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Eiruvin Daf 69

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Daf Notes is currently being dedicated to the neshamah of

Tzvi Gershon Ben Yoel (Harvey Felsen) o”h

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

There is a difference if the residents of the mavoi used the mavoi before the Sadducee uses it and when the residents of the mavoi did not use the mavoi before the Sadducee used the mavoi.

We have learned that Rabbi Meir maintained that Rabban Gamliel told his sons to carry out whatever they needed to take out into the mavoi or to bring in whatever they needed to bring in from the mavoi so the Sadducee does not preempt you by carrying from his house to the mavoi and restricting you.

Rabbi Meir is apparently of the opinion that the Sadducee could not regain the rights that he relinquished. Yet, Rabbi Meir himself in the *Mishna* (69b) maintains that if one ceded his rights and then carried out unintentionally or intentionally, he restricts because he has regained the rights that he relinquished.

One answer to this contradiction is that the *Mishna* should read, “He does not restrict.”

An alternative solution is that the *braisa* refers to residents of the mavoi who used the mavoi before the Sadducee was able to regain his rights by using the mavoi. The *Mishna*, however, refers

to a case where the residents of the mavoi did not use the mavoi before the one who relinquished his rights used the mavoi. (68b -69a)

There is a dispute regarding one who ceded his rights and then carried out into a mavoi.

If one ceded his rights and then carried into the mavoi unintentionally or intentionally, Rabbi Meir maintains that he restricts. This refers to a case where the residents of the mavoi did not seize the mavoi. If the residents of the mavoi did seize the mavoi, however, and then the one who relinquished his rights carried out, he does not restrict, regardless of whether he carried out unintentionally or intentionally. Rabbi Yehudah, however, maintains that if he carried out intentionally, he restricts, and if he carried out unintentionally, he does not restrict. (69a)

There are two explanations how to resolve the contradiction between Rabbi Yehudah’s statement in the *Mishna* and his statement in the *braisa*.

Rabbi Yehudah in the *braisa* maintained that Rabban Gamliel told his household before the onset of Shabbos, “hurry and do what you need to do in the mavoi before Shabbos begins and

the Sadducee will restrict you from carrying. This implies that Rabbi Yehudah maintains that a Sadducee is like a gentile with regard to the laws of eruv, because Rabbi Yehudah renders the relinquishment of the Sadducee invalid. In the *Mishna*, however, Rabbi Yehudah stated that Rabban Gamliel's father told his household to use the mavoi before the Sadducee carries out and regains his rights. This implies that if the Sadducee relinquishes his rights, the relinquishment is valid as long as he does not retract his relinquishment.

The *Gemora* resolves this contradiction by stating that the *Mishna* should read, "Before the day ends," and the *Mishna* refers to the end of Friday afternoon and the onset of Shabbos, and not to the Sadducee carrying out. This is in accord with Rabbi Yehudah's opinion in the *braisa* that the Sadducee cannot relinquish his rights. Alternatively, the *Gemora* answers that the *Mishna* refers to a *mumar*, an irreligious person who violated the Shabbos discreetly. This violator can relinquish his rights, whereas the *braisa* refers to an irreligious person who violates the Shabbos in public, and he cannot relinquish his rights. (69a)

A person carried a bag of spices on the street on Shabbos and Rabbi Yehudah said this person was allowed to relinquish his rights.

The *braisa* states that an irreligious person and one who is brazen cannot relinquish their rights.

The *Gemora* explains that the *braisa* is referring to one individual who is brazen and irreligious, and such a person cannot relinquish his rights.

This is in accordance with the opinion of Rabbi Yehudah who maintains that one who publicly acts in an irreligious manner cannot relinquish his rights.

A person was once carrying spices on Shabbos in a public area, and upon seeing Rabbi Yehudah Nesiah he covered up his bundle. Rabbi Yehudah Nesiah saw the spices and Rabbi Yehudah Nesiah declared that such a person, who was ashamed of violating the Shabbos in front of a respected rabbi, can relinquish his rights even according to the opinion of Rabbi Yehudah. (69a)

An irreligious Jew with regard to one ceding and relinquishing rights is one who violates the Shabbos publicly.

Rav Huna stated that one who violates the Shabbos publicly is considered an irreligious Jew in regard to all areas of Jewish law. Rabbi Meir is of the opinion that if one is suspect to having transgressed one part of the Torah, then he is suspect of transgressing the Torah, so Rav Huna cannot be in accord with Rabbi Meir. The Chachamim maintain that one who is suspect of transgressing one part of the Torah is not suspect of transgressing the entire Torah unless he is a *mumar*, heretic, for worshipping idols.

Rav Huna does not appear to be in accord with this opinion either.

The *Gemora* explains that Rav Huna renders one who transgresses the Shabbos to be irreligious with regard to ceding and relinquishing rights. According to Rav Huna, one who is suspect of having transgressed one part of the Torah is not suspect with regard to other parts of the Torah. Nonetheless, by violating the Shabbos, he cannot join in an eruv nor relinquish his rights, because with regard to the laws of eruv, he is gaskin to one who worships idols. (69a -69b)

An irreligious Jew cannot offer sacrifices.

It is said: *Adam ki yakriv mikem korban laHashem*, a man among you who will offer an offering to Hashem. The words *among you* exclude an irreligious Jew from offering sacrifices. The word *mikem*, among you, teaches that amongst the Jews Hashem differentiates between the religious and the irreligious, but a gentile can offer an *olah* sacrifice. (69b)

We accept sacrifices from deviant Jews.

The verse continues and states: *min habihaimah*, from the animals, and this includes people who behave like animals. This teaches us that we accept sacrifices from *poshei yisrael*, deviant Jews. This is done so they can repent their ways. All sinners can offer sacrifices except for an irreligious Jew concerning one part of the Torah, one who makes libations of wine to an idol and one who violates the Shabbos publicly. (69b)

One who worships idols and one who violates the Shabbos are equivalent with regard to being forbidden to offer sacrifices.

We learned that all sinners could offer sacrifices except for an irreligious Jew concerning one part of the Torah, one who makes libations of wine to an idol and one who violates the Shabbos publicly.

The *Gemora* explains that the irreligious Jew referred to here is an irreligious Jew who makes libations of wine to idols and violates the Shabbos publicly. We do not accept an offering from such a person, and we learn from this that with regard to refusing offerings, one who worships idols and one who violates the Shabbos are equivalent. (69b)

If a resident of a chatzer forgot to join in an eruv, both he and the other residents of the chatzer are restricted from carrying in and out of his house, but their houses are permitted for him and for them.

If a resident of a chatzer forgot to join in an eruv, both he and the other residents of the chatzer cannot carry in and out of his house. The other residents' houses are permitted for him and the other residents. If the other residents of the chatzer ceded their rights in the chatzer to the person who forgot to join in the eruv, he is allowed to carry from his house into the chatzer and from the chatzer into his house, but the other residents cannot carry from their houses to the chatzer. If two residents of the chatzer forgot to join in the eruv and the other residents of the chatzer ceded their rights in the chatzer to these two people, these two people restrict each other from carrying between their houses and the chatzer. This is because they both own the chatzer together and each one owns their house

exclusively. They cannot carry from their exclusive domains to the shared domain of the chatzer. (69b)

One person can be a guest of five people but five people cannot be a guest of one person.

We learned in the *Mishna* that if one forgot to join in an eruv and he relinquished his rights in the chatzer, the other residents' houses are permitted to him and to them. He can carry from the other residents' houses to the chatzer because he is like their guest. He is like any guest because he does not regain the rights in the chatzer that he relinquished.

The *Mishna* states further that if the other residents of the chatzer ceded their rights to him, he is permitted and they are restricted. They are not considered his guests to allow them to carry from his house into the chatzer, because one person can be considered the guest of five people, but five people cannot be considered the guests of one person. Were they to use the chatzer, even if they could not carry from their houses to the chatzer, they would regain their rights that they previously relinquished. (69b)

DAILY MASHAL

Idolatry, Desecrating the Shabbos, and prohibition to offer sacrifices

The *Gemora* states that idolatry and Shabbos desecration are equivalent with regard to one being prohibited for offering sacrifices. One who worships

idols declares that he does not seek to become close to Hashem. In fact, he demonstrates that he wishes to distance himself from Hashem by using idols as a medium or as a sole power. Similarly, one who desecrates the Shabbos demonstrates that he does not wish to use the opportunity that Hashem affords him to come close to Hashem. He desecrates the Holy Day and distances himself from Hashem. It follows, then, that such a person should be prohibited from offering sacrifices, as the very word *korban*, sacrifices, reflects that one seeks to come closer to Hashem.