רוח רעה and related maladies, those who don't see גיהנם and those who die even while talking
- IV. Analysis of משנה א
 - a. שמואל: (after correcting statement) – if he went out voluntarily but was returned באונס, only has ד"א
 - i. Even though: we might read 3rd clause לצדין – and in any case where he was dragged back gains full תחום – קמ"ל
 - b. Fruit that left תחום if במזיד – prohibited; if בשוגג
 - i. ד"ק may be eaten, but not carried
 - ii. ד' נחמיה prohibited
 - c. If taken out and returned: ת"ק permits (even במזיד)
- V. Assessing שבת תחום (if not known) use 2000 average steps (שמואל)
- VI. שבת in an open area with a radius > 2K אמות – if a מחיצה was then erected around the area on שבת
 - a. שמואל: may walk 2K אמות and may carry throughout – but may only carry via זריקה beyond his תחום (2K)
 - b. ר' הונא (and ר' רב): may not even carry within his תחום beyond ד"א (treat it like כרמלית)
 - i. Throwing: prohibits as precaution against going after it (and carrying beyond bounds)
 - ii. Carrying (within 2K): prohibited as it is an area completely open to אסור לה (beyond 2K limit)
 - iii. Challenge (to ר"ה): ברייתא – if his תחום ends in a city, he may carry in entire city, but not go beyond his תחום
 1. Assumption: the permitted "carrying" must be throwing (such that he doesn't go beyond his תחום by foot)
 2. Rejection (ר"ה): means pulling them into his תחום
 - iv. ר"ה permits carrying in the ½ חצר that is within his תחום (if it bounds there)
 - v. ר"ה ר"ה agreed that if 2K conclude at edge of house, he may carry within house
 1. Reason: roof bounds it and he won't go after item beyond house
 - c. Suggestion (ר' הונא בריה דר' נתן): this dispute parallels dispute in our משנה about walking full 2K
 - i. Assumption: ר"ע ור"י; בקעה as precaution against walking in דיר וסוהר as precaution against walking in דיר וסוהר
 1. And then: ר"ג וראב"ע would not ban carrying as precaution against walking; ר"ע ור"י would ban
 2. Rejection: perhaps ר"ג וראב"ע refrain from the precaution, since דיר וסוהר are distinct from בקעה
 3. And: ר"י only ban walking because he didn't have שביטה within מחיצות on ע"ש – no implications for טלטול
- VII. Final ruling: in dispute ר"ג וראב"ע vs. ר"ע ור' יהושע
 - a. דב: we follow ר"ג in דיר וסוהר and boat
 - b. שמואל: we follow ר"ג in case of boat
 - i. Note: all agree that we follow ר"ג in case of boat
 1. דב: because he established שביטה within a bounded area (applies even when boat is still)
 2. ד' זירא: a boat is always moving, so אמות ד' is meaningless (walls are made to keep out water)
 - a) גפ"מ: if walls of boat crumbled or if he jumps to another boat (לרבה – no longer valid)
 - ii. Proof: that dispute is only when boat is still – ר"ע was מחמיר (but not להלכה) – concern that it may come to rest
 1. And: boat is juxtaposed to דיר וסוהר – that are at rest
 - iii. Final ruling (per ר"י's nephew's report): הלכה follows ר"ג in case of boat, and ר"ע ור"י in case of corral and pen