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Eiruvin Daf 45

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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: All who go out to save people may return to their original places.

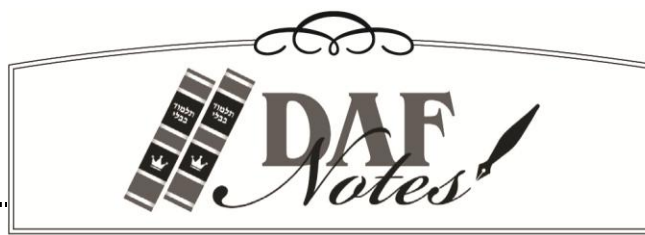
The *Gemora* asks: Is this the case even where the distance was more (*than two thousand amos from their initial techum*)? But was it not stated in the first clause: two thousand *amos*, and presumably no more?

Rav Yehudah said in the name of Rav: The meaning is that they may return to their original places (*only within the permitted distance; not, as has been assumed, a distance of more than two thousand amos*) with their weapons. [*Though the carrying of weapons through a public domain is forbidden on the Shabbos, the law has been relaxed (as will be explained) on account of those who go out to save lives.*]

The *Gemora* asks: But what was the difficulty in the first place, seeing that it is possible that the case of those going to save lives is different? [*The first part of the Mishna might refer to one who went to offer testimony on the appearance of a new moon or to summon a midwife. A person in such circumstance may well be forbidden to return home if the distance was more than two thousand amos. Those, however, who went out to rescue people from the violence of an attacking gang might well, as a safeguard of their own lives against possible attack, have been permitted to return to their homes even where the distances were greater.*]

Rather, if a difficulty did at all exist, it must have been the following: We learned in a *Mishna*: When the witnesses came to *Beis Din* on the *Shabbos* to testify about having seen the new moon, originally they were not permitted to leave, but Rabban Gamliel established a rule permitting them free access to the entire city of Yerushalayim, as well as travel within the 2000 perimeter around the city. Furthermore, this ruling was applied to others who travel outside of their techum boundary for a *mitzvah*, including a midwife who comes to deliver a baby, or someone who comes to save others from a fire, avalanche or flood. Now, the *Gemora* asks, but no more? Hasn't it been stated: All who go out to save people may return to their original places; and this implies even if it is a larger distance?

Rav Yehudah said in the name of Rav: The meaning is that they may return to their original places (*only within the permitted distance; not, as has been assumed, a distance of more than two thousand amos*) with their weapons; as it was taught in a *braisa*: Initially, they (*those people who went beyond their techum to rescue others from an invading gang*) used to leave their weapons in a house that was closest to the town wall. Once it happened that the enemies recognized them and pursued them, and as they entered the house to take up their weapons, the enemies followed them. There was a stampede (*due to the crowded house*), and the Jewish soldiers who crushed and killed one another were more than those whom the enemies killed. At that time it was decreed



that people in such circumstances shall return to their places with their weapons.

Rav Nachman bar Yitzchak said (*explaining the two rulings of the Mishna*): There is really no contradiction, for here (in the *Mishna* in *Rosh Hashanah*), it deals with a case where the Israelites overpowered the foreign nations (*and there is no likelihood that the enemy would seek another engagement with them on the same day, and they permitted no more than 2000 amos from the battlefield*), while here, it deals with one where the foreign nations overpowered themselves (*euphemism for the Jews, and therefore, we are concerned that they might attack again, and it is safer for them to seek shelter in their own town – no matter the distance*).

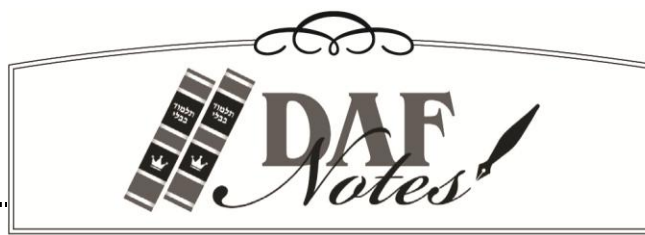
Rav Yehudah said in the name of Rav: If gentiles besieged Israelite towns (*on the Shabbos*), it is not permitted to go out against them with weapons or to desecrate the *Shabbos* in any other way on their account. So it was also taught in a *braisa*: If gentiles besieged etc. This, however, applies only where they came for the sake of money matters, but if they came with the intention of taking lives, the people are permitted to go out against them with their weapons and to desecrate the *Shabbos* on their account. Where the attack, however, was made on a town that was close to the Jewish border, even though they did not come with any intention of taking lives, but merely over matters dealing with straw or stubble, the people are permitted to go out against them with their weapons and to desecrate the *Shabbos* on their account (*for the loss of this city would constitute a strategic danger to the other parts of the country*).

Rav Yosef bar Manyumi said in the name of Rav Nachman: Babylon is regarded as a border town, and by this (*Babylon*) he meant Nehardea (*which was*

situated on the border between the Jewish and gentile settlements in Babylonia).

Rabbi Dostai of Biri made the following exposition: What is the significance of the following verse: *And they told David saying, "Behold, the Philistines are fighting against Keilah, and they are robbing the threshing floors?"* A *Tanna* taught: Keilah was a town close to the border (*with the Philistines*), and they (*the Philistines*) came only for the sake of plundering straw or stubble, for it is written: *and they are robbing the threshing floors*, and (*although there were no lives at stake*) it is written: *And David inquired of Hashem, (through the Urim v'Tumim) saying, "Shall I go and smite these Philistines?" And Hashem said to David, "Go and smite the Philistines, and save Keilah."* What was it that he inquired about? If you will say that it was whether it was permitted or forbidden to repulse the attack (*on the Shabbos*), surely (*it could be retorted*) the court of Shmuel the Ramathite was then in existence (*and the halachic inquiry would have been addressed to that court*)! Rather, he inquired whether he would be successful or not. The inference from the wording of the text also supports this view, for it is written: *Go and smite the Philistines, and save Keilah*. This is indeed conclusive.

If a man sat down on the road, and when he stood up (*and the Shabbos had already begun*) he observed that he was near a town, he may not enter it (*as one of the residents*), since it had not been his intention to do so; these are the words of Rabbi Meir. [*He is entitled to move only from the spot where he sat down in any direction, including that of the town, within two thousand amos distance, but not further, though his Shabbos limit in the direction of the town terminated in the heart of the town. If, however, he would have realized that Shabbos is about to begin, the Sages*



allowed a traveler to designate any specific place as his residence – even without placing an eiruv there, providing that it is within 2000 amos from his current location.] Rabbi Yehudah said: He may enter it (as one of the residents; thus he is allowed to move about the entire town). Rabbi Yehudah said: It once actually happened that Rabbi Tarfon entered a town, though this was not his intention (when the Shabbos had begun).

It was taught in a *braisa*: Rabbi Yehudah related: It once happened that Rabbi Tarfon was on a road when darkness fell and he spent the night on the outskirts of a town (without realizing that it was close by him). In the morning he was discovered by some shepherds who said to him, “Rabbi, behold the town is just in front of you (within 2000 amos); enter it.” He thereupon, entered and sat down in the study hall, and expounded Torah all that day. They said to him: Is that incident any proof (that one can be regarded as a resident of the town)? Is it not possible that he had the town in his mind, or that the study hall was actually within his *techum*?

If a man slept while on the road, and was unaware that darkness had fallen (and it was already Shabbos), he is entitled to move within two thousand amos in any direction (from his current location); these are the words of Rabbi Yochanan ben Nuri. The Sages, however, said: He has only four amos within which to move. Rabbi Eliezer said: And the man is deemed to be in their middle (so he has two amos in each direction). Rabbi Yehudah said: He may move (four amos) in any direction he desires. Rabbi Yehudah, however, agrees that once he has chosen his direction, he may not go back on it.

If there were two men and a part of the prescribed number of amos of the one overlapped with that of the

other, they may bring their food and eat them in the middle (the part that overlaps), provided that one does not carry out anything from his limit (four amos) into that of the other (i.e., into the parts of the respective limits which do not overlap; a person’s objects may not be moved on the Shabbos beyond the limit within which he himself is permitted to move).

If there were three men and the prescribed limit of the middle one overlapped with the respective limits of the others (while the limits of the outside men did not overlap each other; where, for instance, the distance between the positions of the two men at the extremities was eight amos and that between either of them and the middle one was six amos), he is permitted to eat with either of them, and either of them is permitted to eat with him (in the overlapping spaces that are respectively common to him and to them), but the two outer people are forbidden to eat with one another (since they have no common ground).

Rabbi Shimon remarked: To what may this case be compared? To three courtyards that open one into the other and also into a public domain (so that each is self contained; courtyards that open into one another and have no direct exit into a public domain, being interdependent, are forbidden domains as regards movement on the Shabbos except where the residents joined in a common eiruv), where, if the two outer ones made an eiruv with the middle one, it (the middle courtyard) is permitted to have access to them and they are permitted access to it, but the two outer ones (who have no access to each other) are forbidden access to one another.

[The Mishna had stated: If a man slept while on the road, and was unaware that darkness had fallen (and it was already Shabbos), he is entitled to move within two thousand amos in any direction (from his current

location); these are the words of Rabbi Yochanan ben Nuri. The Sages, however, said: He has only four amos within which to move.] Rava inquired: What is Rabbi Yochanan ben Nuri's view? Does he hold that ownerless objects acquire their place in respect of the *Shabbos*, and consequently, it would have been proper that he should express his disagreement with the Sages in respect of objects, and the only reason why their dispute was expressed in connection with a (*sleeping*) person was to inform us the extent of the Rabbis' view - that it might be argued as follows: Since a man who is awake acquires his place, a sleeping man should also acquire his place, therefore we were informed that there is no such distinction? Or perhaps, Rabbi Yochanan ben Nuri holds that elsewhere ownerless objects do not acquire their place in respect of the *Shabbos*, and the reason for his ruling here is as follows: Since a man who is awake acquires his place, so does a sleeping man?

Rav Yosef replied: Come and hear: If rain fell on the eve of a festival the water may be carried within a radius of two thousand *amos* in any direction, but if it fell on a festival day, the water is regarded like the feet of any man (*who claims it*). Now, if you grant that Rabbi Yochanan ben Nuri is of the opinion that ownerless objects acquire their place in respect of the *Shabbos*, this ruling you may say, represents the view of Rabbi Yochanan; but if you contend that ownerless objects do not acquire their place in respect of the *Shabbos*, whose view is represented here? Is it neither that of Rabbi Yochanan nor that of the Rabbis? (45a – 45b)

INSIGHTS TO THE DAF

Fighting the Philistines on Shabbos

The Gemora discusses going to attack an enemy on Shabbos. It attempts to bring proof from the behavior of David Hamelech, who fought the Philistines on Shabbos when they attacked Keilah. This proves that even though one does not usually transgress Shabbos to attack an enemy who only wants money, as did the Philistines in that war, being that Keilah was a suburb on the border one is permitted to attack such an enemy on Shabbos (see #2 above).

Many Rishonim ask a simple question on our *Gemora*: How does our Gemora know that the attack was on Shabbos? It is not stated anywhere in the verse!

Tosfos answers that being that the verse calls it a war even though they only wanted some money, and David Hamelech risked his life to fight against them, it must be teaching us that it was on Shabbos. [The *Toras Chaim* has difficulty with this answer.]

The Ritva answers that the Gemora knows this from the seemingly extra verse that, "They were pillaging the silos." Why was it necessary to state this? It must be teaching us that even though they were only trying to get money, it was still permitted to transgress Shabbos to fight them.

The Rashba answers that being that the verse is telling us that this was an essential battle that one should risk his life for, despite the fact that it was only over money, it must be that it is permitted to even do so on Shabbos. Accordingly, even though the battle might have taken place during the week, we can still learn from it how to act on Shabbos. [This is also the second answer of the Ritva.]