



Volume 8. Issue 6

## On the Banks of the Pit

The eleventh *perek* discusses the prohibition of carrying on *Shabbat*. It began with the prohibition of carrying between a private domain and a public domain and then the prohibition of carrying four *amot* in the public domain. Broadly speaking the definition of a private domain (*reshut hayachid*) is any area that is walled off with a fence ten *tephachim* high and is at least four by four *amot* in area. The *Mishnah* (11:2) adds that a pit that is ten *tephachim* deep or a mound that is ten *tephachim* high is also defined as a *reshut hayachid*, provided it contains the above stated minimum area.

To be more precise the *Mishnah* taught that if the bank of the pit is ten *tephachim* high then one will have transgressed the prohibition if transferring an object from the public domain on to its bank. How the ten *tephachim* are measured and the dimensions of the pit are the subject of debate.

The *Gemara* (*Shabbat* 99a) asks why it was necessary to teach the more complicated case of a pit in combination with its bank and not simply a case of a pit that was ten *tephachim* deep. The *Gemara* answers that this *Mishnah* would be supporting to position of *R' Yochanan* who explains that the depth of a pit and the height of its bank can combine to make ten *tephachim* defining the pit as a *reshut hayachid*.

According to the simple reading of the *Gemara*, the case in our *Mishnah* is where the depth and height of the pit and bank are together ten *tephachim*, and therefore one cannot transfer items to and from the pit from the public domain on *Shabbat* (see *Rashi* and *Ritva*).

The *Tosfot* however question the necessity of the *Mishnah* teaching this case. The reason is that a *Mishnah* in *Eruvin* (99b) teaches this exact same point. Consequently the *Tosfot* suggest that the case of our *Mishnah* is where the area of the pit is only four by four *amot* in combination with the walls. Consequently the inside of the pit is not a *reshut hayachid*. So what is a

*reshut hayachid*? What is the *Mishnah* then trying to teach? The *Tosfot* explains that the bank alone is ten *tephachim* high. The *Mishnah* is teaching us that the pit it surrounds can combine with it to make its area four by four *amot*. This explanation fits closely with the words of the *Mishnah* that seems to only refer to the height of the bank and mentions a transgression when transferring to and from the bank (and not the pit). Indeed the *Gemara* in *Eiruvim* (77a) discusses the very cases and explains that since one could easily place something over the bank and find the surface usable it is defined as a *reshut hayachid*.

One point that is discussed is the original case where the ten *tephachim* is made up of the pit and the bank and the area inside the pit is four by four *amot*. Would one be liable if they placed something on the bank? Is the bank considered part of the *reshut hayachid*?

The *Tosfot* answer that only if the bank itself was ten *tephachim* high would one be liable. Presumably the bank is only usable to those in the public domain at that height.

The *Ritva* (*Shabbat* 99b) however only requires the combined height and depth to be ten *tephachim*. In that case the bank is considered part of the *reshut hayachid*. This is much like how holes in a *reshut hayachid* share its status despite not being its space. The doubt the *Ritva* (*Eiruvim* 87b) has however is whether the bank must be at least three *tephachim* high. One the one hand, we know that any surface that is less than three *tephachim* is considered *batel* and part of the public domain. Consequently the bank would need to be at least three *tephachim* high to be considered part of the *reshut hayachid*. Alternatively, and it is this understanding he prefers, since the bank is constructed to serve the pit, it would not be annulled in this case even if it was less than three *tephachim* high.

*Yisrael Yitzchak Bankier*

**Revision Questions**

שבת י' בי' – י"ב ג'

- If someone took an object from their house and placed it on the threshold, then later took it from the threshold and placed it in the public domain, would they be obligated to bring a *chatat*? (י' ב')
- In which of the following manners of carrying would one be *chayav* for carrying on *Shabbat*? (י' ג')
  - In his mouth?
  - In his left hand?
  - On his shoulder?
  - On the back of his hand?
- If one intended to carry a satchel on his back, yet when walked into the public domain the satchel had swung around to the front, would he be *chayav*? (י' ד')
- If two people carried one object, when would they be *patur*? (י' ה')
- Explain the debate regarding biting one's nails on *Shabbat*? (י' ו')
- Explain the debate regarding throwing an object from one private domain to another via the public domain. (י"א א')
- What is *moshit* and in what case specifically is one *chayav* for performing such an action? (י"א ב')
- What are the dimensions of a rock, such that it is defined as a *reshut ha'yachid* even if it is in the *reshut ha'rabim*? (י"א ג')
- When calculating whether a hole in *reshut ha'rabim* is considered a *reshut ha'yachid*, would one consider the walls around the top of the hole when calculating the depth? (י"א ד')
- In which of the following cases is one *chayav* for *hotza'ah* if:
  - One threw an object for a distance of more the four *amot* in *reshut ha'rabim* yet it got stuck on wall at a height of greater than ten *t'fachim* from the ground.
  - One threw an object further than four *amot*, yet the object rolled back to a distance of less than four *amot*.
  - One threw an object less than four *amot*, yet the object rolled further to a distance of greater than four *amot*. (י"א ה')
  - One threw an object further than four *amot* in the ocean. (י"א ו')
- Explain the case of *rekak mayim* and why does the *Mishnah* repeat itself? (י"א ז')
- Is one *chayav* for *hotza'ah* if they threw an object from: (י"א ח')
  - The sea to the land?
  - From a boat into the sea?
- When can one carry from one boat to another? (י"א ט')
- What are the four cases where one throws an object four *amot* in *reshut ha'rabim* yet is *patur*? (י"א י')
- What is the minimum measure for one to be *chayav* for performing:
  - *Bo'ne*?
  - *Ma'ke be'patish*? (י"ב א')
  - Ploughing?
  - Collecting wood? (NB: List both cases.) (י"ב ב')
- Using which hand to write, would an ambidextrous person be *chayav* for writing? (י"ב ג')
- Is one *chayav* for writing in Japanese? (י"ב ד')
- Explain the debate regarding drawing symbols. (י"ב ה')
- Is one *chayav* if they intended to write the name "שמעון" yet stopped after writing "שמ"? (י"ב ו')

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**Melbourne, Australia**

**Sunday -Thursday**

After *Ma'ariv*

Mizrachi Shul

Melbourne, Australia

**Friday & Shabbat**

10 minutes before *Mincha*

Beit Ha'Roeh

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*Shiur in English*

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Rabbi Mordechai Scharf

9:00am

Kollel Magen Avraham

Reemon Neighbourhood

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[613.org/mishnah.html](http://613.org/mishnah.html)

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**Next Week's Mishnayot...**

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
3 <sup>rd</sup> July א' תמוז	4 <sup>th</sup> July ב' תמוז	5 <sup>th</sup> July ג' תמוז	6 <sup>th</sup> July ד' תמוז	7 <sup>th</sup> July ה' תמוז	8 <sup>th</sup> July ו' תמוז	9 <sup>th</sup> July ז' תמוז
Shabbat 12:4-5	Shabbat 12:6-13:1	Shabbat 13:2-3	Shabbat 13:4-5	Shabbat 13:6-7	Shabbat 14:1-2	Shabbat 14:3-4

