

## והא מבחוץ קתני קשיא -

**But the משנה teaches, 'from the outside'; this is a difficulty**

### OVERVIEW

There is a difference between the terms 'קשיא' (a difficulty) and 'תויבתא' (a refutation). תויבתא means that we cannot accept this opinion, it is completely refuted. קשיא, however, means that there is a difficulty in accepting this opinion. However it can be justified, albeit with some difficulty. תוספות explains why the term קשיא is used here and not the term תויבתא.

-----  
**ותויבתא אינה דמצינן למימר היינו שבולט חוץ לחומה -**

**It is not, however, a complete refutation** of the 'איכא דאמרי', who maintain the חזית is placed on the builder's side **for** the איכא דאמרי **can say** that the word 'מבחוץ' does not mean that the builder places the חזית on the other side (the side of his partner), rather **it means that the חזית protrudes outside of the wall**. It is indeed placed on the builder's side but the חזית protrudes. The term מבחוץ does not necessarily (only) mean 'from the other side'; it can also mean (protruding from) 'outside' (the regular wall). This prevents the question from being a refutation.

תוספות explains that even though it is not a תויבתא, it is still a קשיא:

**מכל מקום קשיא היא דאם כן מחוץ הוה ליה למיתני:**

**Nonetheless it is a difficult** to interpret 'מבחוץ' to mean the 'outside', as opposed to the 'other side' for if that is true (that we mean the outside) the משנה should have stated 'מחוץ'. It would have been clear that it means the 'outside'. The fact that the משנה wrote 'מבחוץ' indicates that it means the 'other side'.<sup>1</sup>

### SUMMARY

We can, with difficulty, answer the question of 'מבחוץ קתני'. We can say that it means the חזית protrudes outside from the face of the wall. However the משנה then should have stated clearly 'מחוץ' – from the outside.

### THINKING IT OVER

If the משנה means merely (protruding) 'outside'. Why mention 'מבחוץ' at all? It is seemingly obvious that a חזית will protrude from the wall!

---

<sup>1</sup> In reference to a wall the term מחוץ means on the face of the wall as opposed to being imbedded within the wall. The term מבחוץ in reference to the wall presumably means the side facing away from the owner of the wall; the opposite of מבפנים.