

---

## VINEYARD FARMING ON A CAIRO GENIZAH FRAGMENT OF BAVLI ERUVIN 3B-4B

Uri Zur<sup>\*</sup>

*Ariel University, Kiryat Hamada 3, Ariel, 40700, Israel*

(Received 26 December 2018, revised 8 July 2019)

---

### Abstract

The article refers to a Cairo Genizah fragment related to Bavli, Tractate Eruvin 3b-4b, identified as Cambridge, UL T-S F1 (1) 44. FGP No. C 96445. It deals with the work in the vineyard, measurements and distances related to planting vines in the vineyard, and various terms related to matters of vineyard farming. All these were first applied in ancient Jewish farming and continue to this day. These measurements and terms are associated with the strict biblical prohibition against sowing two species together (Kil'ayim, Deuteronomy 22.9). The meaning of the decree is that plants belonging to different species, for instance grains and legumes, should not be sown together, indistinctly. The paper opens with a description of the Genizah fragment and a reproduction of this fragment. It concludes with a reference to the content and with several comments that endeavour to characterize the fragment.

*Keywords:* Eruvin, Genizah, sugya, vineyard, farming

---

### 1. Introduction

The fragment (Figure 1) is a segment from the Cairo Genizah that refers to Tractate Eruvin in the Talmud Bavli (3b-4b) and it is identified as Cambridge, UL T-S F1 (1) 33. We shall refer here to a single folio of the fragment, numbered C96445 by the Friedberg Jewish Manuscript Society, selected at random.

The page length is 27.4 cm. Thirty lines per page. The length of the inscribed part is 21 cm. The folio is torn along the entire outer left edge and perforated in the bottom part. The letters on the edges are faint due to damp spots.

The fragment opens with the words from Eruvin tractate "שמי אומ' עשרים..." (4b) ends with the words "ומסתיים" (3b).

From a palaeographical perspective, the type of writing in the fragment is the familiar type, that of R. Joseph ben Jacob Rosh Hasseder, who lived in the late 12<sup>th</sup> century [1].

---

<sup>\*</sup>E-mail: uriz@ariel.ac.il, phone: 972-3-951-7170, Fax: 972-3-976-5716

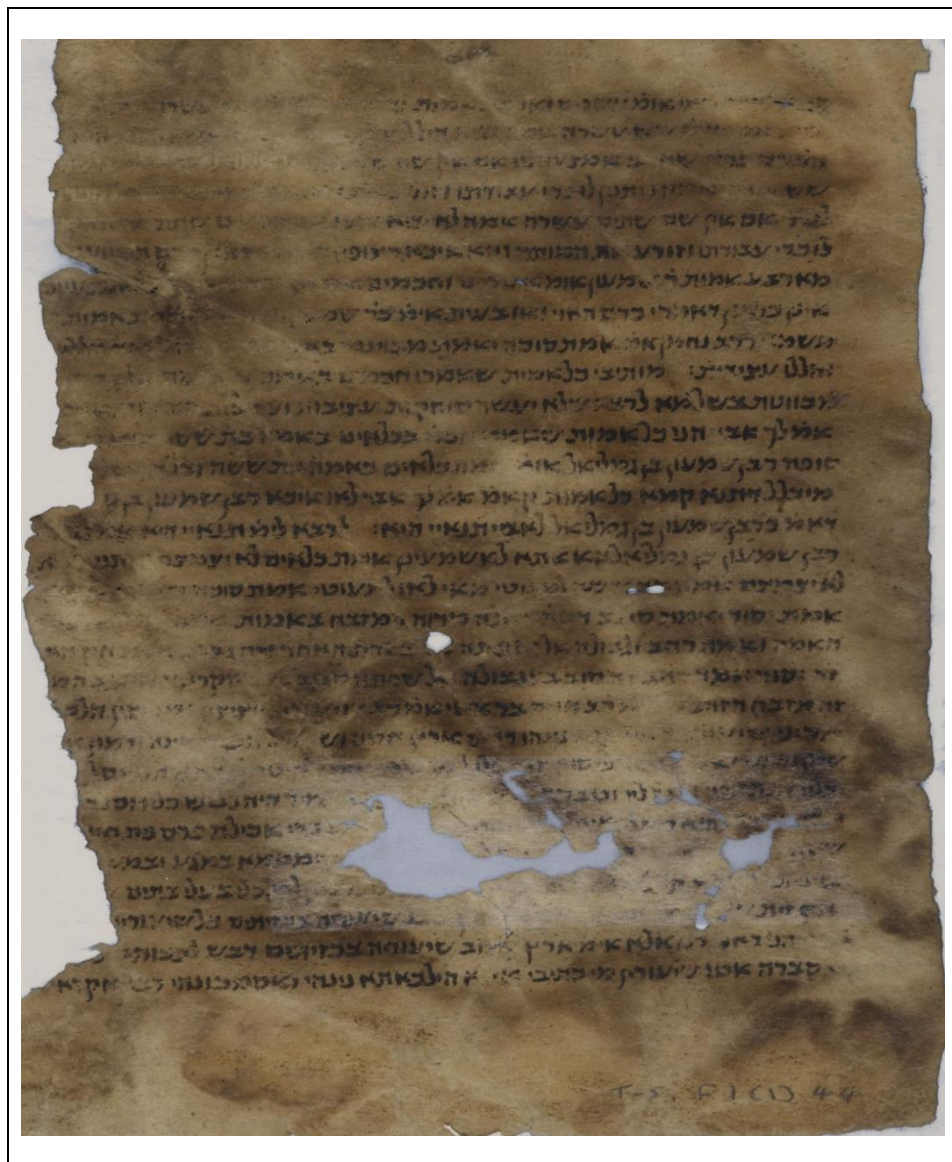


Figure 1. Cambridge, UL T-S F1 (1) 44.

## 2. The text of the printed version (bEruvin 3b-4b)

For we have learnt: [Each side of] a patch in a vineyard. Beth Shammai ruled, must measure no less than twenty-four cubits, and Beth Hillel ruled, Sixteen cubits; and [the width of] an [uncultivated] border of a vineyard, Beth Shammai ruled, [must] measure no less than sixteen cubits, and Beth Hillel ruled, Twelve cubits. What is meant by a patch in a vineyard? The barren portion of the interior of the vineyard. [If its sides] do not measure sixteen cubits no seed may be sown there, but if they do measure sixteen cubits, sufficient space for the tillage of the vineyard is allowed and the remaining space may be

sown. And what is meant by the border of a vineyard? [The space] between the [actual] vineyard and the surrounding fence. [If the width] is less than twelve cubits no seed may be sown there, but if it measures twelve cubits, sufficient space for the tillage of the vineyard is allowed and the remaining area may be sown. But, surely, there is [the case of vines planted] closely within four cubits [distance from one another] where [the adoption of the higher standard would result] in a relaxation [of the law]? For have we not learnt: A vineyard [the rows of which are] planted at [distances of] less than four cubits [from one another] is not regarded, R. Simeon ruled, as a proper vineyard, and the Sages ruled, [It is regarded as] a proper vineyard, the intervening vines being treated as if they were non-existent? – [R. Nahman is of the same opinion] as the Rabbis who ruled that [whatever the distances the plantation] constitutes a proper vineyard. If you prefer I might reply: [He may,] in fact, [hold the view of] R. Simeon, but he was referring to the majority of cubit measurements. Raba, however, stated in the name of R. Nahman: All cubits [prescribed for legal measurements are] of the size of six [handbreadths], but the latter are expanded while the former are compact. An objection was raised: All cubits of which the Sages spoke are of the standard of six [handbreadths] except [4a] that [their measurements must] not be exactly alike. Now according to Raba this is intelligible [since the measuring must be done in such a manner] as to have [the handbreadths] in the latter case expanded and the former case compact; but according to Abaye [does not this present] a difficulty? – Abaye can answer you: ‘The cubit [spoken in respect] of *kil’ayim*’ is of the length of six [handbreadths]’. But since it was stated in the final clause, ‘R. Simeon b. Gamaliel ruled: All cubits of which the Sages spoke in relation to *kil’ayim*’ are of the standard of six [handbreadths], except that these must not be compact’, does it not follow that the first Tanna referred to all cubits? – Abaye can answer you: Is there not R. Simeon b. Gamaliel who maintains the same standpoint as I! I uphold the same ruling as R. Simeon b. Gamaliel.

According to Abaye’s view [the standard of the respective cubits] is undoubtedly [a question in dispute between] Tannas; must it, however, be said that according to Raba’s view also [the standard of the cubit is a question in dispute between] Tannas? – Raba can tell you, ‘It is this R. Simeon b. Gamaliel desired to inform us: [That the handbreadths of] the cubit applicable to *kil’ayim* must not be compact’.

[If that is the case] he should have said, ‘[The handbreadths of] the cubit applicable to *kil’ayim* must not be compact’; what, [however, could he have meant] to exclude [by his addition,] ‘of the standard of six [handbreadths]’? [Did he] not [obviously mean] to exclude the cubit of the *sukkah* and the cubit of the ‘entrance’? – No; to exclude the cubit [by which the] base, and the one [by which the] surrounding ledge [of the altar were measured] for it is written in Scripture, *And these are the measures of the altar by cubits – the cubit is a cubit and a handbreadth; the bottom shall be a cubit, and the breadth a cubit, and the border thereof by the edge thereof round about a span; and this shall be the base of the altar;* (Ez. 43:13) ‘*The bottom shall be a cubit*’ refers to the foundation [of the altar]; ‘*And the breadth a cubit*’ refers to its surrounding ledge; ‘*And the*

*border thereof by the edge thereof round about a span*’ refers to the horns; ‘*And this shall be the base of the altar*’ refers to the golden altar, R. Hiyya b. Ashi stated in the name of Rab: [The laws relating to] standards, interpositions and partitions [are a part of] the *halachic* code [that was entrusted] to Moses at Sinai. Are [not the laws relating to] standards Pentateuchal, since it is written in Scripture, *A land of wheat and barley*, etc. (Deut. 8:8) and R. Hanan stated that all this verse was said [with reference to the laws] of standards? ‘*Wheat*’ [namely was mentioned] as [an allusion to what] we have learnt: ‘If a man entered a leprous house, [carrying] his clothes upon his shoulders and his sandals and rings in his hand both he and they become levitically unclean forthwith. If, however, he was wearing his clothes, had his sandals on his feet and his rings on his fingers, he becomes unclean forthwith but they remain clean unless he stayed there [as much time] as is required for the eating of half a loaf of *wheaten* bread, but not of *barley* bread, while in a reclining posture and eating with some condiment’. ‘*Barley*’ [is an allusion to the following]. For we have learnt: ‘A bone of the size of a *barley* grain causes defilement by contact and carrying, but not by cover’. ‘*Vines*’ (Deut. 8:8) [are an allusion to] the quantity of a quarter [of a *log*] of wine [the drinking of which constitutes an offence] of a nazirite. [4b] ‘*Fig-tress*’ (Deut. 8:8) [allude to] the size of a dried *fig* in respect of carrying out [from one domain into another] on the Sabbath. ‘*Pomegranates*’ (Deut. 8:8) [are an allusion] as we learned: ‘All [defiled wooden] utensils of householders [become clean if they contain holes] of the size of *pomegranates*. “*A land of olive-trees*” (Deut. 8:8) [is an allusion to the] land all the legal standards of which are of the size of *olives*’. [You say], ‘All the legal standards of which [etc.]’! Is this conceivable? Surely there are those that have just been enumerated? Rather read: ‘A land most of the legal standards of which are of the size of *olives*’. ‘*Honey*’ (Deut. 8:8) [is an allusion to the eating of food of] the size of a big date [that constitutes an offence] on the Day of Atonement! – Do you then imagine that the standards were actually prescribed [in the Pentateuch]? [The fact is that] they are but traditional laws for which the Rabbis have found allusions in Scripture. [2]

### 3. Discussion and conclusions

ה... בית שמי אומ' עשרים וארבע אמות ובית הילל א... מ שש עשרה אמות ...  
 בית שמי אומ' שש עשרה אמה ובית הילל אומ' ... היא ...  
 הכרם כרם שחרב אמצעיתיו אם אין שם שש ...  
 שש עשרה אמה נותנין לו כדי עבודתו וזורע ...  
 5 לגדר [3] אם אין שם שתיים עשרה אמה לא יביא זרע ל... היו שם שתיים עשרה ...  
 לו כדי עבודתו וזורע את המותר והא איכא רצופין ד... א דתנן כרם הנטוע ע...  
 מארבע אמות ר' שמעון אומ' א... נו כרם וחכמים א... כרם ורו... האמצעיים  
 אינן כרבנן דאמרי כרם האוי ואובעית אימ' כר' שמעון ... בית רוב אמות ק...  
 משמא דרב נחמן אמ' אמת סוכה ואמת מבוי נמי בא... ב... א... הללו  
 10 והללו עציבות: מותיבי כל אמות שאמרו חכמים באמה ב... שה ובלבד ...  
 מכוונות בשלמא לרבא שלא יעשה שוחקות עציבות ועציבות ... חקות ...  
 אמ' לך אביי הני כל אמות שאמרו חכמ' בכלאים באמה בת ששה ... א... מ...

- סופה רבן שמעון בן גמליאל אומ'... מת כלאים באמה בת ששה ובל... של...  
 מיכלל דתנא קמא כל אמות קאמ' אמ' לך אביי [3, p. 5] לאו איכא רבן שמעון בן ג...  
 דאמ' כרבן שמעון בן גמליאל לאביי תנאי היא: לרבא לימ' תנאי היא אמ' לך  
 רב... 15  
 רבן שמעון בן גמליאל הא אתא לאשמעינן אמת כלאים לא יצמצם... תני... מת  
 לא יצמצם אמה בת ששה למעוטי מאי לאו למעוטי אמת סוכה [3, p. 5] ...  
 אמת יסוד ואמת סובב דכת'... אלה מדות המזבח באמות אמה... פח  
 האמה ואמה רחב וגבולה אל שפתה... ב זרת האחד וזה גב... זבח  
 חק הא... 20  
 זה יסוד אמה רחב זה סובב וגבולה... ל שפתה סביב א... קרנ...  
 גב המ...  
 זה מזבח הזהב... מ' רב חיה בר אשי אמ' רב שיעורי... ציצין... מ... צין הלכ...  
 מסיני שיעור... א... תא נינהו דכתי' ארץ חטה וש... וגפ... אינה ורמון א... 25  
 שמן וד...ש וא... פיסוק... ל... אמ... חטטה... ת... הנ... ל...  
 וכליו על כתפיו... גדליו וטבע... מיד היה לבוש כליו וסנד...  
 הוא... יד... הורין... בכדי אכילת פרס פת חט...  
 שעור... מטמא במגע ובמש...  
 רביעית... ת... דתנן לכל כלי בעלי בתים ש... 30  
 ארץ זית (Deut. 8:8)... שכל שיעוריה בכזיתים כל שיעוריה...  
 הני דאמרנן אלא אימ' ארץ שרוב שיעוריה בכזיתים דבש לככותבת  
 סברה אטו שיעורין מי כתיבי אילא הילכא תא נינהו ואסמכוניה רבנן  
 אקראי [3, p. 10]...

The beginning of the fragment (Figure 1) on the topic of “קרחת הכרם” (a patch in a vineyard) and the controversy of Beit Shammai and Beit Hillel and “מחול הכרם” ([uncultivated] border of a vineyard) (1-6) are consistent with the Mishna in *Kil'ayim* (4:1-2). The definition of “קרחת הכרם” (a patch in a vineyard) as a vineyard that has a ruined part in its midst is also consistent with the Tosefta *Kil'ayim* (3:1). The segment's version on the topic of “מחול הכרם” ([uncultivated] border of a vineyard) (5-6) is as the printed version and the other versions that do not mention the words of R. Judah who contradicts the Sages in *M. Kil'ayim* (4:2-3) in his interpretation of “מחול הכרם” ([uncultivated] border of a vineyard) [4].

The fragment's version preserves, as do the other versions, the word “המותר” (6), consistent with the Mishna and Tosefta in *Kil'ayim* (4:2), rather than “השאר” as in the printed version.

The fragment's version states only “ואובעית אימ'” (8) without adding the word “לעולם” (in fact), as in some of the other versions. Accordingly, there is a difference in the interpretation of R. Nahman's words (according to Abaye) on the dispute between the Sages and R. Simeon in *M. Kil'ayim* (5:2) on the topic of “כרם הנטוע על פחות מארבע אמות” (A vineyard [the rows of which are] planted at [distances of] less than four cubits [from one another]). According to the fragment's version, it is possible to interpret the words of R. Nahman (according to Abaye) not only as consistent with the words of the Sages but rather “even (including) as consistent with R. Simeon” [5]. According to those versions that

add the word “לעולם” (in fact), the interpretation of R. Nahman’s words is that R. Nahman is always of the opinion of R. Simeon and does not follow the Sages.

The segment’s version “עשה שוחקות עציבות ועציבות” (11) is consistent with the interpretation of R. Hananel [5] but is missing from all the other versions.

In the words of “אמ' לך אביי” (12) (Abaye can answer you) in the fragment, the word “אימא” (You must say) is missing, compared to all the versions. Therefore, according to the segment it is doubtful whether the words of “אמ' לך אביי” (12) (Abaye can answer you) are an explanatory note rather than an interpretation, as argued by some of the scholars [6]. Further on, the fragment preserves the version “...מת כלאים” (cubits of *kil'ayim*) (13). Indeed, the first word is fragmented and also missing compared to the other versions, but if the word would be supplemented as “אמת כלאים” (cubits of *kil'ayim*) this may support the explanatory hypothesis that R. Simeon b. Gamaliel uses cubits of *kil'ayim* as meaning “כל אמות שאמרו חכמים” (All cubits of which the Sages spoke) [6, p. 7].

The words of “[א]מ' רב [א]מ' רב [8] שיעורי[ן] [7] [ה]ציצין [י]מ[חי]צין הלכה למשה” (24) [9]. ([The laws relating to] standards, interpositions and partitions [are a part of] the *halakhic* code [that was entrusted] to Moses at Sinai) are ancient, and subsequent sugya redactors of Tractate Sukkah copied the words of R. Hiyya b. Ashi stated in the name of Rab from the sugya in Eruvin to the sugya in Tractate Sukkah (5b-6a) [10].

So also between the fragment’s version and the Mishna’s version in Kelim (17:1) there is a difference in one word, “לכל” (‘to all’) (30) – “כל” (‘all’). If there is no scribal error in the fragment’s version then the fragment’s version tends to follow the method of R. Joshua who disputes R. Eliezer when the latter divides between “כלי בעלי בתים” ([wooden] vessels that belong to householders) and “קופות [סלים של] בעלי” (gardeners’ vegetable baskets), “קופות [סלים של] בעלי” (baskets of householders), “[קופות] שלבלנין [בעלי מרחצאות]” (baskets of bath keepers), regarding the measurement that defines them as pure and not subject to impurity and states other measurements for the owners of these baskets. R. Joshua disputes R. Eliezer and is of the opinion that in ‘all’, i.e., also with regard to the measurement of the baskets mentioned by R. Eliezer, the measurement that defines them pure and not subject to impurity is like “כל בעלי בתים” (all householders) whose measurement is by pomegranates, and in fact R. Joshua is of the opinion that “לכל כלי בעלי בתים שעורן ברימונים” (all [wooden] vessels that belong to householders [become clean if there appeared in them holes of] the size of pomegranates) – as in the segment’s version.

## Acknowledgement

I would like to express my thanks to Dr. Ezra Chwat for his assistance in describing the fragment and to the Manuscripts Department and the Institute of Hebrew Manuscript Facsimiles at the National Library in Jerusalem. Also, I would to thank the Syndics of Cambridge University Library for their permission to use the reproduction of Cambridge U-L T-S F1 (1) 44.

## References

- [1] L. Ginat, *R. Joseph Rosh Hasseder and his Commentaries to the Mishnah (from the Geniza)*, M.A. degree thesis, Tel Aviv University, Tel Aviv, 1990, 2.
- [2] I. Epstein, *The Babylonian Talmud. 'Erubin*, Vol. 2, Soncino Press, London, 1935, 15.
- [3] R. Rabbinovicz, *Dikdukei Sofrim*, Ma'ayan ha-Hokhma, Jerusalem, 1960, 8.
- [4] S. Lieberman, *Tosefta Ki-Fshuṭah*, Dvir, Tel-Aviv, 1969, 622.
- [5] H. Bar Hushiel, *Eruvin Commentary*, El ha-Mekorot, Jerusalem, 1961, 4a.
- [6] D. Halivni, *Sources and Traditions, Tractate Erubin*, The Jewish Theological Seminary of America, Jerusalem, 1982, 6.
- [7] E.E. Urbach, *Ha-Halakha Mekoroteha ve-Hitpathuta*, Yad la-Talmud, Jerusalem, 1984, 84.
- [8] R. Kalmin, *Huqa*, **59** (1988) 167.
- [9] U. Zur, *The Tripartite Structure of the Sugyot: Studies in Tractate Eruvin of the Babylonian Talmud*, Ariel University Press, Ariel, 2016, 30.
- [10] J.N. Epstein, *Introduction to Amoraic Literature*, Magnes, Jerusalem, 1962, 51.