

In a carriage¹, a chest, or a closet

בשידה תיבה ומגדל -

OVERVIEW

The **טמא ברייתא** states that one may enter **סוריא בטהרה** without becoming **טמא**. The **טמא** interprets this to mean that even though the ground of **סוריא** is **טמא**, nevertheless one may enter **סוריא בטהרה** provided he enters **תו"מ**. The **טמא** then quotes a **ברייתא** in which there is a **מחלוקת** between **רבי** and **ריב"י** if one may enter **בטהרה** in a **שדה וכו'**, where he is not touching the ground (**גושה**) but finds himself in the atmosphere of the **שדה**.

The manner in which **אור** **ארץ העמים** is **טמא** can be understood in one of two ways²: Either, a) because the **אור** itself is **טמא**, or b) because it is considered as if one is being **מאהיל** on the ground of **ארץ העמים**. If we assume the former (a), **רבי** will maintain that it is **אסור** to enter **ארץ העמים** in a **שידה** even if **אהל** **אהל** **ריב"י** will maintain that since entering in a **שידה** is unconventional, there is no **גזירת** **רבי** on this type of **אור**. Were we to assume the latter option (b), then **רבי** would maintain that he is **טמא**, for since **אהל** **אהל** **לא זרוק**; his body is being **מאהיל** on **גושה**, since nothing is separating him from the ground. **ריב"י** maintains that **אהל** **אהל** **זרוק** **שמיא** **אהל**, therefore there is no **מאהיל** since the **שידה** is separating him from the ground and therefore he is **טהור**. Our **גמרא** seems to follow the second option.

פירוש בקונטרס³ מה שאין כן בארץ העמים ורבי היא -

שידה תיבה ומגדל in a סוריא it is only into סוריא, however **in the other gentile countries one may not do so** for he will become טמא even if he enters בשידה וכו', **and** the ברייתא that states that one may enter סוריא בטהרה follows the **opinion of רבי**, who maintains that in ארץ העמים one may not enter בשידה וכו', only in סוריא is it permitted to enter בשידה וכו'. This concludes s'i"r explanation.

רש"י's explanation. interprets תוספות

ונראה שרוצה לפרש שידה דוקא -

It seems that רש"י wants to interpret the phrase שידה וכו' (concerning

¹ See רש"י עירובין לב, ד"ה שידה that it is an enclosed woman's wagon in the shape of a box.

² See following תוס' ד"ה אלא.

³ בד"ה בשידה.

entering (סוריא), to mean **specifically** 'שידה וכו' to the exclusion of all else. The גמרא is teaching that one may enter בטהרה only if he enters תו"מ בשידה.

ולהכי לא מצי לאוקמי כרבי יוסי בר רבי יהודה דהא הוא מטהר אפילו בארץ העמים -

And therefore we cannot establish that the ברייתא follows the opinion of ריב"י **renders one טהור even if one enters the gentile countries** in a manner that one may enter it like א"י (only) סוריא. The ברייתא however states that (only) סוריא is like א"י that one may enter it בטהרה. The גמרא interpreted the ברייתא to mean that one may only enter בטהרה, provided if one enters בשידה וכו' exclusively. According to ריב"י however, there is no difference between סוריא and ארץ העמים concerning entering them בשידה. In both cases it would be בטהרה. This concludes תוספות understanding of פירוש רש"י.

rejects this interpretation.

ובחנם פירש כן דהא על כרחך שידה תיבה ומגדל לא דוקא נקט -

It was unnecessary for רש"י **to interpret it in this manner**; that one may enter סוריא only in the closed environment of a 'שידה וכו', **for you must say that שידה תיבה ומגדל was not mentioned exclusively** in regard to the manner that one may enter בטהרה (as תוספות will soon explain and prove). The reason why the גמרא does state that one may enter סוריא with a שידה is –

אלא משום דנקט בברייתא -

only because that is what the ברייתא mentions when it is discussing the מחלוקת between רבי and ריב"י. There indeed it is שידה תו"מ exclusively; for if the person were exposed to אויר ארץ העמים and is מאהיל on the ground everyone would agree that he is טמא.

אלא הוא הדין אפילו רוכב על הסוס -

However concerning סוריא the same law will apply if he enters סוריא even if he rides on a horse; he is exposed to the atmosphere and being גושה, nevertheless he is טהור. תוספות will prove his point that he is טהור even on a סוס, and not only בשידה, from what רש"י himself states -

כיון דסבר רבי אהל זרוק לא שמיה אהל⁴ כדפירש בקונטרס -

Since רבי maintains that a thrown (movable) tent is not considered a tent to protect its dwellers from טומאה as רש"י explained. רבי maintains that if one enters ארץ העמים in a שידה he is טמא even though seemingly the שידה is protecting him from the טומאה of ארץ העמים. The reason he is טמא is that since the שידה is being

⁴ This interpretation (that [even] according to רבי one may enter סוריא even on a horse) follows the view that the טומאת אויר is because he is מאהיל על הגוש (see 'Overview' [option (b)]). Therefore if by סוריא one can enter תו"מ בשידה (even though he is מאהיל since אהל לא שמיה אהל) this proves that in סוריא there was no מאהיל; obviously one may enter even on a סוס. However if we would follow the view that the אויר is טמא on its own (not [only] because of מאהיל על הגוש [see 'Overview' option (a)]), then we can say that רבי maintains אהל זרוק שמיה אהל and בסוריא there is no טומאת אויר, but there is טומאת אהל. Therefore one may enter תו"מ בשידה since אהל זרוק שמיה אהל but cannot enter על הסוס since he is גושה.

moved⁵ it is called an אהל זרוק. An אהל זרוק is not considered an אהל and affords no protection from טומאה⁶. Therefore according to רבי if you may enter סוריא in a שידה, you may enter it on horseback; for the שידה offers no more protection from the סוריא than riding horseback, since the שידה is an אהל זרוק.

will now offer proof from the גמרא itself that one may enter סוריא on horseback.

וכדמוכח דמסיק דבסוריא על אוירה לא גזרו -

And as this is evident from that which the גמרא concludes that there was no decree of טומאה concerning the air of סוריא. It is obvious since there is no טומאה in the אויר of סוריא one is permitted to enter either in a שידה or on horseback, as long as he is not touching (or moving) the ground.⁷

ואם כן כרבי יוסי נמי אתיא -

And if this is so, that there is no גזירה on the אויר of סוריא, you become טמא only if you touch the ground, then the ברייתא **can also follow** the opinion of ר"י. There is a difference also according to ריב"י between סוריא and ארץ העמים. The explanation of the ברייתא is -

והרוצה ליכנס לה בטהרה היינו בקרון או רוכב על הסוס -

And one who desires to enter סוריא in a state of טהרה may do so; not only in a שידה תו"מ, but rather the ברייתא **means** he may enter **in an open⁸ wagon or riding on a horse;** even though he is exposed to the אויר, he is still טהור -

מה שאין כן בארץ העמים דטמא -

As opposed to entering the ארץ העמים in such a manner, where he will become טמא. In ארץ העמים there was a גזירה on אוירה as well, and since he is exposed to אויר in ארץ העמים in a קרון וכו', he will become טמא⁹.

וכן משמע הלשון קצת דקאמר ואפילו רבי לא קא מטמא כולי -

And indeed there is some support to this view from the language of the גמרא, for the גמרא states 'and even רבי does not declare him טמא etc., only in ארץ העמים. The phrase 'even רבי' seems to indicate that this ברייתא of סוריא can follow even the opinion of רבי, who prohibits entering ארץ העמים under any circumstances, nevertheless in סוריא even according to רבי it is possible to enter.

ומשמע כרבי יוסי¹⁰ אתיא בפשיטות טפי -

⁵ See רש"י ד"ה רבי where he states 'בשעת טלטולו'. Others maintain that אהל זרוק לא שמיא אהל even when it is at rest, as long as it is movable.

⁶ He is still considered טמא even though technically the שידה is between him and the ground.

⁷ See 'Thinking it over' # 4.

⁸ The wagon is open and the person inside can easily be מאהיל on the ground. See however # 84 אמ"ה

⁹ He is being מאהיל על גושה.

¹⁰ The simple meaning of תוספות is that if according to רבי who is stricter, one may enter בטהרה, then certainly according to ריב"י who is more lenient one may enter בטהרה. See however following footnote

This indicates that it is more readily understood in accordance with ר"י; since according to ר"י one may not enter ארץ העמים (only) in a conventional manner (רוכב), therefore the differentiation between סוריא and ארץ העמים is realized (only) in a conventional way; as opposed to רבי¹¹.

רבי will explain why the גמרא insisted that the ברייתא follows even the opinion of רבי.

ומיהו על כרחך כרבי יוסי נמי לא אתיא אלא מטעם דמסיק אליבא דרבי -

However, we are forced to say that this ברייתא cannot either follow the view of ר"י unless we assume the reason that the גמרא concludes to satisfy the ברייתא **according to רבי**. We cannot establish the ברייתא according to ריב"י, unless we establish it according to רבי as well. There is nothing in the leniency of ריב"י that will enable us to establish the ברייתא of סוריא according to him. We need to rely on the conclusion of the גמרא -

דדוקא ארץ העמים משום דגזרו על אוירה ועל גושה כולי:

that only in ארץ העמים is it forbidden to enter where one is exposed to the ארץ העמים **for the decreed that both the air and the ground etc.,** of ארץ העמים. Therefore according to רבי who maintains that אהל זרוק לא שמה אהל, he cannot enter ארץ העמים even בשידה since he is exposed to ארץ העמים. In סוריא however, were there is no גזירה on אוירה one may enter even on a סוס, as long as he does not touch the ground. Similarly according to ריב"י he may not enter ארץ העמים when he is exposed to its אויר, even though he is not touching the ground (like riding a horse). In סוריא however he may enter in this manner (רוכב על סוס) since לא גזרו on אויר סוריא.

SUMMARY

There is a dispute between רש"י and תוספות as to how to interpret the גמרא that one may enter סוריא בטהרה if it is ומגדל. רש"י maintains (according to תוספות) that one may enter סוריא only in a שידה, not בקרון. The ברייתא therefore follows the ruling of רבי, not of ריב"י. According to ריב"י one may even enter ארץ העמים בשידה.

תוספות rejects this opinion on the basis that the גמרא states that in סוריא there is no גזירה on אוירה therefore one may enter סוריא even בקרון or על הסוס. The

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¹¹ If we were to assume that the אויר itself is טמא (not only מהגוש על הגוש), and אהל זרוק שמה, then perhaps we will assume that in סוריא even though there is no טומאת אויר itself, but there will still be טומאת מאהיל על הגוש. The difference then, between סוריא and ארץ העמים according to רבי, can be only מילתא דלא שכיחא (שידה), which (אויר עצמו), which (where he is protected from מאהיל but not from the אויר עצמו) is a שידה. However, according to ריב"י (who can maintain that even בחו"ל it is only מאהיל, but this דין does not apply to סוריא), the difference will be even by סוס (which is שכיח). See 'בל"י וכו' (שכיח). See 'Thinking it over' # 1.

ברייתא can follow the view of ריב"י as well. The only reason the גמרא states that one may enter בשידה, is because the ברייתא which quotes the מחלוקת between רבי and ריב"י, states that their מחלוקת is בשידה.

THINKING IT OVER

1. The idea that גזרו על אוריה עצמה (not [only] מאהיל) is more readily understood according to רבי or according to ריב"י?
2. How can we explain the מחלוקת between רבי וריב"י if all were to maintain אהל זרוק שמים אהל?
3. What are the advantages of רש"י's and תוספות explanations, respectively?
4. תוספות proves from the גמרא that one may enter סוריא on a סוס since the גמרא concludes that על אוריא לא גזרו.¹² Why then was it necessary for תוספות previously to bring poof (that one may enter הסוס על) from פירוש פירוש אהל זרוק לא שמים אהל, etc.?!¹³

¹² See footnote # 7.

¹³ See אמ"ה # 83.