



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

### Eiruv Daf Mem Zayin

- **[R' Mesharshiya** says we do not follow the general rules of **R' Yochanan** (that we pasken like **R' Yehuda** over **R' Meir**, like **R' Yose** over **R' Yehuda**, and like **R' Yehuda** over **R' Shimon**). **Q:** What did he learn that made him say that?]
  - Maybe it is from a Mishna that discusses the halacha that all members of a chatzer must be included in the eiruvei chatzeiros for it to be effective. The Mishna cites a machlokes regarding the halacha if a member of the chatzer is away for Shabbos. **R' Yehuda** says, if he has left the city for Shabbos, the eiruv is effective without his inclusion. **R' Shimon** says, even if he went to his daughter in the same city, the eiruv is effective without his inclusion. **R' Chama bar Gurya** paskens like **R' Shimon** (even though he is opposed by **R' Yehuda**)! We see that the general rule is not followed! However, the Gemara says that 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 brings the following machlokes: **R' Meir** says an eiruv techumin may only be made using one's physical presence when he does not have food available. **R' Yehuda** says it may be used even if he has food available. **Rav** paskened that it may be used whether or not food is available, and he then added the statement that "the halacha follows **R' Yehuda**". If he follows the general rule, why did he need to say the halacha follows **R' Yehuda**? It must be that he doesn't! However, the Gemara says that this can't be **R' Mesharshiya's** reason, because it could be that **Rav** doesn't follow the generalizations, but **R' Yochanan** does, and we would therefore follow **R' Yochanan** and accept the generalizations.
  - Maybe it is from a Mishna which discusses a woman wanting to remarry. The Mishna says that women must wait 3 months before remarrying to remove any doubt as to the father of a child born early on in the new marriage. The **T"K** (which, based on a Braisa is the shita of **R' Meir**) says that a woman may not enter into kiddushin or nissuin for at least 3 months after the previous marriage. **R' Yose** says women may enter into kiddushin immediately (except for a widow who should wait until after her 30-day period of mourning), but must wait at least 3 months before nissuin. **R' Assi** said that **R' Yochanan** paskened like **R' Yose**, which he had no need to say if he held like his general rule! However, the Gemara says that this can't be **R' Mesharshiya's** reason, because **R' Yochanan** may have stated that to be clear that although we typically follow **R' Meir** in cases of gezeiros (which is a rule stated by **R' Nachman in the name of Shmuel**), this would be an exception to that rule and we are to pasken like **R' Yose**.
  - Maybe it is from a Braisa. The Braisa brings a machlokes between **R' Yehuda** and **R' Yose**. **R' Yehuda** says that a Kohen may make himself tamei by entering chutz la'aretz or by entering a "beis hapras" (both of which give off tumah D'Rabanan) if he must do so to go and learn Torah or to get married. However, this is only permitted if he can find no other rebbi to learn from without entering these areas. **R' Yose** said even if there is a rebbi available, he may still enter these areas to get to a rebbi he would prefer to learn from. **R' Yochanan** paskens like **R' Yose**, which he had no need to do if he held like his general rule! However, the Gemara says that this can't be **R' Mesharshiya's** reason, because **Abaye** says, we would think that the general rule only applies to Mishnayos, not Braisos. That is why **R' Yochanan** had to pasken like **R' Yose** here.
  - **A:** **R' Mesharshiya** didn't mean to say that no one holds of **R' Yochanan's** general rule, he only meant to say that not everybody agrees with **R' Yochanan's** general rules, as we see that **Rav** argued.

- **R' Yehuda in the name of Shmuel** said, an item belonging to a goy does not have a “dwelling” for Shabbos purposes and may therefore be moved beyond 2,000 amos from where they were at the onset of Shabbos.
  - **Q:** If this is said in accordance with the **Rabanan**, this is obvious! If hefker items don't get a “dwelling” for Shabbos and have no techum restrictions, certainly items owned by a goy, who is not subject to techum, will not be subject to techum!? **A:** This was said in accordance with **R' Yochanan ben Nuri**. The chiddush is that although he says that hefker items have a techum restriction, items owned by a goy do not.
  - **Q:** A Braisa says that if a Yid gets an item from a goy on Yom Tov, the item gets a 2,000 amah techum. If we say that **R' Yochanan ben Nuri** holds that the items of a goy have a techum restriction as well, then he can be the Tanna of this Braisa. If we say he holds that the items do not have a techum restriction, who is the Tanna of this Braisa!? **A:** **R' Yochanan ben Nuri** actually holds that items of a goy do have a techum restriction. **Shmuel's** statement was said in accordance with the **Rabanan**. Although it seems obvious, we might think that we give the items a techum restriction as a gezeirah for items that are owned by Jews. **Shmuel** teaches us that there is no such gezeirah.
- **R' Chiya bar Avin in the name of R' Yochanan** said that items of a goy do have a “dwelling” for Shabbos purposes and are restricted by a techum, as a gezeirah for items that are owned by Jews.
  - It once happened that goyim brought rams from outside the techum to the city of Mavrachta. **Rava** allowed the people of Mechuza to buy these animals on Yom Tov and take them back to Mechuza. **Ravina** said, you allowed that because **Shmuel** said items belonging to goyim have no techum. But **R' Yochanan** said they do have a techum and when **Shmuel** and **R' Yochanan** argue, we pasken like **R' Yochanan**!? **Rava** then said that only the people of Mavrachta may purchase these animals, because although they came from outside the techum and are therefore restricted to 4 amos, the entire city has a din of 4 amos and they can be moved anywhere in the city (as **R' Gamliel** had paskened earlier in the Mesechta).
- **R' Chiya** taught a Braisa that says, if there are 2 cities whose techum limitations border each other, and a body of water is in middle of that border (part within the techum of one city and part in the techum of the other city), in order to use this water on Shabbos there must be a steel wall dividing the water. **R' Yose the son of R' Chanina** laughed when he heard this Braisa (signaling that it was not correct).
  - **Q:** Why did he laugh?
    - If it is because he held that we follow the meikel and this Braisa is following **R' Yochanan ben Nuri** that the hefker water has a techum, would he laugh because a Braisa follows a chumra just because he doesn't follow that chumra?
    - Maybe he laughed because a Braisa says that moving water doesn't have its own techum. However, that can't be why, because maybe we are discussing stationary water, which would get a techum according to **R' Yochanan ben Nuri**.
    - Maybe it is because the Braisa required constructing a steel wall to separate the water, and **R' Yose the son of R' Chanina** laughed because he said a steel wall would also not be effective in totally separating the water into each techum. However, this cannot be why, because maybe the Braisa is saying that the water must be totally separated to allow using it on Shabbos, and since it is not possible to do so, it may not be used.
    - The reason he laughed is because we have learned that **Rav** said, the **Rabanan** were meikel with regard to water that even partial enclosures are deemed to “separate” the water for these purposes. If so, the Braisa must be incorrect.