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Eiruv Daf 38

Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

Rabbi Eliezer said: If a *Yom Tov* (festival day) immediately precedes or follows the *Shabbos* (Friday or Sunday, and he wishes to arrange an *eiruv*, allowing him to walk 2,000 amos in each direction from his place of residence, for *Yom Tov* and for *Shabbos*), a man may arrange two *eiruv*s and make the following declaration: “My *eiruv* for the first day shall be to the east (of the city), and the one for the second day shall be to the west,” or, “The one for the first day shall be to the west, and the one for the second day shall be to the east.” [If he only needs the *eiruv* for one of the days, he declares as follows:] “My *eiruv* shall be effective for the first day, and for the second day, I shall retain the same rights as the residents of my town (who did not make an *eiruv*),” or, “My *eiruv* shall be effective for the second day, and for the first day, I shall retain the same rights as the residents of my town.” [R’ Eliezer maintains that when the *Shabbos* and *Yom Tov* follow each other, they are independent of each other, so each day’s *techum* does not effect the other.] The Sages, however, said: He either prepares an *eiruv* for one direction (for both days) or none at all (and he may not even make an *eiruv* for one day, and for the other day – retain the rights as a resident of the town); he either prepares one *eiruv* for the two days or none at all. [The *Gemora* will explain the repetition.]

How is one (who desires that it should be effective for the second day as well) to proceed? [The concern is that if the *eiruv* were deposited only on the festival eve, it might sometimes become lost during the day before the *Shabbos* commenced, and the man - though he is provided for during the festival at the commencement of

which the *eiruv* was in existence, would remain unprovided for during the *Shabbos* day.] He arranges (for the *eiruv*) to be brought (by an agent¹ to the desired place) on the first day (Thursday afternoon) and, having remained there with it until nightfall (which is the time that the *eiruv* takes effect), he takes it with him (so it shouldn’t get lost) and goes. [This can only be done when the festival precedes the *Shabbos*; if, however, the *Shabbos* was first, he cannot do that, for the *eiruv* cannot be carried.] On the second day (Friday afternoon), he again comes with it and keeps it there until nightfall, when he may eat it (for the *eiruv* took effect already) and go. [He cannot again take it away with him, as he did on the evening of the festival, since carrying in a public domain is forbidden on the *Shabbos*.] He has therefore benefited both in his movements and in his *eiruv*. [He is able to walk not only on the first, but also on the second day in the directions he desires (2,000 amos beyond the location of his *eiruv*), and he can also enjoy the eating of his *eiruv*. Had he not preserved the *eiruv*, he might have lost both benefits. Should the festival be preceded by the *Shabbos* when the carrying of objects is forbidden, there is no alternative but to leave the *eiruv* in its position until the termination of the *Shabbos*. It must be examined at twilight just before the festival begins, and if it is found that it is still intact, it must be allowed to remain in position until dusk when it may be carried away or eaten on the spot.]

¹ For if he himself would be there, that is automatically his place of residence, and there would be no necessity for an *eiruv*

If the *eiruv* was consumed on the first day, it remains effective for the first day, but not for the second. Rabbi Eliezer said to them: You do agree with me then that they (*the two days of Shabbos and Yom Tov*) are two distinct entities of holiness. [*Had the two days been one entity of holiness, the eiruv that was effective at twilight on the eve of the first day should have retained its effectiveness until the conclusion of the second day. R' Eliezer said to them: Since you concede this point, you should also concede that two eiruvim may be prepared respectively for the two days for two different directions.*]

The *Gemora* asks (*on the expression used by the Sages*): What is meant by 'for one direction'? It means that the *eiruv* must be in one location for both days. And what is meant by 'for the two days'? It means that the *eiruv* is made for both days. Isn't the latter clause identical with the first one?

The *Gemora* answers: It is this that the Sages were saying to Rabbi Eliezer: Do you not agree that no *eiruv* may be prepared for one day, for one half of a day for a northern direction and for the other half of the same day for a southern direction? Indeed I do, he replied. They continued: Just as no *eiruv* may be prepared for one day, for one half of a day for a northern direction and for the other half of the same day for a southern direction, so too may no *eiruv* be prepared for one of two days, one day in an easterly direction and the other day in a westerly direction.

The *Gemora* explains Rabbi Eliezer's opinion: He maintains that the one day is a single entity of holiness (*and therefore only one eiruv may be prepared for that day*), but the two days are two distinct entities of holiness.

The *Gemora* cites a *braisa*: Rabbi Eliezer said to them: Do you not agree that if a man prepared an *eiruv* with his feet (*he walked to the spot, and by his presence there at twilight, he acquired it as his residence for that day*) on

the first day, he must also prepare an *eiruv* with his feet for the second day; or that if his *eiruv* was consumed on the first day, he may not leave (*the boundary of the town*) on the second day - in reliance on it? Indeed (*that is so*), they replied. He retorted: Surely then, the two days must be two entities of holiness.

The *Gemora* explains the opinion of the Sages: They were rather uncertain (*whether a Shabbos and Yom Tov that immediately succeed one another are to be regarded as two distinct entities of holiness or only as one*), and therefore, adopted the more stringent ruling in both cases. [*They forbade eiruvim in two different directions in case the two days are one entity of holiness, and also they required an eiruv for each day in particular in case the two days are distinct entities of holiness.*]

The *braisa* continues: They said to Rabbi Eliezer: Do you not agree that it is forbidden to prepare an *eiruv* initially for the *Shabbos* on a festival day? [*If an eiruv was not made for the Yom Tov preceding the Shabbos, it cannot be made on Yom Tov itself for the Shabbos!*] He replied, Indeed (*it is so*). They continued: Surely then, the two days must be one entity of holiness.

The *Gemora* explains Rabbi Eliezer's opinion: The restriction there it is due to the prohibition of preparing for the *Shabbos* on a festival day. [*It is not because they are one entity, but rather, it is because one may not prepare on Yom Tov for the Shabbos; that is why it must be made beforehand.*]

The *Gemora* cites a *braisa*: If a man prepared an *eiruv* with his feet on the first day, he must also prepare an *eiruv* with his feet for the second day. If his *eiruv* was consumed on the first day, he may not leave (*the boundary of the town*) on the second day - in reliance on it; these are the words of Rebbe. [*Rebbe maintains that the two days are each a distinct entity of holiness, and therefore, an eiruv for the first day is not effective for the second day unless it is renewed. If not, he is restricted to*

the confines of the city.] Rabbi Yehudah said: Behold this man represents a combination of a donkey driver and a camel driver. [Such a driver is unable to make any progress. A camel can be led only by pulling its rein and a donkey can be driven only from behind. A man who is in charge of both animals can neither lead the two on account of the donkey, nor can he drive the two on account of the camel. R' Yehudah is uncertain whether the two days are to be regarded as one entity of holiness or two entities. In the former case, the eiruv for the first day is also effective for the second one and the man is consequently forbidden to walk the two thousand amos from the town in the opposite direction of the eiruv, though he would be allowed four thousand amos from the town in the direction of the eiruv (which is his 'residence' for the day, and from which point he is entitled to walk two thousand amos in all directions). In the latter case, the eiruv for the first day is not effective for the second, and the man is consequently forbidden on that day to walk more than two thousand amos from the town in the direction of the eiruv, though (since the town is his residence) he would be permitted to walk the two thousand amos from the town in the opposite direction of the eiruv. Owing to the uncertainty, both restrictions are imposed, and the man may walk only the two thousand amos between the town and his eiruv.] Rabbi Shimon ben Gamliel and Rabbi Yishmael the son of Rabbi Yochanan ben Berokah said: If a man prepared an eiruv with his feet on the first day, he does not need to prepare an eiruv with his feet for the second day. If his eiruv was consumed on the first day, he may still leave (the boundary of the town) on the second day - in reliance on it. [Both days are regarded as one entity of holiness or as one long day.]

Rav said: The *halachah* is in agreement with the four elders who follow the view of Rabbi Eliezer, who maintained that the two days are regarded as two entities of holiness. And these are the four elders: Rabbi Shimon ben Gamliel and Rabbi Yishmael the son of Rabbi Yochanan ben Berokah, Rabbi Elozar the son of Rabbi

Shimon and Rabbi Yosi bar Yehudah, the *Tanna* who reported anonymously. Others say that one of these is Rabbi Elozar, while Rabbi Yosi bar Yehudah, the *Tanna* who reported anonymously is to be removed (from the list).

The *Gemora* asks: But weren't Rabbi Shimon ben Gamliel and Rabbi Yishmael the son of Rabbi Yochanan ben Berokah heard (in the *braisa* cited above) to express the contrary view?

The *Gemora* answers: Reverse it (in the *braisa*, and they held that the eiruv must be renewed for the second day).

The *Gemora* asks: But if so, isn't their view identical with that of Rebbe?

The *Gemora* answers: It should be read: And so as well ruled Rabbi Shimon ben Gamliel etc.

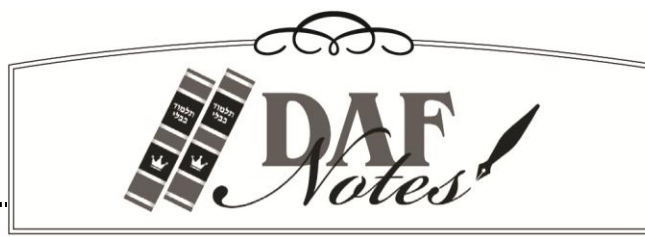
The *Gemora* asks: But why wasn't Rebbe also enumerated?

The *Gemora* answers: Rebbe only taught the ruling, but he himself did not adopt it.

The *Gemora* asks: Is it not then possible that the (other) Rabbis as well only taught the ruling, but they themselves did not adopt it?

The *Gemora* answers: Rav received the statement as a definite tradition.

The *Gemora* relates: When Rav Huna dies, Rav Chisda entered the academy and pointed out a contradiction between two statements of Rav. How could Rav have said that the *halachah* is in agreement with the four elders who follow the view of Rabbi Eliezer, who maintained that the two days are regarded as two entities of holiness, seeing that it was stated: If the *Shabbos* and a festival day (follow one another in close succession), Rav



ruled that an egg that was laid on the first of these days is forbidden on the other? [*This is apparently because he regards both days as one entity.*]

Rabbah replied: The restriction there is due to the prohibition against preparing from one day for the other, for it was taught in a *braisa*: And it shall be on the sixth day and they shall prepare. This implies that one may prepare on a weekday for the *Shabbos* or for a festival, but that no preparations may be made on a festival for the *Shabbos*, nor may preparations be made on the *Shabbos* for a festival.

Abaye said to him: What, however, could be your explanation of that which we learned in the *Mishna*: How is one (*who desires that an eiruv arranged for the first day should be effective for the second day as well*) to proceed? He arranges (*for the eiruv*) to be brought (*by an agent to the desired place*) on the first day (*Thursday afternoon*) and, having remained there with it until nightfall (*which is the time that the eiruv takes effect*), he takes it with him (*so it shouldn't get lost*) and goes. On the second day (*Friday afternoon*), he again comes with it and keeps it there until nightfall, when he may eat it (*for the eiruv took effect already*) and go. Is he not thereby preparing on a festival day for the *Shabbos*?

Rabbah replied: Do you imagine that it is at the conclusion of the day (*of the festival that precedes the Shabbos for which the eiruv is prepared*) that an *eiruv* acquires its validity? It is at the beginning of the day (*for which the eiruv is needed for*) that its validity is acquired, and on the *Shabbos*, one may well make preparations for the *Shabbos* itself.

The *Gemora* asks: Now then (*if an eiruv takes effect at the beginning - at twilight of the eve of the day for which it is prepared*), why shouldn't people be allowed to prepare an *eiruv* with a bottle (*of wine that is tevel at the end of the day, but permitted at the beginning of the next day*)? [*The owner stipulated that the wine should be designated*

with the proper terumah at the beginning of nightfall. The reason for the invalidity of the eiruv given there was that before the Shabbos begins it consisted of tevel. But if an eiruv does not take effect before the Shabbos actually begins, the eiruv in the 'lugin' should be valid, since the moment Shabbos begins it is no longer tevel!?]

The *Gemora* answers: It is because it is necessary that an *eiruv* should consist of a meal that is suitable for consumption while it is still day, which is not the case there.

The *Gemora* asks: What, however, is your explanation of that which we learned in the *Mishna*: Rabbi Eliezer said: If a *Yom Tov* (*festival day*) immediately precedes or follows the *Shabbos* (*Friday or Sunday, and he wishes to arrange an eiruv, allowing him to walk 2,000 amos in each direction from his place of residence, for Yom Tov and for Shabbos*), a man may arrange two *eiruv*s [*and make the following declaration: "My eiruv for the first day shall be to the east (of the city), and the one for the second day shall be to the west," or, "The one for the first day shall be to the west, and the one for the second day shall be to the east"*]? [*The Gemora assumes that one eiruv is laid at a distance of two thousand amos from the town in one direction and the other two thousand amos in the opposite direction.*] Is it not necessary that the *eiruv* should consist of a meal suitable for consumption while it is yet day, which is not the case here? [*This is because the effectiveness of the eiruv for the first day prevents the man for whom it was prepared from walking one single step in the opposite direction of the town, in consequence of which he is unable, while it is yet day, to gain access to his second eiruv.*]

The *Gemora* answers: Do you think that one *eiruv* was placed down at the end of two thousand *amos* in one direction, and [the other was placed down at the end of two thousand *amos* in the opposite direction? No! One *eiruv* was placed down at the end of one thousand *amos* in one direction and the other as well was similarly placed



down at the end of one thousand *amos* in the opposite direction. [Since either *eiruv* is within two thousand *amos* distance from the other, the man is consequently able to gain access to the *eiruv* he requires.] (38a – 38b)

INSIGHTS TO THE DAF

Two Eiruv, One Brachah

In Maseches Eiruvin, we are introduced to the *eiruv chatzeiros*, which allows one to carry in a common courtyard. There is also another form of *eiruv*: *eiruv tavshilin*, which allows one to cook food on Yom Tov to be eaten on Shabbos, the following day. Ostensibly, there is nothing in common between these two mitzvos other than their names. Both are performed in different manners, and both for different purposes.

Yet, most surprisingly, the Mishna Berura (366, s.k. 79) rules that when preparing the two forms of *eiruv*s, one *beracha* may be recited over them both: “Blessed are You... Who has sanctified us with His commandments, and commanded us concerning the mitzva of *eiruv*.” He cites this ruling in the name of R’ Akiva Eiger, who in turn cites Maharam D’ Bonton, the son of the Lechem Mishna, who bases his decision on a similar ruling of the Rambam: “When separating *maaser*, one must first recite a *beracha*, as he would over other mitzvos. He should recite a *beracha* over the first tithe (*maaser rishon*), another *beracha* over the second tithe (*maaser sheini* or *maaser ani*), and another *beracha* over the tithe from the tithe (*trumas maaser*). If all these tithes are separated one after the other without interruption, one *beracha* may be recited over them all,” (Hilchos *Maaser* 1:16, based on Tosefta: Berachos 6:19).

Many have questioned this comparison. The different tithes may be considered different aspects of the same mitzva, and therefore one *beracha* extends over them all. However, as we have stated, there is absolutely no connection between the two mitzvos of *eiruv*, and no

reason to join them together in one *beracha*. The Binyan Tzion (29) compares this to the mitzvos of *toiveling* a person and *toiveling* dishes. One would never think to ask a person who *toivels* in the mikva to bring with him a dish and recite one *beracha* over both mitzvos. They are two entirely unrelated obligations, and a single *beracha* cannot extend to them both.

Nevertheless, the Mishna Berura rules that one *beracha* is recited over both *eiruv*s. According to the Chaye Adam (Yom Tov 102:18), specific mention is made of both mitzvos: “Blessed are You... Who has sanctified us with His commandments, and commanded us concerning the mitzvos of *eiruv t’chumin* and *eiruv chatzeiros*.”

The Brachah for Redeeming *maaser sheini*: After separating the *maaser sheini* tithe, we redeem its value by substituting a coin in its place. The sanctity and the restrictions of the tithe are then transferred to the coin, and the produce separated for tithes becomes permitted. Since this is a different mitzva, performed after the tithes are separated, one would assume that it would warrant its own *beracha*. Yet, tradition has it that R’ Shmuel of Salant *zt”l* would instruct people to include this mitzva in the *beracha* over separating tithes (HaMaaser V’HaTeruma ch. 1, footnote 130 cites a source for this from Chaye Adam). Although the custom is not to follow this opinion, one of the contemporary Gedolim advises people to nonetheless follow it, when separating *terumas*.