

Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

## **Eiruvin Daf Kuf**

## SHARASHAV GIVOHIN MIN HA'ARETZ...

- If roots of a tree first rise from the ground 3 tefachim, and then bend and go to within 3 tefachim of the ground, **Rabbah** says one may use (e.g. sit on) the part of the root that is within 3 tefachim to the ground (because anything within 3 tefachim to the ground has the status of the ground itself). **R' Sheishes** says it may not be used (because this part of the root comes from a root that itself is assur, since it is 3 tefachim off the ground).
  - o In a case where the root rises to above 3 tefachim on an incline, and along the incline there are offshoots that angle down to within 3 tefachim: the part of the main root within 3 tefachim is mutar to use; the part of the root above 3 tefachim is assur to use; the offshoots which come back to within 3 tefachim would be the same machlokes between **Rabbah and R' Sheishes**.
  - Also, where a tree grows in a groove in the ground. Rabbah says we begin measuring
    the 3 tefachim from ground level (not the bottom of the groove). R' Sheishes says we
    measure from the bottom of the groove.
  - Also, when a tree grows at the corner of a wall, and is thus covered on 3 sides, Rabbah says we begin measuring 3 tefachim from above the wall. R' Sheishes says we measure from the ground.
    - Abaye had a tree in his house that stuck out of a skylight and onto the roof. R' Yosef allowed him to use the tree on the roof. R' Acha bar Tachlifa said, R' Yosef permitted this only according to Rabbah, who would say to measure from the roof level. R' Sheishes would not allow this use, even though regarding other halachos we say that we view a house as if it is filled with items, we would not say that here, so he would say to measure the tree from the ground level.
    - Q: Our Mishna says that one may not sit on roots which are 3 tefachim off the ground. That is obvious!? It must be that the Mishna is teaching that it may not be sat on even if it bends down to within 3 tefachim, and this would be a proof to R' Sheishes!? A: The Misha is talking about where it is higher than 3 tefachim on one side of the tree, but even with the ground on the other. The Mishna teaches that it is still assur to sit on.
- Q: One Braisa says that if one is on a tree on Shabbos, he may climb down. Another Braisa says that he may not climb down!? A: The Braisa that allows him to climb down is discussing where he climbed up before Shabbos. The other Braisa is where he climbed up on Shabbos. A2: Both Braisos discuss where he climbed up on Shabbos, but one is where he went up b'shogeg, the other was where it was done b'meizid. A3: Both were b'shogeg, but the Braisos argue regarding whether we are goizer in the case of a shogeg.
  - R' Huna the son of R' Yehoshua said, the machlokes between the Braisos is the same as that found in another Braisa. The Braisa says, if the blood of korbanos became mixed, where one of the korbanos needed to be sprinkled one time (e.g. a bechor), and one of the korbanos needed to be sprinkled 4 times (e.g. a chatas or an olah), R' Eliezer says the mixture should be sprinkled 4 times (even though he is oiver "bal tosef" for the korbon needing only one sprinkle he should do so, because if he doesn't, he will be oiver "bal tigra" for the one that needs 4 sprinkles). R' Yehoshua says he should only sprinkle the mixture once (so that he shouldn't be oiver bal tosef).
    - R' Eliezer said, bal tosef does not apply when there is a mixture like this, because one of the components needs 4 sprinkles. R' Yehoshua said, bal tigra does not apply for the same reason, and also, if he sprinkles 4 times, he is being oiver bal tosef through his direct action. If he sprinkles only once, even if he is oiver bal tigra, it is only through his inaction.

- According to this, R' Eliezer would seemingly hold that one should climb down the tree on Shabbos, and R' Yehoshua would say it is better not to do an action, and therefore would say that he should not climb down the tree.
  - It could be that R' Eliezer says to do the action that causes the aveirah only when the action also accomplishes a mitzvah, but would not allow climbing down the tree, where there is no mitzvah. It could also be that R' Yehoshua says not to do an action when inaction does not cause an aveirah. Here, inaction makes him stay in the tree and thereby use it (which is not allowed).
- Q: One Braisa says the prohibition to use trees applies to live and dead trees. Another Braisa says it applies only to live trees!? A: R' Yehuda said, the Braisa that prohibits the use of the dead tree is where the it is possible that it will regenerate. The Braisa that allows it discusses the case where it is not possible.
  - Q: If it is possible to regenerate, the Braisa wouldn't call it a dead tree!? A: In the winter all trees are assur because they all look the same. In the summer the dead trees are not assur, because it is clearly discernible from the live trees.
    - Q: Using the dead tree in the summer months can cause any fruit it has to fall off!? A: The Braisa is discussing a case where there is no fruit on the tree.
    - **Q:** Using the dead tree may cause twigs to fall off!? **A:** The case is where there is only a trunk, with no branches.
      - Q: We find that Rav prohibited use of a bare trunk in Aspastiya!? A: He did so because the people there were unlearned and would have taken the heter to use that trunk to mean that all trees were mutar.
- Rami bar Chama in the name of R' Assi said, a person may not walk on grass on Shabbos (because blades of grass may be pulled out).
  - Q: One Braisa says that one may walk on grass and another says that one may not!? A: The first Braisa refers to dead grass and the second refers to live grass. A2: Both discuss live grass. The first Braisa discusses the wintertime, where walking on grass does not cause seeds to be detached. The second Braisa refers to the summertime, where walking on grass causes the seeds to be detached. A3: Both discuss the summertime. The first Braisa refers to walking on grass with shoes (it is not likely that grass will be pulled out). A4: Both discuss walking on the grass with shoes. The first Braisa discusses shoes that don't have spikes on the bottom (so grass will not be pulled out). A5: Both discuss shoes with spikes. The first Braisa discusses where the grass is not long (so it will not be pulled out).
    - The Gemara says, today that we pasken like R' Shimon (that unintentional acts are permitted), one may walk on grass in any of the above cases if he does not intend to pull out blades of grass.
- Rami bar Chama in the name of R' Assi said, a person may not force his wife to have tashmish.
  - R' Yehoshua ben Levi said, a person who does force his wife, will have children that are not proper.
    - A Braisa says this as well and then adds that one who has tashmish and then has tashmish again right away is considered improper.
      - **Q: Rava** said that tashmish twice in a row creates boys (and should be done by one wanting to have a boy)!? **A: Rava** is discussing where the wife is okay with repeated tashmish.
  - R' Shmuel bar Nachmeini in the name of R' Yonason said, if a woman causes her
    husband to want tashmish, that will result in exemplary children, better than could be
    found in the times of Moshe Rabbeinu.
    - Q: R' Yitzchak bar Avdimi says that Chava was cursed with 10 curses when she ate from the Eitz Hada'as. One of them was that a woman does not ask for tashmish, but rather must wait for her husband to do so, and this is considered the proper thing for a woman to do!? A: R' Yonason was referring to where the wife creates the desire of the husband, without actually asking for it.

o **R' Yochanan** said, even if the Torah had not been given to us, we would learn modesty from a cat (it does not relieve itself in front of people, and covers its waste), the issur of stealing from an ant (each ant stores food for the year during the summer and no ant takes from the next), the issue of arayos from a dove (it only mates with its partner) and the proper method of tashmish from a rooster (it first appeases the female and then has tashmish).