



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

### Eiruv Daf Mem Vuv

- **R' Yaakov bar Idi in the name of R' Yehoshua ben Levi** paskens like **R' Yochanan ben Nuri**.
  - **R' Zeira** asked **R' Yaakov bar Idi**, did you hear this directly from **R' Yehoshua ben Levi** or are you inferring this from something else he said? He answered that he heard this said in a direct, explicit way.
    - **Q:** What did **R' Yehoshua** say that **R' Zeira** thought this psak may be inferred from? **A:** **R' Yehoshua** says elsewhere that regarding eiruv, we always pasken like the one who is meikel.
      - **Q:** If he says this, why does he need to again say that he paskens like **R' Yochanan ben Nuri** (who is meikel regarding eiruv)!? **A:** **R' Zeira** said, if **R' Yehoshua** would only have said that he paskens like **R' Yochanan ben Nuri**, we would think he paskens like him regarding a sleeping person getting 2,000 amos (which is a kulah) and regarding hefker keilim getting a techum (which is a chumrah). That's why he had to also say that we pasken like the meikel regarding eiruv to make it clear that we only pasken like **R' Yochanan ben Nuri** regarding a sleeping person.
      - **Q:** Why didn't he just say that we follow the meikel, and not say anything about **R' Yochanan ben Nuri**?! **A:** We would have thought that we only pasken like the meikel when he is opposed by another individual Tanna, but not when the meikel is opposed by many Tanna'im (e.g. the **Chachomim**). That's why he says we pasken like him here, even though he is opposed by the **Chachomim**.
    - **Q: Rava** asked **Abaye**, since eiruv in only D'Rabanan, why would we think we would not pasken like the meikel just because he is opposed by many?
      - **Q: R' Pappa** asked **Rava**, we find that even by a D'Rabanan we treat an individual view opposed by many, differently than an individual view opposed by another individual! **R' Elazar** says in a Mishna regarding a woman who has not seen blood for 90 days and then sees blood, that only the food she touches from the moment she sees the blood is tamei, not retroactively (typically we say that food touched by a woman for 24 hours before she sees blood is tamei as well). The **Rabanan** argue. A Braisa says that **Rebbi** once paskened like **R' Elazar**, and when he remembered that the halacha doesn't clearly follow **R' Elazar**, he said we can still rely on **R' Elazar** in times of dire need (it was a year of hunger and making more food tamei would have been especially difficult for the people). What does it mean "after he remembered that the halacha doesn't clearly follow **R' Elazar**"? It must mean that after he remembered that it was the **Rabanan** who argued on **R' Elazar**, and not just an individual, he said **R' Elazar** can be relied upon because it was a dire situation. Clearly we see that even though this din of 24 hour look-back is only D'Rabanan, still, there is a difference if the individual is opposed by another individual or by many!
      - **Q: R' Mesharshiya** asked **Rava**, we find that **R' Akiva** is meikel and the **Rabanan** are machmir regarding some halachos of aveilus. **Rabbah bar bar Chana in the name of R' Yochanan** says, although we normally have to follow the majority who is machmir, in this case we will pasken like **R' Akiva**, because **Shmuel** says we pasken like the meikel regarding the halachos of aveilus. It seems, that regarding all other halachos

D'Rabanan we would not follow the individual view that is opposed by many!

- **R' Pappa** says, the reason **R' Yehoshua** had to say that we pasken like **R' Yochanan ben Nuri** is because we would think that he only paskens like the meikel for eruvei chatzeiros, but not for eruvei techumin.
  - We find in a Mishna that there is a difference between the two, like **R' Yehuda** says that eruvei techumin can only take effect with the consent of the person it is being made for (there are benefits and detriments involved, because it expands his techum one way but limits it the other way), whereas eruvei chatzeiros may be made for a person without his consent (it is only beneficial).
- **R' Ashi** says, we would have thought that **R' Yehoshua** paskens like the meikel only when we had a definite eiruv whose validity has now come into question. However, when the question is whether the eiruv is good to begin with, maybe he would not follow the meikel. That's why he had to clearly state that he paskens like **R' Yochanan ben Nuri** even in that case.
  - We find that **R' Yose** in a Mishna differentiates between the two. He says that a minimum amount is necessary for an eiruv only at its establishment. Once established, even if only a minute amount exists, the eiruv will remain kosher.
- **R' Yaakov and R' Zrika** say, we pasken like **R' Akiva** when he is opposed by an individual, like **R' Yose** even when opposed by many, and like **Rebbi** when he is opposed by an individual.
  - **R' Assi** says we follow these general rules as guidelines to actually pasken halachos. **R' Chiya bar Abba** says we do not announce these general rules in public, but we may follow them for individual questions that arise. **R' Yose the son of R' Chanina** says we do not pasken based on these general rules, but if one did, we do not need to reverse the decision.
- **R' Yaakov bar Idi in the name of R' Yochanan** said: when **R' Meir and R' Yehuda** argue, the halacha follows **R' Yehuda**; when **R' Yehuda and R' Yose** argue, the halacha follows **R' Yose**; by extension, when **R' Meir and R' Yose** argue, the halacha follows **R' Yose**.
  - **R' Assi** said, when **R' Yose and R' Shimon** argue, the halacha follows **R' Yose**, because **R' Abba in the name of R' Yochanan** said, that when **R' Yehuda and R' Shimon** argue, the halacha follows **R' Yehuda**. By extension, we would follow **R' Yose** over **R' Shimon** as well.
    - **Q:** Who do we follow when **R' Meir and R' Shimon** argue? **A: TEIKU.**
  - **R' Mesharshiya** said we do not follow these general rules.
    - **Q:** Where does he see that we don't follow these general rules?
      - Maybe it is from our Mishna where **R' Shimon** brought the case of the 3 chatzeiros and said the middle chatzer is permitted with the outer 2 and the outer 2 with it, but the outer 2 to each other are assur (where an eiruv was made between each outer chatzer and the middle, but not between the 2 outers), and the fact that **R' Chama bar Gurya in the name of Rav** paskens like **R' Shimon** even though the **Rabanan**, which presumably is **R' Yehuda**, argue with **R' Shimon** in the Braisa. We see that we are not following the general rule! However, this can't be **R' Mesharshiya's** reason, because it could be that where we are told to pasken a particular way we do so, and the general rule may only come into effect when we are not told specifically how to pasken!?
      - Maybe it is from a Mishna which discusses how much must be left out of the eiruv in a city that used to have more than 600,000 people but now has less (a city with 600,000 people may not be encompassed with one eiruv, so a city that used to have that many people and now does not also must leave an area out of the eiruv). **R' Shimon and R' Yehuda** argue as to how large a space must be left out, and **R' Chama bar Gurya in the name of Rav** paskens like **R' Shimon** even though he argues on **R' Yehuda**! However, this can't be **R' Mesharshiya's** reason, because it could be that where we are told to pasken a particular way we do so,

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