

## Where he slants his wall

## במדיר את כותלו –

### OVERVIEW

ר' זביד explained that there is no concern that the owner of the wall will stand on his wall and look into the windows (of the other person's house), since he made the top of the wall on a slant, no one can stand there. תוספות clarifies why there is a concern in the first place.

anticipates a difficulty: תוספות

ולא מצי לשנויי<sup>1</sup> במגביה כותלו ד' אמות<sup>2</sup> -

**But the גמרא could not have answered** that since we are discussing a case **where he raised his wall ד' אמות**, so seemingly how can he see inside the widow?!

replies: תוספות

דכיון דקאי מן הצד ואורך הכותל לרחבו של חלון יכול לעמוד בסוף הכותל ולשחות ולהציץ:

**For since the new wall is standing perpendicular to the window**, meaning that **the length of the wall is facing the width of the window**, therefore **he is able to stand at the edge of the wall and bend down and peer** into the windows.<sup>3</sup>

### SUMMARY

A height of ד' אמות cannot ensure that in a perpendicular wall, the owner will not be able to bend down and look inside, even if the wall is ד' אמות higher than the windows.

### THINKING IT OVER

Why is there a difference, regarding the ability to bend down and peek into the window,<sup>4</sup> whether the wall is parallel or perpendicular to the window?<sup>5</sup>

<sup>1</sup> The גמרא asked (on the answer of ר' יבא), 'but he can still peer' into the window; to which ר' זביד answered במדיר.

<sup>2</sup> The בריתא clearly states that the new wall must be ד' אמות above the window, so how can the גמרא ask 'הלא מציין'?

<sup>3</sup> See 'Thinking it over'.

<sup>4</sup> See footnote # 3.

<sup>5</sup> See נחלת משה.