

## ומחכין בימה של טבריא<sup>1</sup> - *T'veryoh* - And they may go fishing in the sea of

### Overview

One of the תנאי יהושע was that everyone may fish in טבריה, provided that they do not spread out any impediments for the ships to sail there. תוספות clarifies who may do what.

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כל אדם ובלבד שלא יפרוש קלע נמי לכל אדם ואפילו הבעלים עצמן<sup>2</sup> -

Every person may fish in טבריה; the exception, 'provided that he does not spread out a קלע', also applies to everyone and even to the owners themselves –

<sup>3</sup>:שלא יפרוש קלע proves that even the בעלים are subject to the restriction of תוספות

כדתניא לקמן<sup>4</sup> שהתנו השבטים זה עם זה -

As the ברייתא taught later, 'that the tribes stipulated with each other that no one should spread a קלע to impede the ships -

אבל צד הוא במכמורות וברשת<sup>5</sup> והיינו הבעלים שהוא שלהם:

However he make hunt the fish with traps and nets'; and this is referencing the owners that the sea belongs to them.

### Summary

Everyone may fish בחכה, no one may fish בקלע, the בעלים may also fish במכמורות וברשת.

### Thinking it over

It appears from תוספות that the latter ברייתא (which states 'אבל צד הוא במכמורות וכו') is discussing (only) the בעלים – שבט נפתלי.<sup>6</sup> However that ברייתא states explicitly 'התנו שבטים זה עם זה', which clearly indicates that we are discussing all the שבטים, not just שבט נפתלי!

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<sup>1</sup> It is known today also as the sea of the Galilee and ים כנרת. The city of טבריה is on its shore.

<sup>2</sup> This refers to the שבט נפתלי, in whose portion the טבריה was.

<sup>3</sup> One could argue that this ברייתא which states 'יפרוש קלע וכו' is referring only to other people, but not to the owners (שבט נפתלי).

<sup>4</sup> On the ע"ב.

<sup>5</sup> This latter ברייתא which allows fishing במכמורות וברשת is seemingly in contradiction to the previous ברייתא which stated merely טבריה בימה של טבריה, which indicates that one may fish only with a חכה (a hook), but not with nets. Therefore we must conclude that the first ברייתא is discussing the population at large, and the latter ברייתא is discussing the owners (שבט נפתלי) who may fish במכמורות, but nevertheless are not permitted to fish הספינה את.

<sup>6</sup> See footnote # 5.