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Eiruvin Daf 99

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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

Carrying Via One’s Body

The Mishna said that one who is in a private domain may move items in the public domain, as long as he doesn’t move them 4 amos.

The Gemora infers from this that if he does move them 4 amos, it is a bona fide violation of Shabbos, necessitating a chatas, even though the private domain is high.

This supports Rava who says that if one moved an item 4 amos in the public domain, he is liable, even though he moved it over his body.

The Gemora deflects this by saying that the Mishna only implies that moving it 4 amos is prohibited, possibly only Rabbinically.

Another version is that the Gemora infers from the Mishna, which doesn’t categorically prohibit him from moving it 4 amos, that doing so does not obligate a chatas, challenging Rava.

The Gemora deflects this by saying that the Mishna may imply that doing so does obligate a chatas, which is consistent with Rava. (99a)

Substantial Area Of Taking And Placing

The Mishna says that one may not stand in one domain and urinate into another one. Rav Yosef says that if one does so, he is liable a chatas.

The Gemora asks how this can be, as carrying necessitates the item moving from an area of 4x4 tefachim, which is larger than the source of the urine.

The Gemora answers that since he specifically wants the urine to leave his body, this makes the area where it left just as substantial as one of 4x4 tefachim.

The Gemora supports this from Rava’s statement that one is liable a chatas if he threw food into a dog’s mouth or an oven, even though these are less than 4x4 tefachim. The reason for this statement must be that since he specifically wants the food to rest in these places, they are substantial enough to make him liable. (99a)

Where’s The Source?

Rava asks whether one is liable if his body is in one domain, but his urinating organ is in the domain where he is urinating into. Do we consider the urine to be originating from his body, from where it emanated, or from the organ, from where it left? The Gemora leaves this question unresolved. (99a)

When Is Saliva Something External?

The Mishna says that one also should not spit from one domain to another, while Rabbi Yehuda says that once saliva has entered his mouth, he shouldn’t walk with it for 4 amos before spitting. Rabbi Yehuda implies that even if he has turned the saliva over in his mouth, it is considered an external entity.

The Gemora challenges this from Rabbi Yehuda's statement in a Mishna about one who ate a pressed fig cake with impure hands, and put his hands in his mouth. Rabbi Meir says that he is impure, since his saliva is considered a liquid which make the food susceptible to impurity. Rabbi Yossi says he is impure, and Rabbi Yehuda says that he is only impure if he turned the saliva in his mouth over.

Rabbi Yochanan says that Rabbi Yehuda changed his opinion, and ruled that saliva is a liquid even before turning it over.

Rish Lakish says our Mishna is referring to phlegm, which is considered external once one coughs it up, while the Mishna about the fig cake is referring to saliva, which is considered external only when one turns it over.

The Gemora challenges this from a braisa in which Rabbi Yehuda says that one may not walk 4 amos in a case of "his phlegm, and when it emanated," which the Gemora understands to be 2 cases: phlegm, and saliva that emanated and entered his mouth.

The Gemora deflects this by saying that the braisa is one case of phlegm that emanated.

The Gemora rejects this, citing another braisa which explicitly lists two cases, one of phlegm which emanated, and one of saliva which emanated.

The Gemora therefore rejects Rish Lakish's answer and returns to only Rabbi Yochanan's.

Rish Lakish says that if one expelled phlegm in front of his teacher, he is liable for death, as the verse says that "all those who hate Me, love death," which the Gemora reads as those who "cause Me to hate them," which refers to one who makes himself disgusting to his teacher, who he must respect like Hashem.

The Gemora asks why he is liable, as one cannot control phlegm, and answers that Raish Lakish is referring only to one who spits the phlegm out in front of his teacher. (99a)

Drinking in Another Domain

The Mishna says that one may not stand in one domain and drink in another, unless he puts his head and most of his body into the domain where he's drinking. This is also true for a wine press.

The Gemora asks how the previous Mishna, which allows one to move items in a different domain, follows the Sages, while this Mishna, which prohibits drinking in a different one, follows Rabbi Meir.

Rav Yosef answers that this Mishna also follows the Sages, as they agree that one may not move things that he needs, like drinking water. (99a)

Drinking In A Karmelis

The Gemora asks whether this prohibition applies to drinking in the Rabbinically prohibited domain of karmelis.

Abaye says it applies equally, while Rava says it does not, as the prohibition of drinking it itself a Rabbinic decree, which wasn't imposed on a Rabbinic domain.

Abaye supports his position from the end of the Mishna, which says that it applies to a wine press, which must refer to a karmelis wine press.

Rava deflects this by saying that the Mishna is referring to drinking from a wine press during the week without taking ma'aser.

Rava cites the Mishna which says that one may drink at the wine press without taking ma'aser. Rabbi Meir says that one may do so whether diluting the wine with cold or hot water, Rabbi Eliezer bar Tzadok says that one must take ma'aser, and the Sages say that one must take ma'aser if diluting it with hot water, but not if diluting it



with cold water, as he can pour any remainder back in. Our Mishna follows Rabbi Meir, and therefore teaches that in the case of ma'aser, like in the case of carrying, one must put his head and most of his body into the wine press area when drinking, to ensure that the wine remains in the press. (99a – 99b)

Drinking From The Roof

The Mishna says that one may capture water from a gutter on the side of a roof below 10 tefach, and he may drink from a pipe protruding from the roof in any way.

The Gemora asks why one may only capture water from the gutter, and not directly take the water.

Rav Nachman explains that the case is a gutter within 3 tefachim of the roof, giving it the status of the roof. Therefore, one may not directly take from it into another domain.

The Gemora supports this with a braisa which says that one may stand in a private domain and raise his hands above 10 tefachim within 3 tefachim of the roof and capture water from it (as it falls through the air), as long as he doesn't press his hands against the wall (directly taking the water).

The Gemora cites another braisa which states that a person may not stand in a private domain and raise his hands above 10 tefachim within 3 tefachim of the roof and press his hands against the wall, but he may capture the water from it (as it falls through the air).

The Gemora cites a braisa which says that if the pipe is 4x4 tefachim, one may not directly take the water, as that is carrying from a karmelis to the public domain. (99b)

Out the window

The Mishna says residents can draw water through their window from a pit in the public domain with a 10 tefachim wall. Similarly, residents can throw their trash out a

window which overlooks a dump in the public domain, which is 10 tefachim high. (99b)

Where's the pit?

The Gemora asks where the pit is. If it is adjacent to the window (withing 4 tefachim), there is no need for a 10 tefachim wall.

Rav Huna says that the Mishna is a case where the window is more than 4 tefachim away from the pit. If there isn't a 10 tefachim wall, the bucket is being carried via a public domain into another private domain, which is prohibited. With a 10 tefachim wall, the bucket always remains above 10 tefachim, which is not the public domain.

Rabbi Yochanan answers that the Mishna's case is where the window is adjacent, and it is teaching that the 10 tefachim can be in the combination of the inner wall of the pit, and the wall above ground. (99b)

Clearing Out The Dump

The Gemora asks why we aren't concerned that the dump will be cleared out, making it less than 10 tefachim high.

The Gemora cites Ravin bar Rav Ada in the name of Rabbi Yitzchak who related the story of the mavoi whose one side was bordered the sea and other side was bordered by a dump. When Rebbe was asked about it, he didn't permit or prohibit carrying. He didn't permit it, since he was concerned that the sea's bank would slope too much from things washing up on it, and that the dump may be cleared out. He didn't prohibit it, since currently there were walls.

The Gemora answers that Rebbe's concern was only with a private dump, which does get cleared up at times, while the Mishna is referring to a public dump, which doesn't get cleared up. (99b)

Carrying under the tree

The Mishna says that if a tree covers an area with its branches, which extend down within 3 tefachim of the



ground, one may carry under the branches. If there are any roots protruding to a height of 3 *tefachim* high, one may not sit on them.

Rav Huna son of Rav Yehoshua says that if the area under the tree is more than the area of 2 se'ah, one may not carry under it. Since the area under the tree is meant for its airspace, but not for proper dwelling, it has the status of an enclosure for a purpose other than dwelling, which is only valid for a space of 2 se'ah. (99b – 100a)

INSIGHTS TO THE DAF

Drinking on Shabbos

A person should not put his head into a private domain in order to drink when he is standing in a public domain (nor visa versa). The Mishna concludes that if one puts his head and most of his body into the domain where he is drinking, this is permitted.

Rashi asks an obvious question. The Mishna earlier stated that it is forbidden for a person to spit or urinate when his body is in the public domain and his liquids end up in the private domain, or vice versa. This is because the “akira” - - “uprooting” is taking place in one domain, and the “hanacha” -- “resting” in another. How is this different than the cases of our Mishna where it is permitted to drink in one place so long as most of one’s body is there, even though it is going to end up resting in the part of his body that is not in the domain where he is drinking?

Rashi answers that the cases of urinating and spitting are cases of clear cut akira in one domain and hanacha in the other. However, when drinking, the water ends up stopping in one’s mouth, which is in the same domain where he is drinking.

Rebbi Akiva Eiger further explains Rashi as meaning that even if the water moves on afterwards, it is considered as

going from a makom petur to the other domain, which is permitted.

Tosfos earlier (20a) gave a different answer to this question of the water moving again. He explained that once the water goes into a person’s mouth, it is considered to stay there permanently, as it becomes part of the person’s body. It therefore is not considered to move anymore at all.