

## מכלל דאיכא זוטרת – This implies that there are smaller bricks.

### Overview

The גמרא sought to resolve the query whether the three טפחים required for לבנים, included the plaster or not. A משנה in עירובין was cited, which stated that the width of the plank placed above the מביי needs to be wide enough to support an אריה, which is half of a לבינה of three טפחים. This seems to prove that a לבינה itself without סיד is indeed three טפחים. The גמרא refuted this proof by maintaining that the לבינה mentioned in the משנה in עירובין may be a larger לבינה than the לבינה discussed in our משנה. The גמרא continued to bolster this assertion by referring to the text of the משנה wherein it said 'a לבינה of three טפחים'. If all לבנים are three טפחים and no more, why does the משנה need to specify the size of the לבינה!? This is ample proof that the לבינה in משנה is a larger לבינה; and there are smaller לבנים, which our משנה may be discussing. Thus the query remains. תוספות will challenge this assertion that since it mentions a size that proves that there are smaller ones.

תוספות asks:

**You may ask; perhaps from the statement 'a half brick of three טפחים' it can be inferred that there are bricks larger than three טפחים<sup>1</sup>**

**What sort of deduction is this?!** How are we inferring from the statement 'a half brick of three טפחים', that there are bricks that are less than three טפחים<sup>2</sup>? Perhaps the inference is that there are also bricks more than three טפחים<sup>3</sup>; and that is the reason why the משנה in עירובין specifies a לבינה of (only) three טפחים<sup>3</sup>

תוספות answers:

**and the ר"י answers – ותירץ רבינו יצחק**

**for if there are no bricks less than three טפחים - דאם אין פחות משלשה**

**however there are bricks larger than three טפחים - אבל גדולות יש**

**then it is purposeless for the משנה to mention - אם כן בכדי נקט**

**a half brick of three טפחים - חצי לבינה של ג' טפחים**

**For the משנה should have stated - דלא הוה צריך למתני**

**only that 'and the אריה is a half brick'; - אלא והאריה חצי לבינה**

**and no more. It should not have mentioned the size of a לבינה. If there are only larger than three טפחים and none smaller, then -**

<sup>1</sup> If this would be the inference, then the איבעיא would be resolved; for a לבינה is (at least) three טפחים. There are others that are even larger.

<sup>2</sup> This assumption will prove, therefore that the query cannot be resolved.

<sup>3</sup> If we follow this last assumption, the משנה in עירובין can (possibly) resolve the query.

**automatically I would have measured** the size of the plank **with the smaller** לבינה; the one of three טפחים. I would not have thought of measuring with the larger (than three טפחים) לבינה -

**since the משנה did not specify the measurement.** If the requirement for a plank is the larger לבינה, the משנה should have been specific, to assure that we do it properly<sup>4</sup>. The fact that the משנה did state the size of a לבינה proves that there is indeed a smaller size לבינה, less than three טפחים. If the משנה would not have specified the size of the measuring לבינה, one would have assumed to use the smaller size. Therefore the משנה teaches us to use the larger לבינה (of three טפחים) for measurement and not the smaller לבינה.

### Summary

The גמרא inferred from the משנה in עירובין that there are also bricks smaller than three טפחים, from the fact that the משנה there specified the size of the brick as three טפחים. If there were no bricks less than three טפחים, and there were bricks larger than three טפחים, there would be no need for the משנה to specify the size of the bricks. It would be obvious that if the משנה does not specify the size, we use the smallest size, that of three טפחים. We may therefore infer that the משנה is teaching us that despite the fact that there are bricks less than three טפחים; nevertheless we are required to use a brick of three טפחים.

### Thinking it over

1. When תוספות asked that perhaps we can infer that there are larger bricks; was his intention that there are larger bricks only, or that we can infer that there are larger bricks as well as smaller bricks?
2. What concept was introduced in תוספות answer, which resolved the question?

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<sup>4</sup> One cannot argue that the משנה assumes that we will go לחומרא and use the larger size brick; for the requirement to place a plank on a מביי is only a דרבנן. By a רבנן we generally are more lenient