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Eiruvin Daf 40

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Daf Notes is currently being dedicated to the neshamah of

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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

Rav Ashi stated: Ameimar told me personally that the deer was not at all caught, but it was brought (*by a gentile*) from beyond the *techum* (*the permitted festival limit*). He who ate it was of the opinion that if anything was brought for one Jew, it is permitted to another Jew (*even on that very day, and as the deer was brought for the Exilarch. it was only forbidden to him but permitted to the Rabbis*), and he who did not eat it held that all food that is brought to the Exilarch’s house is intended for all the Rabbis.

The *Gemora* asks: But didn’t Rav Sheishes meet Rabbah bar Shmuel (*after the incident with the deer*) and ask him (*if the master taught any braisa on the question of festival sanctities - regarding the two days of Yom Tov of the Diaspora*)?

The *Gemora* answers: That in fact never happened.

The *Gemora* relates: A turnip once arrived at Mechuza (*by a gentile on a festival day*). Rava went out and observed that it was withered. He therefore permitted the people to buy them, saying: The turnip was undoubtedly pulled out from the ground yesterday. What other objection could be raised? That they were brought from beyond the *techum*? But anything that was brought for one Jew is permitted to another Jew to eat, and certainly this turnip is permitted, since they were intended for gentiles. When, however, he observed that the gentile vendors were bringing in extra supplies of these turnips (*to sell to the Jews*), he forbade all further buying.

The *Gemora* relates: Certain gardeners once cut myrtles on the second day of the festival and Ravina permitted people to smell their odor in the evening immediately (*after the*

termination of the festival, without waiting any time – the time it would take to cut the branches).

Rava bar Tachlifa said to Ravina: The master should really forbid this to them, since they are not learned men (*and they will treat the second day of the festival in a lenient manner*).

Rav Shemayah asked: Is the reason then (*to prohibit*) that they are not learned men, but if they had been learned men this would have been permitted? But surely, it is necessary to allow time enough for their preparation (*and a Jew cannot benefit from the gentile’s work until waiting after the festival the amount of time it would take to cut the branches*)?

They went to ask this question of Rava, and he told them: It is necessary to allow time enough for their preparation.

The *Mishna* had stated: Rabbi Dosa said: The person who leads the prayer services on the first festival day (*of Rosh Hashanah*) says, “[Fortify us, O Hashem our God, on this day of Rosh Chodesh, whether it be today or tomorrow,” and on the following day, he says, “[Fortify us, O Hashem our God, on this day of Rosh Chodesh], whether it be today or yesterday.”]

Rabbah said: When we were at Rav Huna’s, we raised the following question: Is it necessary to mention *Rosh Chodesh* in the prayers of *Rosh Hashanah*? Is it necessary to mention it because different *mussaf* offerings were offered for the two celebrations, or is rather one mention of “remembrance” sufficient for both? And he told us: You have learned this in our *Mishna*: Rabbi Dosa said: The

person who leads the prayer services on the first festival day etc. [and the Sages disagreed with him]. Doesn't this disagreement apply to the mentioning of *Rosh Chodesh* (and we therefore should accept the majority opinion of the Sages that it is not mentioned)?

The *Gemora* disagrees: No; it may refer to the stipulation in the prayer (where the Sages disagree).

The *Gemora* adds: Logical reasoning also supports this, for in a *braisa* it was taught: And so did Rabbi Dosa proceed on *Rosh Chodesh* throughout the year (when they were uncertain if *Rosh Chodesh* was on the thirtieth or the thirty-first day since the preceding *Rosh Chodesh*, and they would make the same stipulation in the prayers), but they (the Sages) did not agree with him. Now, if you admit that their disagreement was to his stipulation in the prayer, one can well understand why they did not agree with him (since they might well object to introduce stipulations during prayer); but if you maintain that their objection was to the mention of *Rosh Chodesh* (on *Rosh Hashanah*), why didn't they agree with him (for during the year, this is not relevant to all)?

The *Gemora* counters: What then would you suggest? That their objection was to stipulations during prayer? But what purpose was served by expressing disagreement in two cases?

The *Gemora* answers: Both were necessary, for if we had been informed of their disagreement only in the case of *Rosh Hashanah*, it might have been presumed that only there did the Rabbis maintain that no stipulation during prayer should be introduced, because people might come to regard the day with disrespect, but that in the case of *Rosh Chodesh* throughout the year, they might have agreed with Rabbi Dosa. And if their disagreement with Rabbi Dosa had been expressed only in the latter case, it might have been presumed that Rabbi Dosa maintained his view only in that case, but that in the other case he agrees with the Rabbis. Therefore, both cases were necessary.

The *Gemora* asks from a *braisa*: If *Rosh Hashanah* fell on a *Shabbos*, Beis Shammai ruled: One shall recite ten blessings

(by *mussaf*; the first three and the last three that are recited three times every day, one for the *Shabbos*, one dealing with the sanctity of *Rosh Hashanah* and the divine sovereignty of the universe, and two dealing respectively with aspects of Hashem's remembrances and the blowing of the *shofar*) and Beis Hillel ruled: One only recites nine. Now, if that were so (that *Rosh chodesh* is mentioned in the *mussaf* prayer), should it not have been necessary according to Beis Shammai to require eleven blessings?

Rabbi Zeira replied: *Rosh Chodesh* is different (from a *Yom Tov*), since its mention is combined in the blessing on the sanctity of the day in the morning and evening prayers, it is also combined in that of the *mussaf* prayer.

The *Gemora* asks: But does Beis Shammai accept the view that the mention of *Rosh Chodesh* is to be combined (in the *mussaf* prayer)? Was it not in fact taught in a *braisa*: If *Rosh Chodesh* falls on a *Shabbos*, Beis Shammai ruled: One recites in the *mussaf* prayer eight blessings and Beis Hillel ruled: Seven? The *Gemora* concludes: This is indeed a difficulty.

The *Gemora* notes: On the very question of 'combining,' *Tannaim* differ, for it was taught in a *braisa*: If the *Shabbos* falls on *Rosh Chodesh* or on *Chol Hamoed*, one reads the seven blessings in the evening, morning and *mussaf* prayers in the usual way, inserting the formula appropriate for the occasion in the blessing on the Temple service. Rabbi Eliezer ruled: The insertion is made in the blessing of thanksgiving; and if it was not inserted, one must repeat all the blessings. In the *mussaf* prayers, one must begin and conclude with the mention of the *Shabbos*, inserting the mention of the sanctity of the day in the middle (of the blessing). Rabban Shimon ben Gamliel and Rabbi Yishmael the son of Rabbi Yochanan ben Berokah ruled: Wherever one is under an obligation to recite seven blessings, it is necessary to begin and conclude with the mention of the *Shabbos*, and to insert the reference to the sanctity of the day in the middle (of the blessing).

The *Gemora* asks: Now, what is the result of the discussion? [Should *Rosh Chodesh* be mentioned in the *mussaf* prayer on *Rosh hashanah*?]



Rav Chisda replied: The mention of one “remembrance” suffices for both. And so also ruled Rabbah: The mention of one “remembrance” is sufficient for both. (39b – 40b)

INSIGHTS TO THE DAF

Two Kinds of Shehecheyanu

In the continuation of today’s Daf, we find that R’ Yehuda would recite *shehecheyanu* over a seasonal fruit, when it would reappear each year (see Rashi s.v. *akara chadata*). This practice is cited in Shulchan Aruch, “When a person sees a seasonal fruit reappear, he should recite *shehecheyanu*,” (O.C. 225:3).

When two people eat a seasonal fruit together: When two people are required to recite the same beracha, it is sometimes preferable for one to recite the beracha and exempt his fellow (as is the case with a *beracha rishona* – O.C. 213:1), and sometimes it is preferable for each to recite his own beracha (as is the case with a *beracha acharona* - *ibid*). What is the halacha in regard to two people who wish to recite *shehecheyanu*? Is it preferable for each to recite his own beracha, or is it preferable for one to recite the beracha, and the other to answer Amen?

We seem to find a contradiction in this regard. On the one hand, the Pri Megadim and Mishna Berura (O.C. 8, s.k. 14) rule that if two people both buy new *talleisim*, each one should recite his own *shehecheyanu*. The same should theoretically apply when two people eat newly appeared seasonal fruit. Each should recite his own beracha.

On the other hand, on Yom Tov night, the father recites *shehecheyanu* during kiddush, and thereby exempts his family. Similarly, before the shofar is blown on Rosh Hashana, the *baal tokei’ah* recites *shehecheyanu* and thereby exempts the congregation. What is the difference between a new tallis or fruit, and a new Yom Tov or mitzva?

Personal rejoicing vs. communal rejoicing: *Shehecheyanu* is a beracha of rejoicing, in which we show our appreciation to Hashem, Who allowed us to live to see a happy event in our

lives. In order for two people to share a beracha of *shehecheyanu*, there must be some common denominator between their joys. When two people buy new *talleisim*, or eat new fruit, each one rejoices on his own. There is nothing to connect them in their joy, and therefore each must recite his own beracha. On the other hand, when the Jewish people rejoice with the coming of a Yom Tov, or the opportunity to perform a new mitza, it is a communal joy. We rejoice together over the same mitzva. Therefore it is proper that we join together in one beracha (R’ Shlomo Zalman Auerbach, *Siach Halacha*, 8, p. 88; *Mishmeres Chaim*, by R’ Chaim Pinchas Sheinberg).

Based on this distinction, R’ Shlomo Zalman Auerbach adds that when two people eat two different seasonal fruit, they must each recite their own *shehecheyanu*. However, when they eat the same kind of fruit, one may recite *shehecheyanu* and the other may answer Amen. In essence, *shehecheyanu* expresses not only our gratitude in being able to enjoy this fruit, but also our gratitude in having been able to live to see the season in which the fruit reappears. Both people share in the joy of having lived to see this season, even though they do not share in each other’s enjoyment of the fruit. However, when two people eat two different seasonal fruits, each should recite his own *shehecheyanu*, since the season in which the two fruits reappear begins at a slightly different time (*Siach Halacha*, *ibid*).

Optional *shehecheyanu*: Another distinction between the *shehecheyanu* recited over personal joy, and that recited over Yomim Tovim or mitzvos, is that the *shehecheyanu* over Yomim Tovim and mitzvos is mandatory, whereas the *shehecheyanu* over personal joy is optional. (Nevertheless, the Mishna Berura 225 s.k. 9, rules that one should not forgo this important beracha). Furthermore, a person who does not feel particular joy in eating a new fruit should not recite *shehecheyanu*, whereas a person who does not feel joy with the coming of Yom Tov should recite *shehecheyanu* nonetheless (Shevet HaLevi, IV, 25).

When the Tenth of Teves Falls Out on Shabbos

The prophets established four fast days to commemorate

the destruction of the Beis HaMikdash: Tzom Gedalia, the Tenth of Teves, the Seventeenth of Tamuz, and Tisha B'Av. According to the Hebrew calendar now in use, all of these may occur on Shabbos, except for the Tenth of Teves. When they do occur on Shabbos, we observe Shabbos with all the regular rejoicing, and defer the fast to the next day. One would assume that if the Tenth of Teves could have occurred on Shabbos, the same practice would be followed. However, R' David Avudraham, a Rishon cited in Beis Yosef (O.C. 509), rules that this is not the case. If the Tenth of Teves could occur on Shabbos, we would fast on that day.

On this very day: His support for this ruling is from the wording of the possuk, "The word of Hashem was upon me in the ninth year, on the tenth day of the tenth month (Teves) saying, 'Son of man: write for yourself the name of this day, this very day, for the King of Babylon has laid siege to Yerushalayim on this very day,'" (Yechezkel 24:2). The same words, "on this very day," are also used in reference to Yom Kippur (Vayikra 23:28-30), and our Sages learn from them that Yom Kippur preempts Shabbos. So too, reasons R' Avudraham, the Tenth of Teves should also preempt Shabbos.

Fasts commemorated by the month, and fasts commemorated by the day: R' Chaim Soloveitchik of Brisk (Chiddushei HaGrach, 44) brings another support for R' Avudraham's ruling. In regard to all other fasts, the Navi lists only the month in which they occurred, "The fast of the fourth month, the fast of the fifth month, the fast of the seventh month and the fast of the tenth month, will be for the House of Yehuda for joy and gladness," (Zecharia, 8:19). Counting Nissan as the first month, the fourth is Tammuz, the fifth is Av, the seventh is Tishrei in which Tzom Gedalia occurs, and the tenth is Teves. Even if we are forced to postpone the fast days in order to properly observe Shabbos, we still fulfill the fast days in the month which the Navi prescribes. The Tenth of Teves alone is marked in the Navi by the date of the month. Therefore, if we would postpone it, we would not observe the proper date.

On the Tenth of Teves, Hashem judges us for redemption: The Chasam Sofer (Chiddushim, drasha for Seventh of Adar,

parshas Vayikra, p. 10) writes that the fast of the Tenth of Teves is much more severe than the others, because it marks the siege of Yerushalayim, the first of the ominous events which led to the destruction of the Beis HaMikdash. On this date each year, Hashem sits in judgment, to decide whether or not to bring the Redemption. R' Yonasan Eibshitz (Yaaros Dvash II, 12) writes that the original Tenth of Teves, on which the siege occurred, was also on Shabbos. Therefore it stands to reason that it should preempt Shabbos.

The source in Shas: Although all the above explanations are indeed reasonable, halacha must be drawn from a source in the writings of Chazal. Therefore the Beis Yosef asks against R' Avudraham: what is the source in Shas for this ruling?

The Acharonim (Or Samei'ach: Hilchos Taanis 5:6; see also Chasam Sofer, *ibid*) find a source in our sugya. The Gemara asks, if a person accepted a personal fast day on a certain erev Shabbos, need he fast until nightfall, or is it better to break his fast early, that he not enter Shabbos hungry? Why does the Gemara discuss only the case of a personal fast day? Why does it not direct the same question towards a communal fast, such as the ones discussed above? The answer is that since the current Hebrew calendar was established, the only fast day which could possibly occur on Friday is the Tenth of Teves. The Gemara did not entertain the idea that one should eat on the Tenth of Teves which falls out on Friday, because even if it would fall out on Shabbos one would still fast.

When fasting was optional: In Maseches Megillah, Rashi writes explicitly that even the Tenth of Teves which occurs on Shabbos is pushed off the next day (5a, s.v. *Aval*). However, the Sho'eil U'Meishiv (III, 179) writes that is still no proof that Rashi would argue against R' Avudraham. Rashi wrote that the Tenth of Teves should be postponed as an explanation to the Mishna. In the time of the Mishna, the fast of the Tenth of Teves was optional (Rosh Hashana 18b), and therefore it would certainly not preempt Shabbos. Since then the Tenth of Teves has been accepted as mandatory, and therefore it is reasonable to suggest that it might indeed preempt Shabbos (See *Sefer Chanuka*, p. 140).