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Eiruvin Daf 13

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o"n

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The *Mishna* had stated: A disciple in the name of Rabbi Yishmael stated [*in the presence of Rabbi Akiva: Beis Shammai and Beis Hillel did not differ on the ruling that a mavoi that was less than four amos (in width) may be converted into a permitted domain either by means of a lechi or by that of a korah. They only differ in the case of one that was wider than four, and narrower than ten amos, in respect of which Beis Shammai said: Both a lechi and a korah (are required), while Beis Hillel said: Either a lechi or a korah*]. Rabbi Akiva said that they differed in both cases.

The *Gemora* asks: Isn't Rabbi Akiva expressing the very same view as the *Tanna Kamma*?

The *Gemora* answers: The difference between them is the ruling of Rav Achlai, or some say, Rav Yechiel (*that no adjustment is necessary when a gap in a mavoi is less than four tefachim in width*), but it was not indicated who maintained what.

The *Gemora* cites a *braisa*: Rabbi Akiva said: It was not Rabbi Yishmael who laid down this ruling but that disciple, and the *halachah* is in agreement with that disciple.

The *Gemora* asks: Is not this self-contradictory? You first said that it was not Rabbi Yishmael who laid down this ruling, from which it is obvious that the law is not in agreement with his view, and then you say: The *halachah* is in agreement with that disciple?

The *Gemora* answers: Rav Yehudah replied in the name of Shmuel: Rabbi Akiva made that statement for the sole purpose of sharpening the wits of the students.

Rav Nachman bar Yitzchak, however, replied: What was said was that his words appear quite logical (*but the halachah might not follow him*).

Rabbi Yehoshua ben Levi stated: Wherever you find the expression, 'A disciple, in the name of Rabbi Yishmael, stated in the presence of Rabbi Akiva,' the reference is to none other than Rabbi Meir, who studied under Rabbi Yishmael and Rabbi Akiva; for it was taught in a *braisa*: Rabbi Meir related: When I studied by Rabbi Yishmael, I put *kankantom* (*an ingredient which causes the ink to become permanent*) in the ink, and he did not object. However, when I went to study by Rabbi Akiva, he forbade me to do so.

The *Gemora* asks: Is this so? But Rav Yehudah said in the name of Shmuel: Rabbi Meir said: When I studied by Rabbi Akiva, I would put *kankantom* into the ink that I used for writing a Sefer Torah. Rabbi Akiva did not object to this practice. When I went to study by Rabbi Yishmael, Rabbi Yishmael told me to be meticulous as a scribe, because a scribe performs the work of Heaven, and adding or subtracting one letter could cause the destruction of the whole world. [*This means to say that people could be led astray if the words of the Torah are not written entirely correct.*] I told Rabbi Yishmael that I put *kankantom* in the ink. Rabbi Yishmael objected to this, because regarding the writing that is necessary for a



sotah, the Torah states ... *umachah* ... and he shall erase... and we derive from this that the writing has to be of an ink that is capable of being erased. [Kankantom, which makes the ink indelible, cannot be used.]

The *Gemora* asks: What is the explanation of the discussion between Rabbi Yishmael and Rabbi Meir?

The *Gemora* explains the meaning of Rabbi Meir's statement: Rabbi Meir informed Rabbi Yishmael that he is an expert in spelling every word correctly, so he would not err in adding or subtracting letters, but Rabbi Meir was concerned about a fly landing on the crown of the letter *dalet* and erase the crown, causing it to look like the letter *reish*. For this reason, Rabbi Meir told Rabbi Yishmael that he puts *kankantom* in the ink (so even if the ink becomes rubbed out, some of the original writing would still exist, and one will not confuse the letter *dalet* for the letter *reish*).

The *Gemora* explains its question: There is an inconsistency regarding the order of teachers under whom Rabbi Meir studied (*Shmuel* cited a *braisa* which stated that Rabbi Meir initially studied by Rabbi Akiva and then by Rabbi Yishmael; the other *braisa* states exactly the opposite) and there is an inconsistency regarding who forbade it (*Shmuel* cited a *braisa* which stated that Rabbi Yishmael forbade the placing of *kankantom* into the ink; the other *braisa* states that it was Rabbi Akiva who forbade it)!?

The *Gemora* answers: Originally, Rabbi Meir studied by Rabbi Akiva, but Rabbi Meir was not able to ascertain his true opinion (whether Rabbi Akiva was stating the actual *halachah* or if he was stating the opposite of the *halachah* with the intent of analyzing the possible rationale for that position). Rabbi Meir then went to study by Rabbi Yishmael, and after learning the traditions from Rabbi Yishmael, Rabbi Meir went back to study and analyze the laws under Rabbi Akiva.

The *Gemora* concludes that the question regarding who forbade the placing of the *kankantom* into the ink is indeed a difficulty.

The *Gemora* cites a *braisa*: Rabbi Yehudah said: Rabbi Meir used to say: For all writing of Scripture, one may place *kankantom* in the ink used for writing, except for *Parashas Sotah* (the portion in the Torah that discusses the details of the suspected adulteress). Rabbi Yaakov, however, maintains that Rabbi Meir said that for all writing of Scripture (including *Parashas Sotah*) one may place *kankantom* in the ink used for writing, except for the portion of *Parashas Sotah* that was written specifically for use in the Bais HaMikdash.

Rabbi Yirmiyah states that the difference between the version of Rabbi Yehudah and the version of Rabbi Yaakov is using a regular Torah scroll for the *sotah* procedure. [According to Rabbi Yehudah, the verses of *Parasha Sotah* that are written in the Torah scroll itself can be used to erase in the bitter waters that the *Sotah* is given to drink. This portion cannot be written in indelible ink, since the verses must be erased into the water. According to the version of Rabbi Yaakov, however, the verses of *Parashas Sotah* must be written specifically for the *Sotah*, so indelible ink cannot be used for the *Parashas Sotah*, as the verses must dissolve in the water. Indelible ink can be used, however, for any part of a Torah scroll, because according to the version of Rabbi Yaakov, a Torah scroll was not used for the *Parashas Sotah*.]

The *Gemora* compares this *Tannaic* argument with a different one. For we learned in a *braisa*: The *sotah* scroll cannot be used for a different *sotah*. [Seemingly, he would agree with Rabbi Yaakov that a Torah scroll is not valid to be used for a *sotah*, since it was not written for that particular *sotah*.] Rabbi Achai bar Yoshiyah said: It may be used for another *sotah*. [He would agree with Rabbi Yehudah that a Torah scroll may be used for a *sotah* to drink, for it does not have to be written specifically for that particular woman.]



Rav Pappa disagrees: Perhaps the *Tanna Kamma* (of the second *braisa*) holds that only there, where the scroll was written for one specific woman, it cannot be redesignated to be used for a different woman; however, a Torah scroll may be used, for it was not written for any particular woman.

Rav Nachman bar Yitzchak suggests another reason (*why the two arguments are not parallel*): Perhaps Rabbi Achai bar Yoshiyah only said that a scroll which was written for one *sotah* can be used for another because it was written for the purpose of a curse; however, a Torah scroll, which was written to study from, cannot be used for a *sotah*.

The *Gemora* asks: Does Rabbi Achai bar Yoshiyah not hold by the following *Mishna*: If one writes a bill of divorce with the intention to divorce his wife, and then he changed his mind and decided that he will not divorce her, and a resident of the same city met him and said, "Your name and my name are the same, and your wife's name and my wife's name are the same, so let me use this bill of divorce," the bill of divorce is invalid for the second man.

The *Gemora* answers: There it is because the Torah states *vekasav lah*, and he shall write unto her, and this teaches that the bill of divorce must be written specifically for her.

The *Gemora* asks: But here it says *veasah lah*, and he shall do for her?

The *Gemora* answers: The verse only means that the erasing of the scroll must be for that particular *sotah*.

Rabbi Acha the son of Rabbi Chanina said: It is revealed and known before Him Who spoke and the world came into existence, that in the generation of Rabbi Meir there was none equal to him; then why wasn't the *halachah* fixed in agreement with his views? It was because his

colleagues could not fathom the depths of his mind, for he would declare the *tamei* to be *tahor* and supply plausible proof, and the *tahor* to be *tamei* and also supply plausible proof.

A *braisa* taught: His name was not Rabbi Meir but Rabbi Nehorai. Then why was he called Rabbi Meir? It was because he enlightened the Sages in the *halachah*. His name in fact was not even Nehorai but Rabbi Nechemiah, or, as others say: Rabbi Elozar ben Arach. Then why was he called Nehorai? It was because he enlightened the Sages in the *halachah*.

Rebbe declared: The only reason why I am sharper than my colleagues is that I saw the back of Rabbi Meir, but had I had a front view of him, I would have been sharper still, for it is written: *But your eyes shall behold your teachers*.

Rabbi Avahu stated in the name of Rabbi Yochanan: Rabbi Meir had a disciple of the name of Sumchus, who for every rule concerning *tumah*, supplied forty-eight reasons in support of its *tumah*, and for every rule concerning *taharah*, he would provide forty-eight reasons in support of its *taharah*.

A *braisa* taught: There was a meticulous student at Yavneh who by a hundred and fifty reasons proved that a *sheretz* (*dead creeping thing*) was *tahor*.

Ravina said: I can do so. If a snake which kills and thereby increases impurity in the world is *tahor*; a *sheretz*, which does not kill, should certainly be *tahor*!

The *Gemora* answers: This is incorrect, being that the snake is merely doing the same thing as a thorn, which is considered *tahor* despite the fact that it can be deadly.

Rabbi Abba stated in the name of Shmuel: For three years there was a dispute between Beis Shammai and Beis Hillel, the former asserting, "The *halachah* is in agreement with our views," and the latter contending,



“The *halachah* is in agreement with our views.” Then a Heavenly Voice issued announcing, “These and those are the words of the living God, but the *halachah* is in agreement with the rulings of Beis Hillel.”

The *Gemora* asks: Since, however, both are the words of the living God, what was it that entitled Beis Hillel to have the *halachah* fixed in agreement with their rulings? It was because they were kindly and modest, they studied their own rulings and those of Beis Shammai, and not only that, but they would mention the matters of Beis Shammai before theirs, as may be seen from what we have learned in a *Mishna*: [*The Mishna there cites a dispute between Beis Shammai and Beis Hillel regarding the minimum dimensions that are required for a sukkah to be valid. Beis Shammai maintains that the sukkah must be large enough to accommodate one’s head, most of his body and his table. Beis Hillel maintains that it is sufficient even if the sukkah cannot accommodate the table.*] If a man has his head and the greater part of his body in the *sukkah*, while the table is in the house, Beis Shammai declares that the *sukkah* is invalid, whereas Beis Hillel declare it valid. Beis Hillel said to Beis Shammai: Once the Elders of Beis Shammai and the Elders of Beis Hillel went to visit Rabbi Yochanan ben Hachoranis, and they found him with his head and the greater part of his body in the *sukkah*, whereas the table was in the house, and they made no objection. They replied: Do you bring a proof from this? The truth is that they also said to him: If such has been your regular conduct, you have never performed the *mitzvah* of *sukkah* in your lifetime.

This teaches you that him who humbles himself, the Holy One, Blessed be He, raises up, and he who exalts himself, the Holy One, Blessed be He, lowers him. Whoever seeks greatness, greatness flees from him, but he who flees from greatness, greatness seeks him out; he who forces time is forced back by time, but he who yields to time finds time standing at his side.

The *Gemora* cites a *braisa*: For two and a half years Beis Shammai and Beis Hillel were in dispute, the former asserting that it were better for man not to have been created than to have been created, and the latter maintaining that it is better for man to have been created than not to have been created. They finally took a vote and decided that it were better for man not to have been created than to have been created, but now that he has been created, let him investigate his past deeds, or, as others say, let him examine his future actions. (12b – 13b)

INSIGHTS TO THE DAF

People often hear of various stringent requirements that people have for their scribes. They must be extremely G-d fearing people whose wives dress with modesty, who pray with proper intent, and the list goes on and on. What is the source for these requirements? Doesn’t a scribe have to merely write letters that can be determined whether or not they are properly formed? As long as someone checks it and declares it to be valid, and of course as long as he is religious, shouldn’t that be good enough?

The answer is clearly no, and for very clear halachic reasons. For example, being that the Torah states, “*v’Hayu*” -- “and they should be” in the Parshah of Tefilin, we derive (see Shulchan Aruch Orach Chaim 32:23) that the letters of tefilin and mezuzos must be written in order (“as they should be”). This is known as “*Shelo K’Sidran*” -- “not in order.” This means that if a scribe realizes that he has left out a letter, he cannot go back and write that letter even if he has room to do so or if he could technically erase the word and write it again. His entire investment of time and material (parchment and ink) is invalid. If he is not a G-d fearing person, the temptation is great to merely fill in the letter and sell it anyway. After all, nobody can tell the difference.



Another example that applies to writing a Sefer Torah as well is that a scribe must be careful to say before he writes every name of Hashem, "Ani Kosev l'Shem Kedushas Hashem." This can also make what he is writing invalid (see Shulchan Aruch Orach Chaim 32:19).

These are only a few examples of things that are unable to be detected, and upon which one must rely on the scribe that he did everything in a manner that is valid. This is why people carefully analyze whether or not a scribe is truly G-d fearing in various ways before they agree to purchase his Tefilin etc.

DAILY MASHAL

Both are the Words of the Living G-d

The Gemara tells us that the students of Beis Hillel and Beis Shammai disputed certain halachos for three years, until finally a Divine voice emanated from the Heavens proclaiming, Both are the words of the Living G-d, but the halacha is in accordance with Beis Hillel. The Ritva asks the obvious question; how could two contrary rulings both be the words of the Living G-d. When Hashem revealed His will to Moshe Rabbeinu on Har Sinai, He told him whether the action in question is permitted or forbidden. How then could both opinions be right?

The Ritva explains, that in fact Hashem did not tell Moshe a definite ruling. Rather, He revealed forty-nine authentic reasons to permit it, and forty-nine authentic reasons to forbid it. He then granted the wisdom of the Torah to the Sages, and instructed them to develop these reasons on their own, and debate them within the boundaries of Talmudic reasoning. Barring certain extenuating circumstances, Hashem would not intervene in their debates. Both opinions are Torah, both are true, and the Sages were forced to decide between them using the tools of logic they were granted on Har Sinai.