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Eiruv Daf 77

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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 a wall between two courtyards was ten *tefachim* high and four *tefachim* thick, two *eiruv*s may be prepared, but not one. [*The two courtyards are not allowed to prepare a joint eiruv on account of the wall – with no portal in it - that intervened between them. The prescribed thickness of four tefachim, which has no bearing on this restriction, since it applies to all walls whatever their thickness, was mentioned on account of the ruling that follows, which is applicable only where the thickness of the wall was no less than four tefachim.*] If there was fruit on top of it (*the wall, with the prescribed thickness*), the residents on either side may ascend and eat them, provided that they do not carry them down (*into the courtyard*).

If the wall was breached - to the extent of ten *amos*, the residents may prepare two *eiruv*s, or, if they prefer, only one, because it (*an opening that is not larger than ten amos*) is like a doorway. If the breach was larger than that, only one *eiruv* and not two may be prepared. [*An opening so large converts the two courtyards into one; and the residents, like those of the same courtyard, may not break up into two parties for an eiruv. If they do, they impose restrictions of movement upon each other.*]

The *Gemora* asks: What is the ruling where it (*the wall*) was not four *tefachim* wide?

Rav said: The air of two domains (*of each courtyard*) prevails upon it, and (*consequently*) no object on it may be moved - even as far as the fullness of a hair.

Rabbi Yochanan, however, said: The residents on either side may carry up their food and eat it there. [*And similarly they may also carry it down. The top of the wall is in his opinion an exempt area, and may, therefore, be regarded as merged with the one courtyard or the other to suit the convenience of the respective residents.*]

The *Gemora* asks on Rabbi Yochanan from our *Mishna*: The residents on either side may ascend and eat them. Does this not imply that they may only ascend, but not carry up?

The *Gemora* answers: It is this that was meant: If the top consists of an area of four *tefachim* by four they may ascend but may not carry up, and if it consists of less than four by four, they may also carry up.

The *Gemora* notes that Rabbi Yochanan follows a principle of his, for Rav Dimi, when he came (*to Bavel*), said in the name of Rabbi Yochanan: A place which is less than four *tefachim* by four *tefachim*, the residents both of (*the adjoining*) public and private domain may rearrange their burdens upon it, provided that they do not exchange (*from private to public or vice versa*). [*It emerges that one may carry indirectly*]

from a private domain into a public one, or vice versa, which is a form of transfer that is Rabbinically forbidden. Biblically, only direct transfer from one into the other of the domains mentioned is forbidden, since there must be 'lifting' from the one and direct 'putting down' in the other, while in the case under discussion, before the object was finally put down it was temporarily put down in, and lifted up from the place of exemption. At any rate, it follows that R' Yochanan, by permitting the people of either domain 'to rearrange their burdens' on a place having the area he mentioned, upholds the principle of the existence of a place of exemption].

The *Gemora* asks: Does Rav, however, not uphold the tradition of Rav Dimi?

The *Gemora* answers: If it were a case of Biblical domains, the law would have been so indeed, but here we are dealing with Rabbinical domains, and the Sages have applied to their enactments higher restrictions than to those of the Torah.

Rabbah said in the name of Rav Huna who said in the name of Rav Nachman: A wall between two courtyards, one of whose sides was ten *tefachim* high and the other side was on a level with the ground, is assigned to that courtyard with the floor of which it is level (*which means that only the residents of that courtyard are allowed to carry their objects up to, and down from, the top of the wall; to the residents of the other courtyard, this is forbidden*), because the use of it is convenient to the latter (*to the residents of the upper courtyard*), but inconvenient to the former (*to the residents of the lower courtyard*), and any place the use of which is convenient to one and inconvenient to another, is to

be assigned to the one to whom its use is convenient.

Rav Shizvi said in the name of Rav Nachman: A ditch between two courtyards, whose one side was ten *tefachim* deep and whose other side was on level with the ground (*of the other courtyard*) is assigned to that courtyard with whose floor it is on level, because the use of it is convenient to the latter (*to the residents of the lower courtyard*), but inconvenient to the former (*to the residents of the upper courtyard*), etc.

The *Gemora* notes that both rulings were required to be stated, for if we had been taught only of the law of the wall, it might have been assumed to apply to it alone, because people make use of a raised structure, but not to a ditch, since people do not make use of a depression in the ground, and if we had been taught only of the law of the ditch, it might have been assumed to apply to it alone, because its use involves no worries, but not to a wall where the use of it involves anxiety (*for the objects placed there can easily fall off and be damaged*); therefore the teaching of both was necessary.

The *Gemora* cites a *braisa*: If the height of the wall was reduced, it is permitted to use the entire wall, provided that the reduction extended to four *tefachim* (*for an eminence of such dimensions is regarded as a type of portal to the top of the wall, since it facilitates approach between the top and the courtyard*); otherwise, one may use only the part that was parallel to the reduction.

The *Gemora* asks: either way, what is your view? If it is that the reduction is effective (*that it is regarded as a valid doorway*), one should be permitted to have



the use of the entire wall, and if it is not effective, even the use of the part that was parallel to the reduction should not be permitted!?

Ravina replied: This is a case, for instance, where a section of its top has been removed. *[If the opening was four tefachim wide, it may well be regarded as a valid doorway through which the entire top of the wall may be freely used, but if, however, it was smaller, it cannot be regarded as a doorway to the wall, but the space in the gap may be freely used, since the wall below it is within ten tefachim from the courtyard floor level and cannot be regarded as a separate domain.]*

Rav Yechiel ruled: If a basin is inverted (and placed at the base of a wall that intervened between the two courtyards), a valid reduction is thereby effected (provided that the wall rises to less than ten tefachim above the top of the inverted basin).

The Gemora asks: But why? Isn't the basin an object that may be moved away on the Shabbos, and that as such causes no reduction?

The Gemora answers: This ruling is necessary only in a case where the basin was attached to the ground (in which case it may not be moved from its place throughout the Shabbos).

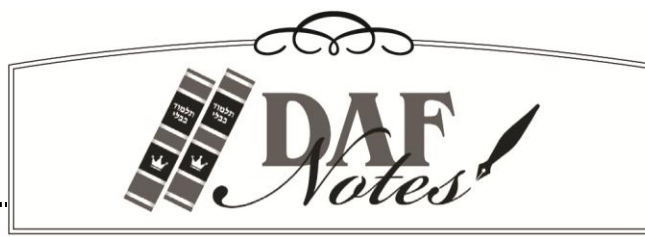
The Gemora asks: But what does it matter - even if it was attached to the ground, seeing that it was taught in a braisa: An unripe fig that had been put into straw (before Shabbos in order to ripen; straw that had been set aside for the manufacture of bricks or similar purpose may not be moved from its place on the Shabbos on account of muktzeh), or a cake that had been put among coals (that were aglow when

the Shabbos began but were extinguished now; such coals may not be moved on the Shabbos) may be taken out on the Shabbos if a part of it remained exposed? *[As a part of the basin also remains uncovered by the ground, its removal on the Shabbos is equally permitted. How then could R' Yechiel regard a basin in such a condition as an effective reduction?]*

The Gemora answers: Here we are dealing with a case, for instance, where the basin had a rim. *[A basin in such a condition may not be removed from its place on the Shabbos, since its removal would inevitably disturb the earth under which its rim is buried, and the person removing it would be guilty of performing an act that resembled the forbidden work of digging.]*

The Gemora asks: But what does it matter - even if it had a rim, seeing that we learned in a Mishna: If one hides (for storage) turnips or radishes under a vine, provided some of their leaves are uncovered, he need not be concerned on account of kilayim (for they have not taken root), the Shemittah (for it is not regarded as planting) or ma'aser (as they were already tithed before being buried), and they may be removed on Shabbos (although a hole will appear in the earth)?

The Gemora answers: This was required only in that case where a hoe or an adze is necessary (for the removal of the basin). *[As removal in such circumstances would involve work that is definitely forbidden on the Shabbos, the basin would have to remain in its position throughout the Shabbos day, and consequently may also be regarded as a valid reduction.]*



The *Gemora* rules: An Egyptian ladder (*which is very small*) does not effect a reduction (*for it is easily portable*), but a Tyrian ladder does.

The school of Rabbi Yannai explained: An Egyptian ladder is one that has less than four rungs.

Rav Acha the son of Rava asked Rav Ashi: What is the reason why an Egyptian ladder does not effect a reduction?

Rava replied: Did you not hear what Rav Acha bar Adda stated in the name of Rav Hamnuna, who said it in the name of Rav? He said: It is because it is an object that may be moved about on the *Shabbos* and which, like all such objects, causes no reduction.

The *Gemora* asks: If so, shouldn't the same ruling apply to a Tyrian ladder as well (*which may be moved*)?

The *Gemora* answers: In the latter case, it is its weight that imparts to it a permanency of position.

Abaye said: If a wall between two courtyards was ten *tefachim* high, and one ladder four *tefachim* wide was placed on the one side and another of the same width was placed on the other side, and there is a distance of less than three *tefachim* between them, a valid reduction is effected. [*Since, despite the fact that the ladders are not exactly facing each other, it is fairly easy to ascend to the top of the wall by means of the one ladder, to stride over the top and to descend into the next courtyard by means of the other ladder. The two ladders may, therefore, be regarded as a valid opening between the courtyards.*]

If, however, there was a distance of three *tefachim* between them, a valid reduction is not effected. This,

however, applies only where the wall was less than four *tefachim* thick, but if it was four *tefachim* thick, the reduction is valid - even if the ladders were far removed from one another.

INSIGHTS TO THE DAF

Our *Gemora* states a rule that whenever an area between two yards is easily accessible for one yard and difficult to access for the other yard, we consider it in the domain of the yard that can easily access it.

The *Keren Orah* notes that the *Gemora* does not seem to differentiate whether or not the width of the top of the wall is four *tefachim*. The law should seemingly be that it should go to the accessible yard.

However, he observes, the *Rambam* in *Mishnah Torah* (*Hilchos Eiruvim* 3:15) states that this only applies if the width of the wall is four *tefachim*. How does the *Rambam* know this?

The *Magid Mishnah* says that if it is not four *tefachim* wide it is clearly a "place of exemption," a place on *Shabbos* that is considered a neutral domain. One is allowed to carry from any domain to a place of exemption, or from a place of exemption to a different domain (though there is more discussion about transferring from a domain to a place of exemption to another domain).

The *Rashba* indeed has the text that the wall is four *tefachim* wide in his *Gemora*.