

וּתְיֹוּבְתָא דְרַבָּה בַר בַּר חֲנָה - *And it is a refutation of Rabah Bar Bar Chono*

Overview

רבה בר בר חנה ruled that one may urinate near his neighbor's wall, and brought proof to this from a פסוק which states¹ משתין בקיר (urinating by the wall). The גמרא refutes this from a ברייתא which states that one may not urinate next to a wall, except if the wall is built on a rock it is permitted. תוספות explains that we cannot reject this refutation of רבב"ה.

תוספות responds to an anticipated difficulty:

וְלֹא מְצִי לְשֹׁנוּי דְכִי קָאָמַר רַבָּה בַר בַּר חֲנָה בְּצוֹנְמָא -

And the גמרא could not have answered on behalf of רבב"ה, **that when did רבב"ה rule** that it is permitted, only by a **rock (צונמא)**; where the ברייתא also permits it. The reason the גמרא did not offer this answer -

חֲדָא דְהוּוּ לִיה לְפְרוּשֵׁי בְהִדְיָא² וְעוּד³ דְדָרִישׁ מְקָרָא שְׁמַע⁴ מִינָה דְלֹא מְפְלִיג:

Firstly, רבב"ה should have clarified himself explicitly, and furthermore since he is expounding the פסוק, we can derive from this that he does not differentiate between a צונמא and other types of walls.

Summary

רבב"ה permits משתין בקיר in all circumstances since he was not explicit otherwise, and the פסוק certainly does not distinguish.

Thinking it over

תוספות offers two reasons⁵ why we cannot say that רבב"ה meant בצונמא. Which of those two reason is the relatively stronger one?

¹ וְהִכְרַתִּי לְאַחָב מִשְׁתִּין בְּקִיר וְעִצּוֹר וְעִזּוֹב בְּיִשְׂרָאֵל, reads מלכים א' כא, כא.

² He should have said that one may be משתין if it is בצונמא as the ברייתא specified. An אמורא should be at least as specific as the ברייתא, if not more.

³ See 'Thinking it over'.

⁴ רבב"ה assumed that משתין בקיר refers to people; if the פסוק refers to a person as בקיר it cannot be that the פסוק is referring only to those who were משתין בצונמא, the פסוק meant all the people (according to רבב"ה) including those that are משתין בקיר that is not צונמא.

⁵ See footnote # 3.