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Eiruv Daf 67

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o"n

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

Rava ruled according to the Chachamim who say that one has to relinquish his rights in the *chatzer* to every resident in the *chatzer*.

In his third ruling, Rava rules that if the two *chatzeiros* joined in an *eiruv* and they placed the *eiruv* in a house in the inner *chatzer*, and one of the residents of the inner *chatzer* forgot to join in the *eiruv*, both *chatzeiros* are restricted, even if the residents who forgot to join in the *eiruv* relinquishes his rights. If the resident of the inner *chatzer* relinquished his rights to the other residents of the inner *chatzer*, the other residents of the outer *chatzer* would be permitted together with the inner *chatzer*. This would be possible according to Rabbi Eliezer ben Yaakov who maintains that one need not relinquish his rights to every resident of the *chatzer*. Rava, however, stated his ruling according to the Chachamim, who maintain that that one is required to relinquish his rights to every resident of the *chatzer*. When he relinquishes rights in the *chatzer* to specific residents, this does not permit carrying for everyone else, because only one person receives those rights. (67a)

When meeting each other, Rav Chisda's lips would tremble from the knowledge of Rav

Sheishes, and Rav Sheishes' entire body would tremble from the analytical skills of Rav Chisda.

When Rav Chisda and Rav Sheishes would meet each other, Rav Chisda's lips would tremble because of the awe that Rav Chisda felt for the knowledge that Rav Sheishes possessed. Rav Chisda was anxious because Rav Sheishes might ask him to resolve contradictory statements of various *Tanaaim*. Rav Sheishes' entire body would tremble upon meeting Rav Chisda, because Rav Chisda was very sharp and would ask very analytical questions. (67a)

If there are two houses on two sides of a public domain and gentiles enclosed the houses with walls on Shabbos, even according to the opinion that there is relinquishment of rights of rights from one *chatzer* to another, in this case they cannot relinquish their rights.

If there are two houses on two sides of a public domain, and gentiles enclosed the houses with walls on *Shabbos*, the walls are valid walls. Nonetheless, one resident of one of the house cannot relinquish his rights to the other resident of the second house to allow the other person to

carry from his house to this newly enclosed area. Shmuel maintains that if two *chatzeiros* sought to join in an *eiruv* before *Shabbos*, they would have been able to join in an *eiruv*, yet there is no relinquishment of rights from one *chatzer* to another. Certainly in this case, then, where they would not have even been able to join in an *eiruv* before *Shabbos* because of the public domain that separates them, they would certainly not be able to relinquish their rights. According to Rabbi Yochanan, however, who maintains that there is relinquishment of rights from one *chatzer* to another, there is a possibility that although the two requirements that allow for relinquishing rights have not been met (*the conditions are that the chatzeiros restrict and that they could have joined in an eiruv, which are both not possible here*). Nonetheless, we say that they cannot relinquish their rights, because at least one condition of Shmuel must be met, and in our case no conditions were met. (67a)

There is a dispute regarding a gentile who dies on *Shabbos* if one Jew can relinquish his rights in the *chatzer* to allow another Jew to carry.

If a gentile dies on *Shabbos* and the Jews residing in the *chatzer* did not join in an *eiruv* or lease the rights of the gentile before his demise, Rav Sheishes maintains that one of the Jews residing in the *chatzer* may relinquish his rights to the other Jew to allow him to carry in the *chatzer*, whereas Rav Hamnuna maintains that they cannot relinquish their rights.

The *Gemora* elaborates: Rabbi Yochanan maintains (65b) that when the gentile arrives on

Shabbos, the Jews can lease his rights and relinquish their rights to each other. In that case, two procedures were performed, leasing and relinquishing, so certainly in our case when the gentile dies on *Shabbos* and does not leave heirs to restrict the *chatzer* and only relinquishing is required, the one procedure of relinquishing rights would certainly be permitted. The question would be according to Shmuel who maintains that they may not lease the rights of the gentile in conjunction with relinquishing rights in order to permit carrying. Rav Sheishes maintains that when the gentile arrived on *Shabbos*, the Jews were unable to join in an *eiruv* before *Shabbos* because the gentile was not present to lease out his rights. When the gentile was present before *Shabbos*, however, the Jews were able to lease the gentile's rights before *Shabbos* and an *eiruv* could have been made. For this reason when the gentile dies on *Shabbos*, they can relinquish their rights. Rav Hamnuna, however, maintains that they cannot relinquish their rights because they could not have joined in an *eiruv* before *Shabbos*, because the gentile was alive and unless the gentile had leased the Jews his rights, he would have restricted the *chatzer*. Since there was no option for the Jews to join in an *eiruv*, they cannot relinquish their rights. (67a)

A gentile who has an entrance that is four *tefachim* by four *tefachim* that opens to an open field, even if he brings camels and wagons in and out of the entrance to the *mavoi* the entire day, he does not restrict the residents of the *mavoi*.

If a gentile has an entrance of four *tefachim* by four *tefachim* that opens to an empty field, even

if he brings camels and wagons in an out of the entrance to the *mavoi* the entire day, he does not restrict the residents of the *mavoi*, because we assume that he desires more the entrance that is unique to him. The gentile has more open space there than he has in the *mavoi*. (67a)

If the gentile's house opens to a *karpaf*, he does not restrict the *mavoi*.

If the gentile's house opens to a *karpaf*, he still does not restrict the *mavoi*. The reason for this is because a *karpaf* has more space than a *mavoi*. (67a - 67b)

When a gentile has access to a *karpaf*, if the *karpaf* is the area of two *beis se'ah* or less, he restricts the *mavoi*. If the *karpaf* is larger than two *beis se'ah*, he does not restrict the *mavoi*.

When a gentile has access to a *karpaf*, if the *karpaf* has an area of two *beis se'ah* (a *beis se'ah* is an area fifty amos by fifty amos, so two *beis se'ah* is an area that is fifty amos by one hundred amos) or less, the gentile restricts the *mavoi*. The reason for this is because the *karpaf* is small, so the gentile would rather exit his house through the *mavoi*. If the *karpaf* is larger than two *beis se'ah*, however, then the gentile does not restrict the *mavoi*, because he prefers a *karpaf* this size to the *mavoi*.

Regarding a Jew who forgot to join in an *eiruv* and has access to the *karpaf*, then the law is the opposite. If the area of the *karpaf* is two *beis se'ah* or less, then the Jew does not restrict the *mavoi*. The reason for this is because the Jew

uses the entrance to the *mavoi* and does not restrict the residents of the *mavoi*. Although an area less than two *beis se'ah* is insufficient for a gentile, a Jew can suffice with such an area because a Jew does not carry large burdens on *Shabbos*. If the area of the *karpaf*, however, is larger than two *beis se'ah*, then the Jew restricts the *mavoi*. The reason for this is because a *karpaf* that is larger than two *beis se'ah* is like a *karmelis* when it is not enclosed for dwelling purposes. Therefore, a Jew cannot carry from his house into the *karpaf*, and since he must use the *mavoi*, he restricts it. (67b)

A *karpaf* that is larger than the area of two *beis se'ah* and is not enclosed for the purposes of dwelling, even if the *karpaf* is as large as a *kor* or two *kors*, one who throws an object into the *karpaf* is liable.

If a *karpaf* that is larger than two *beis se'ah* was not enclosed for the purpose of dwelling, even if the *karpaf* is as large as one or two *kors* (a *kor* is equal to thirty *se'ah*, so a *beis kor* is equal to 75,000 amos), one who throws something into it from a public domain is liable. The reason for this is because the enclosure renders the area a private domain and it is only lacking residents. Biblically, any area enclosed by walls is considered a private domain, but the Chachamim decreed that an area that is larger than two *beis se'ah* and was not designated for dwelling purposes, even though it is enclosed, has the status of a *karmelis*. A *karmelis*, like a sea or other area that is not enclosed, cannot have the status of a private domain because it lacks an enclosure, yet it lacks the requirements necessary to render an area a public domain. The

Chachamim therefore decreed that the *karmelis* has the stringencies of both the public and private domain, so one cannot carry within a *karmelis* more than four *amos*, similar to a public domain, and one can carry from the *karmelis* to a public or private domain. A *karpaf* is different than a *karmelis* in that biblically, the *karpaf* has a status of a private domain because it is enclosed.

Regarding a *karpaf* that is larger than two *beis se'ah* and is not designated for residential purposes, the Chachamim were concerned that one may confuse the *karpaf* with a public domain. For this reason they gave this size *karpaf* the status of a *karmelis* and one cannot carry in it. Nonetheless, it still has the status of a private domain and one cannot transfer from a public domain to the *karpaf*. (67b)

A rock in the sea that is ten *tefachim* high and four *tefachim* wide, one cannot carry from the top of the rock to the sea and one cannot carry from the sea to the top of the rock.

One cannot carry from the top of a rock in the sea that is ten *tefachim* high and four *tefachim* wide to the sea, and one cannot carry from the sea to the top of the rock. The rock has the status of a private domain, and therefore one cannot carry from the rock, which is a private domain, to the sea, which is a public domain, even if one carries a distance of less than four *amos*. If the height of the rock is less than ten *tefachim*, however, one can carry between the sea and the rock, because both the sea and the rock are considered a *karmelis*, and one can carry up until a distance of four *amos* like in any

karmelis. One can carry on a rock as long as the rock does not exceed an area of two *beis se'ah*. (67b)

The Chachamim decreed that a *karpaf* that is larger than two *beis se'ah* and was not enclosed for dwelling purposes is a *karmelis*, and one can only carry within a four *amos* area.

The Chachamim decreed that a *karpaf* that is larger than two *beis se'ah* and was not enclosed for dwelling purposes is a *karmelis*, and one can only move an object within the *karpaf* a distance of four *amos*. The Chachamim also decreed that one cannot carry from a *karmelis* to a private domain, so when a rock is less than two *beis se'ah*, the Chachamim prohibited one from carrying between the rock and the sea. The reason for this is because the rock is a genuine private domain and there are no side effects from this ban. If the rock is larger than two *beis se'ah*, however, when one cannot carry in the entire *karpaf*, the Chachamim allowed one to carry between the rock and the sea. The reason they relaxed their decree in this case is because if they had prohibited carrying between the rock and the sea, one may confuse the rock with a genuine private domain and one will come to carry in the entire *karpaf*. This confusion would lead one to transgress the ban of carrying on the rock, which has a status of a *karmelis*, so to avoid this confusion, the Chachamim lifted their ban on transferring between a private domain and a *karmelis*. (67b)

DAILY MASHAL

The Warning

On the wall of the shul in Mattersdorf, hung a plaque which read: "As an eternal remembrance, that the later generations may know of the warning imposed by our teacher and master, R' Yissachar Ber Malach zt"l. By remembering his warning, may Hashem save us from fire and water... as it was on Yom Kippur last year (5597/ 1836), when certain people went against the Rav's instruction and ordered gentiles to work for them on *Shabbos*. Three days later a fire broke out, and the entire city was in great danger. We went to the grave of the Rav to daven, and we accepted upon ourselves and upon our children, never again to disobey his instruction. We thank Hashem, that he heard the prayers of the tzaddik who davened on our behalf, and destruction did not fall upon our homes" (Eleph Ksav I, 359).

Fear of Knowledge

The *Gemora* states that When Rav Chisda and Rav Sheishes would meet each other, Rav Chisda's lips would tremble because of the awe that Rav Chisda felt for the knowledge that Rav Sheishes possessed. Rav Chisda was anxious because Rav Sheishes might ask him to resolve contradictory statements of various Tanaaim. Rav Sheishes' entire body would tremble upon meeting Rav Chisda, because Rav Chisda was very sharp and would ask very analytical questions.

Elsewhere, the *Gemora* states that when it is said: *fear Hashem your G-d*, this teaches us that one must also fear a Torah scholar.

There is a well-known dispute in the *Gemora* whether it is more important to have a great amount of Torah knowledge or if it is preferred to be more analytical. The one with more Torah knowledge is referred to as Sinai, while the analytical scholar is referred to as *Okeir Harim*, one who uproots mountains. It would appear from our *Gemora* that both qualities are virtuous. Furthermore, Sinai itself reflects both, as the Jewish People trembled when the Torah was given, reflected in the mass amount of knowledge that the Torah contains, and Hashem also uprooted the mountain and held it over their heads, threatening them to either accept the Torah or the mountain would be their burial place.¹

Interpreting this statement homiletically, the *Gemora* is indicating that one must not suffice with merely acquiring raw knowledge of the Torah, but one must also uproot the mountain, i.e. by bringing himself to near death in order to understand the Torah properly. This can only be accomplished if one analyzes the Torah and seeks a true understanding of his studies.

¹ Shabbos 88a