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DAF Notes
Insights into the Daily Daf
Produced by Rabbi Avrohom Adler, Kollel Boker Beachwood

Eiruvin Daf 74

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

It was stated above: Rav said: One cannot carry in a *mavoi* that has been adjusted with a *korah* or a lechi unless the *mavoi* has courtyards and houses opening into it. [*The mavoi must function as a thoroughfare for people residing in the mavoi in at least two courtyards that contain two houses.*] Shmuel said: Even one house (*without a courtyard*) and one courtyard (*without two houses*) suffice. Rabbi Yochanan maintains: Even a ruin (*on one side of the mavoi and on the other side was a courtyard with one house in it*) is sufficient.

Abaye said to Rav Yosef: Did Rabbi Yochanan maintain his view even in the case of a path between a vineyard (*instead of the ruin*)?

Rav Yosef replied; Rabbi Yochanan spoke only of a ruin since it may be used as a dwelling, but not of a path between a vineyard, which cannot be used as a dwelling.

Rav Huna bar Chinena said: Rabbi Yochanan here (*in allowing the use of a mavoi to become unrestricted by means of a lechi or korah if there was a ruin in that mavoi instead of a second courtyard with a house*) follows a principle of his, for we learned in a *Mishna*: Rabbi Shimon said: Roofs, enclosures and courtyards are all one domain in respect of utensils which rested in them (*from the beginning of Shabbos; for then, they may be carried from one to the other – even without an eiruv*), but not in respect of utensils which rested in the house (*from the beginning of Shabbos; for then, they may not be carried into the courtyard without an eiruv*); and Rav stated that the *halachah* is in accordance with Rabbi Shimon, provided no *eiruv* had been prepared (*for in such a case, since its tenants are forbidden to carry any objects from their houses into their courtyard, no objects that were in the houses when the Shabbos commenced could be found in the courtyard; therefore there is no need to provide against the possibility that the tenants might, by mistake, carry any such objects into some other courtyard*), but where an *eiruv* had been prepared (*so that the tenants of each courtyard were thereby permitted to carry objects into their courtyards from their houses*), a preventive measure had been enacted against the possibility of carrying objects from the houses of one courtyard into some other courtyard. And Shmuel stated: Whether an *eiruv* had, or had not been prepared (*the halachah is in either case in accordance with R' Shimon*). And likewise, Rabbi Yochanan said: The *halachah* is in accordance with Rabbi Shimon, irrespective of whether an *eiruv* had, or had not been prepared.

The *Gemora* concludes: Thus it is evident that no preventive measure had been instituted against the possibility of carrying objects from the houses of one courtyard into some other courtyard, and so also here (*where there was a ruin in the mavoi*), no preventive measure had been instituted against the possibility of carrying objects from the courtyard into the ruin. [*Although the ruin belongs to some owner, it constitutes a domain of its own - into which no objects*

from the mavoi may be carried. Since a ruin is excluded from the category of dwelling-places, it does not affect the use of an mavoi by the tenants of its courtyards and does not join in its shituf.]

Rabbi Beruna was sitting at his studies and reporting this ruling when Rabbi Elozar said to him: Student of the Yeshiva! Did Shmuel say this? Rabbi Beruna replied: Yes. Rabbi Elozar said to him: Show me his lodgings. Rabbi Beruna showed it to him.

Rabbi Elozar approached Shmuel and asked him: Did the master say this? Shmuel replied: Yes. Rabbi Elozar objected: But didn't the master state that in the laws of *eiruvin*, we can only be guided (*in establishing leniencies*) by the wording of our *Mishna*, and it states that a *mavoi* to its courtyards (*emphasizing the plural form*) is as a courtyard to its houses (*so how can you rule that even one courtyard may grant a mavoi status*)? Shmuel remained silent.

The *Gemora* inquires: Did he, or did he not accept it front him?

The *Gemora* attempts to resolve this from the case of a certain *mavoi* in which Ivus bar Ihi lived. He furnished it with a *lechi*, and Shmuel allowed him to carry in it. Rav Anan (*after Shmuel's death*) subsequently came and threw it (*the lechi*) down (*because the mavoi contained only one courtyard and one house*). Ivus exclaimed: I have been living undisturbed in this *mavoi* under the direction of Shmuel; why should Rav Anan bar Rav now come and throw it (*the lechi*) down?

The *Gemora* notes: May it not then be deduced from this that he (*Shmuel*) did not accept it from him?

The *Gemora* rejects the proof: Actually, it may still be maintained that he did accept it from him, but in this case, a Synagogue sexton who was having his meals in his own home came to sleep at the Synagogue (*whose door opened into that mavoi*). [*He was, therefore, regarded by Shmuel, as a resident. After Shmuel's death, however, the sexton discontinued that practice and the Synagogue was entirely unoccupied at night. That is why Rav Anan took down the lechi.*]

The *Gemora* notes: Ivus bar Ihi thought that one's dining place is the cause (*regarding the laws of eiruv, and therefore, as the sexton only slept in the mavoi but dined elsewhere, he could not be regarded as one of its occupants; he, therefore, gained the impression that Shmuel acknowledged the validity of his lechi on the ground that one house and one courtyard suffice to constitute a mavoi*), while Shmuel (*in reality*) was merely following his own reasoning that one's lodging place is the cause (*for the eiruv*). [*The Synagogue, since its sexton lodged in it at night, could therefore be regarded as an inhabited courtyard, so that together with the courtyard of Ivus bar Ihi, the mavoi actually had two courtyards and it can be permitted to carry in it by means of a lechi even according to Rav.*]

Rav Yehudah said in the name of Rav: For a *mavoi* whose one side is occupied by an idolater and its other side by a Jew, no *eiruv* (*by the Jew and his neighbors behind him, whose house doors open into a public domain*) may be prepared through windows (*that connected their houses*) to render the movement of objects (*from the Jews' houses into the mavoi*) permissible by way of the door (*of the Jew who lived in the mavoi into whose house the objects could be brought by way of the windows*) into the *mavoi*.

Abaye said to Rav Yosef: Did Rav give the same ruling even in respect of a courtyard (*where a house on one side of it was occupied by an idolater and a house on the other side was occupied by a Jew whose house was*

connected by some form of opening with the houses of other Jews)? He replied: Yes; for if he had not given it, what would be the difference?

Abaye responded: I might have thought that Rav's reason for his ruling was his opinion that the use of a *mavoi* cannot be rendered permissible by means of a *lechi* or a *korah* unless houses and courtyards opened into it (*while in the case under discussion, since an idolater's house is not regarded as a valid dwelling, there was only one valid courtyard in the mavoi*); and if you would ask: What need was there for two rulings of Rav? It could be replied that both were necessary, for if only the former ruling was stated, I might have thought that an idolater's dwelling is regarded as a valid dwelling; therefore we were taught that an idolater's dwelling is not a valid dwelling. And if only the latter ruling was stated, one would not have known the number of houses required; therefore we were taught that there must be no less than two houses.

Abaye concludes: Now, however, that Rav also stated that his ruling applied even to a courtyard, it follows that Rav's reason is because he maintains that one is forbidden to live alone with an idolater (*lest he learn from his deeds*).

Rav Yosef said: If so, I can well understand why I heard Rabbi Tavla mentioning 'idolater' twice (*for he was referring once to a mavoi and once to a courtyard*), though at the time, I did not understand what he meant. (73b – 75a)

INSIGHTS TO THE DAF

Chanukah Candles in a Yeshiva Dormitory

By: Meoros HaDaf HaYomi

One of the most frequently asked questions each year before *Chanukah* is where a yeshiva student should light candles. As we know, *Chanukah* candles must be lit in the place where one lives. In the case of yeshiva students, who sleep in the dormitories and eat in the lunchroom, it is unclear which place is halachically considered their "living-quarters."

In our sugya Rav and Shmuel debate a similar question in regard to *eiruvin*. If a person sleeps in one house, and eats in another, which is considered his primary dwelling place? Which is the center of his *t'chum*? Which requires an *eiruv chatzeiros* with the neighbors of the courtyard?

The Shulchan Aruch (O.C. 370:5) rules according to the opinion that the place where one eats is his primary dwelling in regard to *eiruvin*.

The Taz (677 s.k. 2) draws a parallel between *eiruvin* and *Chanukah*. He cites a proof from our sugya for the opinion of the Rashba (cited by Rema, ibid), who rules that one must light *Chanukah* candles in the place where he eats. That is considered his primary dwelling place. However, the Taz qualifies this ruling by explaining that it refers only to a person who has two houses, one used for sleeping and one used for eating. If a person has one house, which he generally uses for all his needs, and is invited out as a guest to eat at a friend's house on *Chanukah*, he should not light at his friend's house, but rather at his own. Although some have the custom to light at their friend's house, the Taz insists that this is an improper practice, based on an incorrect understanding of the *sugya*. The advantage of lighting in the place where one eats applies only if he eats there so frequently that it can be considered his primary dwelling place.

In regard to yeshiva students, even if they do eat consistently in the lunchroom, it is still questionable whether they should light there. Rav Sheishes rules that a yeshiva student should make an eiruv based on where he sleeps and not where he eats. The Gemara explains that the students would have preferred to eat where they sleep, rather than eating in the homes of others, as was then customary. Therefore, they consider the place where they sleep to be their primary dwelling place, and the place where they eat is merely an unfortunate necessity. The Shulchan Aruch rules accordingly (O.C. 409:7, 370:5, see Magen Avraham, Pri Megadim and Biur Halacha).

Therefore, in yeshiva buildings where students sleep and eat, and are not forced to depend on others for meals, they should light in the lunchroom, where they eat. However, if the lunchroom is far from the Beis Midrash, but the dormitories are close by, they should light in their dormitory, since they would have preferred to eat there too, if it would have been possible.

In practice, the Chazon Ish ruled that yeshiva students should light in the lunchroom. Some say that the Chazon Ish instructed students to eat in their dorms during *Chanukah*. All opinions would then agree that they should light in the dorms, and the controversy is avoided entirely (Yemei *Chanukah* p. 64, citing R' Chaim Kaniefski).

Some Poskim contend that the lunchroom is a common area for all the students to eat together, whereas the dormitories are a more private living space, where only a few students share each room. Therefore the dorm rooms are their primary dwelling place, and they should light *Chanukah* candles there (Igros Moshe O.C. IV p. 128).

Another reason why it is preferable to light in the dorm rooms is that *Chanukah* candles are meant to publicize the miracle. Since students spend considerably more time in the dorms than they spend in the lunchroom, the candles draw more attention in the dorms (see Minchas Yitzchak, VII 48).

DAILY MASHAL

There are many things to be learned from the incident of Ivus bar Ihi. The primary teaching seems to be that one should clarify with a Rav when he is consulting about a particular halachic concern what exactly his reasoning is behind his ruling. This is because people often misunderstand a Rav's ruling, because their own understanding on the topic is incorrect. They may therefore stretch his ruling further in an incorrect manner. It is always wise to make sure one understands a Rav's ruling, and when wanting to apply it to another scenario, the Rav should generally be consulted again.

Another hot-button topic that is discussed based on this Gemora is that Rav Anan knocked down an eiruv that he held to be incorrect. The supporters of such actions point to the fact that the Gemora does not seem to have an inherent problem with Rav Anan, even according to the Gemora's original thought that Shmuel had indeed permitted the eiruv.

However, those who argue that an eiruv should never be knocked down when there are opinions permitting the eiruv point out that the Gemora is not pleased with this understanding of Rav Anan's actions. In the end, it is clear Rav Anan knocked down an eiruv that was forbidden according to all opinions. They therefore say that people have no right to knock down an eiruv that is put up according to opinions one does not agree with.