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Eiruv Daf 64

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Daf Notes is currently being dedicated to the neshamot of

Moshe Raphael ben Yehoshua (Morris Stadtmauer) o”h
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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

Non-Jew Who Doesn't Want To Lease

There was a mavoi in which a non-Jewish resident, Lachman bar Ristak, did not agree to lease his rights to the Jewish ones to make an eruv. When they asked Abaye what to do, he told them that all of the Jewish residents should void their ownership rights in the mavoi to one of them, thereby making it a situation of one Jew with a non-Jew, which is permitted even without leasing.

They challenged this solution, as the reason for permitting one Jew with a no-Jew is because it is rare, but in this case there are many Jews actually living there, making it a common case.

Abaye responded that voiding ownership is rare, and the Sages therefore didn't include this in their decree.

Rav Huna the son of Rav Yehoshua related this story to Rava, and he challenged Abaye's ruling as this would subvert the institution of eruv from this mavoi, since the non-Jew refused to lease.

Rav Huna responded that they would make an eruv, but Rava challenged this, as people will mistakenly conclude that an eruv without leasing is effective even if there is a non-Jewish resident.

Rav Huna responded that they will announce that the eruv isn't effective, but Rava challenged this, as later generations will forget this announcement.

Rather, Rava's solution was for one of the Jewish residents to befriend Lachman, and ask him permission to place something of his in Lachman's courtyard. This will make him equivalent to Lachman's employee, and Rav Yehudah cited Shmuel saying that if a Jew is employed by a non-Jewish resident, he may contribute to the eruv, with no need to lease from the non-Jew.

Abaye asked Rav Yosef whether we consider these employees to be residents, to the extent that if there is more than one, they all must contribute, and he answered that we consider them residents only to remove the need for a lease, but not to be stringent and require an eruv from each. (63b – 64a)

Good Statement?

The Gemora returns to discuss Rav Yehuda's statement about Jewish employees, and says that Rav Nachman praised it.

Rav Yehudah cited Shmuel saying that if one drank a ¼ log of wine, he may not rule halachah, and Rav Nachman said this statement was not good. On the contrary, until Rav Nachman drank a ¼ log of wine, he didn't have a clear head to rule.



Rava asked Rav Nachman why he offered these opinions, as Rabbi Acha bar Chanina said that if one chooses which statements of Torah are pleasant and which are not will lose his storehouse of Torah knowledge. Rav Nachman accepted this and agreed not to do so. (64a)

Davening After Drinking

Rabbah bar Rav Huna said that one who drank wine should not daven, but if he does, it's a valid prayer. If he is drunk, he shouldn't daven, and if he does, it's an abomination.

To define the point at which one becomes drunk, the Gemora cites the story of Rabbi Abba bar Shumni and Rav Menashia bar Yirmiya from Difti who were parting from each other. They decided to each teach the other a halachah, as Mari bar Rav Huna says that when one takes leave of a friend, he should tell him a halachah, to ensure he remembers him. One of them said that one is considered drunk when he cannot speak in front of a king. The other said that if one acquires property from a convert who died without children and wants to keep them intact, he should buy a Sefer Torah with some of them.

Rav Sheishes says that the same applies to a husband who acquires his wife's property, Rava says that it applies to one who profited from a business venture, and Rav Pappa says that it applies to one who found something valuable.

Rav Nachman bar Yitzchak says that one can also fulfill this by purchasing tefillin with some of the money. Rav Chanin (or Rabbi Chanina) says that the source for this is the verse in which Bnai Yisrael who pledged to Hashem the cities they would capture if He enabled

them to defeat the nation that attacked them. Hashem listened to their pledge, indicating that donating to Hashem is a reason for success.

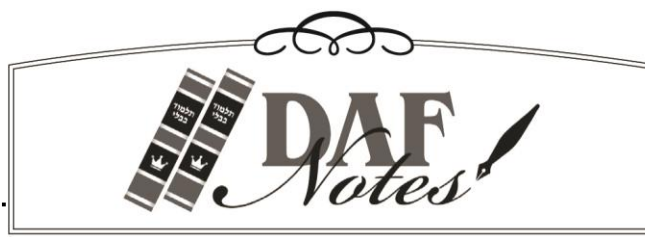
Rami bar Abba says that walking for a mil or any sleep remove the effect of wine.

Rav Nachman quotes Rabbah bar Avuha saying that this is true only if one drank exactly a ¼ log, but if he had more, walking tires him further, and sleep increases his intoxication.

The Gemora challenges the distance of a mil mentioned by Rami bar Abba from a braisa. The braisa tells the story of Rabban Gamliel who was riding on a donkey from Akko to Cheziv, followed by Rabbi Ilai. They came across a loaf of bread on the road, and Rabban Gamliel told Rabbi Ilai to pick it up. They then came across a non-Jew, and Rabban Gamliel said to him, "Mavga'i, take this loaf from Ilai." Rabbi Ilai gave it to the non-Jew, and asked him where he was from and what his name was. When he answered that he was from a tent city, and his name was Mavga'i. When Rabbi Ilai asked him if Rabban Gamliel ever met him before, and he said he had not, it was clear that Rabban Gamliel had known his name from divine inspiration.

The braisa says that we learn three things from this story:

1. One may not pass by food without picking it up, and Rabban Gamliel therefore told Rabbi Ilai to pick up the loaf.
2. We assume that the person who dropped food on the road is from the majority, i.e., non-Jewish, and Rabban Gamliel therefore didn't allow Rabbi Ilai to eat the bread.
3. One may get benefit from the Chametz of a non-Jew immediately after Pesach, and Rabban



Gamliel therefore allowed Rabbi Ilai to give it as a gift to the non-Jew.

When he arrived at Cheziv, someone came to ask Rabban Gamliel to release him from a vow. Rabban Gamliel asked Rabbi Ilai whether they had drunk $\frac{1}{4}$ log of Italki wine, and he said they had. He then said that the person should therefore follow them until they walk off the effect of the wine. He followed them for 3 mil, until they reached the ladder of Tzor, whereupon Rabban Gamliel got off his donkey, wrapped himself up, sat down, and released him from his vow.

The braisa lists the things we learn from this part of the story:

1. $\frac{1}{4}$ log of Italki wine intoxicates.
2. One who is intoxicated may not rule halachah.
3. Walking undoes intoxication.
4. When one releases a vow, he must do it sitting, not riding, walking, or standing.

The Gemora therefore challenges Rami's distance of 1 mil from the braisa's distance of 3 mil. The Gemora answers by saying that the 3 mil is necessary for Italki wine, which is stronger.

The Gemora challenges this since Rav Nachman says that one who is intoxicated by more than $\frac{1}{4}$ log of wine gets more intoxicated by walking, but the Gemora answers by saying that riding on a donkey does not increase the effect of the wine.

The Gemora says that once we distinguish between walking and riding, we can say that Italki wine is no different than regular wine, and answer the original question by saying that riding requires 3 mil, but walking requires just one. (64a – 64b)

Releasing a Vow

The Gemora challenges the braisa's requirement to sit for releasing a vow from Rav Nachman, who says that one can release vows while walking, standing, or riding.

The Gemora answers that this depends on the dispute of Tannaim about whether one must identify a regret of the one who vowed to release the vow, which necessitates more concentration, for which one must sit.

To illustrate that Rabban Gamliel requires regret, the Gemora cites Rabbah bar Bar Chanah who quotes Rabbi Yochanan saying that Rabban Gamliel released this vow by telling him based on a verse which states: There is someone whose speech damages like the piercing of a sword; but the language of wise men heal – this teaches us that if one verbalizes (a vow), he is fit to be stabbed by sword, but the language of wise men (i.e., the words of the Sages) heal. [When he heard this, he regretted his vow.] (64b)

Passing by Food

The Gemora discusses the braisa's statement that one may not pass by food.

Rabbi Yochanan quotes Rabbi Shimon bar Yochai saying that this was true in the earlier generations, but now that Jewish women have become so involved in sorcery, one should pass it by, lest he be caught in potential sorcery.

The Gemora cites a braisa which says that one should pass by full loaves, but not pieces.

Rav Assi asked Rav Ashi: It is implicit from the braisa that sorcery is not done on pieces of bread, but it is written:



And you desecrate Me before My nation with handfuls of barley and pieces of bread.?

The Gemora deflects this by saying the verse means that they would take these foods as payment for their sorcery. (64b)

INSIGHTS TO THE DAF

Releasing a Vow

The Gemora raises a contradiction between the braisa, which says that one must sit to release a vow, as illustrated from Rabban Gamliel, and Rav Nachman, who says that one can also release a vow while standing, riding, or walking.

The Gemora answers that this depends on the dispute of Tannaim about whether one releases a vow based on the person's regret.

Rashi explains that Rabban Gamliel says that one must find a point of regret that the person has about his vow in order to release him, and therefore one must sit and concentrate, while Rav Nachman is following the opinion that says no regret is necessary, and therefore it can be done without sitting.

Tosfos (64b Poschin) cites Rabbenu Tam who challenges this explanation from other Gemoras which state that Rav Nachman says that one releases a vow based on regret, and Rabban Gamliel says that one does not release it with regret. He therefore explains that Rav Nachman follows the opinion that says that one releases a vow based on regret, and this is a leniency, allowing one to rely on *just* regret to release it. However, Rabban Gamliel says that regret alone isn't sufficient, as the one releasing the vow must determine a *pesach* – an opening, i.e., a circumstance which would

have caused the person to never had made the vow. This is much harder to determine, and therefore requires intense concentration.