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Eiruvim Daf 48

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Daf Notes is currently being dedicated to the neshamot of

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Mav the studing of the Daf Notes be a zechus for their neshamot and mav their souls find peace in Gan Eden and be bound up in the Bond of life

Rabbi Chiya taught: A fish-pond between two Shabbos limits requires an iron wall to divide it [into two independent sections]. Rabbi Yosi son of Rabbi Chanina laughed at him. Why did he laugh? If it be suggested: Because the latter taught this in agreement with Rabbi Yochanan ben Nuri [that the law is] to be restricted, while he is of the same opinion as the Rabbis [that the law is] to be relaxed, [is it likely, it may be asked,] that because he is of the opinion that the law is to be relaxed he would laugh at any one who learned that it was to be restricted? — Rather say: Because it was taught: Running rivers and gushing springs are on a par with the feet of all men. But is it not possible that he spoke of collected water? — Rather say: Because he taught: ‘Requires an iron wall to divide it’. For why should not reeds be admissible? Obviously because the water would pass through them; but then, in the case of an iron wall too, the water might pass. But is it not possible that he meant: ‘Requires . . .’ hence there is no remedy? — Rather say: Because the Sages have in fact relaxed the law in respect of water; as Rabbi Tavia [was informed]. For Rabbi Tavia enquired of Rav: Does a suspended partition convert a ruin into a permitted domain? And the other replied: A suspended partition can effect permissibility of use in the case of water only, since it is only in the case of water that the Sages have relaxed the law. (47b – 48a)

THE SAGES, HOWEVER, RULED: HE HAS ONLY FOUR etc. Isn’t Rabbi Yehudah repeating the very view of the first Tanna? Rava replied: There is a difference between them, [for the first Tanna allows an area of] eight cubits by eight. So it was also taught: He has [the right to walk within an area of] eight cubits by eight; these are the words of Rabbi Meir.

Rava further stated: They differ only on the question of walking, but regarding the movement of objects both agree that it is permitted [along a distance of] four cubits but no more.

Where in Scripture are these four cubits recorded? — As it was taught: Sit, every man in his place, which implies within an area equal to ‘his place’. And what is the area of ‘his place’? Three cubits for his body and one cubit for stretching out his hands and feet; these are the words of Rabbi Meir. Rabbi Yehudah said: Three cubits for his body and one cubit to enable him to take up an object at his feet and put it down at his head. What is the practical difference between them? The practical difference between them is [that according to Rabbi Yehudah the measurements of] the four cubits are to be exact.

Rav Mesharsheya requested his son: When you visit Rav Pappa, ask him whether the four cubits of which the Rabbis have spoken are measured by the arm of

each individual concerned or by the standard cubit used for sacred objects. If he tells you that the measurement is to be made by the cubit used for sacred objects, [ask him:] What should be done in the case of Og the king of Bashan; and if he tells you that the measurement is to be made by the arm of each individual concerned, ask him: Why wasn't this measurement taught among those which the Rabbis have prescribed in accordance with each individual?' When he came to Rav Pappa the latter told him: 'If we had been so punctilious we would not have learnt anything. The fact is that the measurement is calculated by the arm of each individual concerned, and as to your objection, "Why wasn't this measurement taught among those which the Rabbis have prescribed in accordance with each individual", [it may be explained] that the ruling could not be regarded as definite since [even a normal person] may have stumped limbs'. (48a)

IF THERE WERE TWO MEN AND A PART OF THE PRESCRIBED NUMBER OF CUBITS OF THE ONE etc. What need was there for him to make the remark, to what may this case be compared? — It is this that Rabbi Shimon meant to say to the Rabbis: 'Consider! To what may this case be compared? To three courtyards that are opening one into the other and also into a public domain; why then do you differ there and not here?' And the Rabbis? There the residents are many but here they are few. (48a)

BUT THE TWO OUTER ONES etc. But why? Don't the outer ones, since they have joined in an eiruv with the middle one, constitute one permitted domain? — Rav Yehudah replied: This is a case, for instance, where the middle one deposited its one eiruv in one courtyard and its other eiruv

in the other courtyard. Rav Sheishes, however, replied: It may even be assumed that they deposited their eiruv in the middle one, [but this is a case, for instance,] where they had deposited it in two houses. In agreement with whose view? Is it in agreement with that of Beis Shammai since it was taught: If five residents collected their eiruv and deposited it in two receptacles, their eiruv, Beis Shammai ruled, is invalid and Beis Hillel ruled: Their eiruv is valid? — It may be said to be in agreement even with the view of Beis Hillel, since Beis Hillel might have maintained their view Only there where the eiruv, though kept in two receptacles, was in one and the same house, but not here where it was kept in two houses.

Said Rav Acha son of Rav Ivya to Rav Ashi: A difficulty presents itself on the interpretation of Rav Yehudah as well as on that of Rav Sheishes. On Rav Yehudah's interpretation the following difficulty arises: As he explained that 'This was a case, for instance, where the middle one deposited its eiruv in the one courtyard and its other eiruv in the other courtyard', and since the middle one, having first joined in an eiruv with one of the outer ones, constituted with it one domain, does it not, when it subsequently joins in an eiruv with the other, act on behalf of the former also? On the interpretation of Rav Sheishes also a difficulty arises: Why shouldn't this case be subject to the same law as that of five men who resided in one courtyard and one of whom had forgotten to contribute his share to their eiruv, where these men impose upon one another the prescribed restrictions in the use of that courtyard? — Rav Ashi replied: There is really no difficulty either on the view of Rav Yehudah or on that of Rav Sheishes. On that of Rav Yehudah there is no difficulty because, since the residents of the middle courtyard joined in an eiruv with those of each of the outer ones while the latter



did not join one another in a common eiruv, they have thereby intimated that they were satisfied with the former association but not with the latter. On the view of Rav Sheishes too there is really no difficulty. For would the Rabbis who regarded [the people of the outer courtyards as] residents [of the middle one] in order to relax the law also treat them as its residents to impose additional restrictions?

Rav Yehudah stated in the name of Rav: 'This is the view of Rabbi Shimon. The Sages, however, ruled: The one domain may be used by the residents of the two but the two domains may not be used by the residents of the one. When I recited this in the presence of Shmuel he said to me: This also is the view of Rabbi Shimon. The Sages, however, ruled: The three courtyards are forbidden access to one another'.

INSIGHTS TO THE DAF

Tosfos asks a question from a Gemora in Bava Basra (2b). The Gemora says that any one of two people who have a yard next to each other can demand from the other that they make a wall between their courtyards, so that they can use the area in a private manner. This wall, the Gemora there says, must be four cubits tall. If our Gemora says that the body of a person is only three cubits tall (see #3 above), why does the wall have to be four cubits tall? Three should be enough!

Tosfos answers that being that there will sometimes be some dirt gathered next to the wall which the neighbor could stand on, and there is the possibility that he might raise himself up on his toes to get a better look, the wall must be four cubits.

Alternatively, Tosfos answers that the Gemora here is only calculating three cubits for the person's body, and is not including his head. Tosfos supports this from two Gemaras, one in Shabbos (92b) and one in Bava Basra (100b).

Tosfos asks that his conclusion does not seem to be correct from the fact that the amount of water needed for a mikvah is one by one by three cubits (tall). The Gemora clearly implies that this is because a person's entire body must be in the water of the mikvah, including his head. This indicates that a person on average is a total of three cubits, including his head. Tosfos answers that only three cubits is necessary due to the fact that when a person goes into the water, the water rises up. This, plus his bending down his head slightly, is enough to make three cubits (high) of water enough.