

11 Sivan 5773  
May 20, 2013



Eiruvin Daf 73

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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

If brothers are living in a courtyard together with their father, and each has a separate house where they sleep but their father supplies them with food, they do not need an eiruv.

The Mishna states that this is the case as long as there are no other inhabitants in the yard. They are all considered like one dweller, who would not have to make an eiruv in his own private yard.

If there are other inhabitants in the yard, they may or may not have to join in the eiruv.

The Mishna explains that this depends on how the eiruv is being made. If it is being placed in the home of one of the other inhabitants, each brother must be part of the eiruv. However, if the eiruv of the entire yard is being placed in their father's home, they do not have to join in the eiruv.

There is an argument regarding the type of structure that makes a person considered as having a house in a yard regarding eiruv.

The Tanna Kamma says that even ownership of a storehouse, such as a place where one stores straw or wood, considers someone as an owner of

a house in the yard to be reckoned with in the eiruv. Rabbi Yehudah holds that only someone who owns a place of dwelling is considered to have a house in the yard. A storehouse is not enough.

There is an argument regarding the definition of a place of dwelling according to Rabbi Yehudah.

Rav holds this refers to a place where one eats, while Shmuel holds this refers to a place where one sleeps. The Gemora initially thinks that our Mishna is a question on Rav, as the Mishna says that all of the brothers who sleep in different places have to join the eiruv separately, despite eating together at their father's house. The Gemora answers that the case is where they all eat in their house, and are merely supported by their father.

There is an argument regarding whether five wives or servants of a person who are supported by him, and each have a house in the yard, are considered separate entities regarding eiruvei chatzeiros.

Rabbi Yehudah ben Beseirah holds the wives are not separate entities and the servants are

separate entities, while Rabbi Yehudah ben Bava holds the exact opposite.

Rav explains that Rabbi Yehudah ben Bava holds servants are not considered separate entities as Daniel, a servant (and adviser) of Nevuchadnezzar, is described by the verse as being part of the king.

A student is not considered separate from his teacher regarding eiruvei chatzeiros.

The Gemora states that a student who has a house in the yard is not a separate entity from his teacher who also has a house in that yard. [Rashi explains that this is only if he is supported by the teacher's house (i.e. the yeshiva).]

A student who sleeps in Yeshiva and eats in a separate domain measures his techum from the yeshiva.

The Gemora asks: How is this different from someone who places his eiruv and then goes and sleeps in his house? In that case it is clear that his place is by his eiruv, and not where he sleeps!

The Gemora answers that in that case, if the man would have a house where his eiruv is, we assume he would sleep there. In the case of the yeshiva student, he (optimally) always wants to be in his yeshiva. Therefore, the fact that he eats somewhere else is irrelevant.

If many yards were connected to each other, and they were also connected to an alleyway, one should arrange an eiruv and a shituf.

The Gemora explains that this is in accordance with the opinion of Rabbi Meir, that even though one eiruv should be able to be used for the shituf as well (or vice versa), they should arrange a separate eiruv and shituf. This is in order that people should not forget about the laws of either doing an eiruv and a shituf (which could happen if they always call it an eiruv, or always call it a shituf).

If one person forgets to join in the eiruv or shituf in the case above, everybody may still carry as usual.

The Gemora explains that the reason that Rabbi Meir holds that people should arrange both an eiruv and a shituf and not suffice with one is so that they should not forget about the laws of either doing an eiruv and a shituf. Being that this is the case, if accidentally one person forgot to join the separate eiruv, it is possible to rely on the letter of the law that one eiruv or shituf is enough to permit both the eiruv and the shituf. Being that there is a shituf as well which everyone participated in, this can also be counted on for the eiruv. (72b – 73b)

## INSIGHTS TO THE DAF

There is an argument regarding whether five wives or servants of a person (this was before the ban of Rabeinu Gershom against having more



than one wife) who are supported by him, and each have a house in the yard, are considered separate entities regarding eiruvei chatzeiros. Rabbi Yehudah ben Beseirah holds the wives are not separate entities and the servants are separate entities, while Rabbi Yehudah ben Bava holds the exact opposite.

While Rav explains Rabbi Yehudah ben Bava's reason for servants not being considered separate entities, the Gemora does not explain Rabbi Yehudah ben Beseirah's reasoning for wives not being considered separate entities. What is his reasoning?

It would appear Rabbi Yehudah ben Beseirah holds that a woman is not a separate entity due to the rule of "ishto k'gufo" -- "one's wife is like one's own body." This explanation is indeed said by the Ritva.

However, the Ra'avad gives a different reason that links not only each wife to the husband, but also each of them to each other. Being that if the husband dies without children, the chalitzah or yibum of one of the wives would allow the others to go free, it is clear that they are all considered one entity centered around their husband.

The Rashba explains that while Rabbi Yehudah ben Beseirah focuses on the fact that the husband and his wives are connected as described by the Ra'avad above, Rabbi Yehudah ben Beseirah is looking at the fact that the servants are considered to be the money or property of the owner.

The Rashba implies that this reasoning does not impress Rabbi Yehudah ben Beseirah, who does not deem this enough to make him part of the household regarding an eiruv.