



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

Eiruvin Daf Samach Vuv

- **Q: R' Chanina bar Yosef, R' Chiya bar Abba, and R' Assi** were at an inn, and the owner, who was a goy, returned to the inn on Shabbos (after having been away from before Shabbos began). The question arose whether they could lease the rights from the goy on Shabbos (and they would then each relinquish their rights to one of the Yidden, which they would have to do because the original eiruv was rendered ineffective with the presence of the goy). Do we say that leasing rights is like creating an eiruv, and just like an eiruv must be done before Shabbos, so too must the leasing of rights be done before Shabbos, or do we say that leasing rights is like relinquishing rights, and just as relinquishing rights may be done on Shabbos, leasing rights may be done on Shabbos as well? **A: R' Chanina bar Yosef** said to lease the rights on Shabbos. **R' Assi** said that it could not be done. **R' Chiya bar Abba** said let us rely on **R' Chanina bar Yosef** and lease the rights on Shabbos.
 - After Shabbos they went and asked **R' Yochanan** what the halacha was. He told them that they acted properly by leasing the rights on Shabbos.
 - **Q: The Nehardai** asked, we find that **R' Yochanan** says that leasing rights is like making an eiruv. Presumably that means, that just as an eiruv must be done before Shabbos, so too must the leasing of rights be done before Shabbos!? **A: R' Yochanan** means that leasing rights is like making an eiruv in that it can be done with less than the value of a perutah, and can be leased from an employee of the goy, and need only be leased by one representative of the chatzer.
 - **R' Zeira** scrutinized **R' Yochanan's** halacha, trying to reconcile it with something that **Shmuel** said. **Shmuel** said 3 halachos about relinquishing rights (as explained by **R' Sheishes**): 1) any situation where the people prohibit each other from carrying in the chatzer by not having joined an eiruv, and they could have joined an eiruv before Shabbos, but did not, that is a case where they may relinquish their rights to one person of the chatzer and carry in that chatzer (as in the case of one chatzer within an outer chatzer, where the inner chatzer did not make an eiruv); 2) if they could have joined in an eiruv, but not doing so does not prohibit carrying in the chatzer, they may not relinquish their rights on Shabbos (as in the case where 2 neighboring chatzeiros have an opening between them, where they could, but need not, make a joint eiruv); 3) if they prohibit carrying in the chatzer, but could not have joined an eiruv, they also cannot relinquish their rights on Shabbos (as in a case where 2 Yidden live in a chatzer with a goy, in which case they prohibit each other but may not join in an eiruv if they did not lease the rights of the goy before Shabbos, since they could not have entered into an eiruv). **R' Sheishes** says, **R' Zeira** was bothered by **R' Yochanan's** psak because this last case of **Shmuel** says that one may not relinquish rights in this case!?
 - **R' Yosef** said, "I have never heard this first halacha of **Shmuel**". **Abaye** said to him, "You taught it to us on the following statement of **Shmuel**". **Shmuel** said, 1) the residents of one chatzer may not relinquish rights to the residents of another chatzer, and 2) there is no relinquishing of rights in a ruin. You, **R' Yosef**, explained, that **Shmuel** said this first halacha only in regard to 2 neighboring chatzeiros with an opening between them. However, in the case of an inner and outer chatzer, since they can prohibit each other, they may relinquish rights to each other.

- **Q: R' Yosef** asked, how could I have explained **Shmuel** in this way? **Shmuel** says that we follow the wording of the Mishnayos with regard to eiruv, and the Mishna says “people of a **chatzer**” may relinquish rights, which presumably means only if they are of the same chatzer! **A: Abaye** said, you explained to us, that when **Shmuel** says we follow the wording of the Mishnayos, he was referring to a different Mishna which compares a chatzer to a mavoi.
- We mentioned that **Shmuel** says, there is no relinquishing of rights between members of different chatzeiros, and there is no relinquishing of rights in a ruin (when there is a ruin in between 2 houses). **R' Yochanan** argues and says that relinquishing may be done in both these cases.
 - We need to be told that they argue in both these cases, because if they would only argue in the case of chatzeiros, we would say it is only there that **Shmuel** says there is no relinquishing, because each chatzer is made to be used by its respective house. However, in the case of the ruin, where it is equally suitable to be used by both houses, maybe he would allow relinquishing of rights. And, if they would only argue in the case of the ruin, we would say that **R' Yochanan** only allows it there for the reason mentioned, but would maybe agree with **Shmuel** in the case of 2 chatzeiros.
 - **Abaye** said, **Shmuel** said his halacha of relinquishing between chatzeiros only in regard to 2 neighboring chatzeiros with an opening between them. Since they don't prohibit each other, they may not relinquish rights to each other. However, in the case of an inner and outer chatzer, since they prohibit each other, he would allow it. **Rava** says, even in the case of the inner and outer chatzer, at times **Shmuel** would allow it and at times he would not. **Rava** explains:
 - In a case where they made a joint eiruv and placed it in the outer chatzer, and one member of the inner chatzer forgot to join, he could not simply relinquish his rights and thereby allow carrying, because who should he relinquish it to? He can't relinquish to the people of the inner chatzer, because their eiruv is in the outer chatzer. He can't relinquish to the people of the outer chatzer, because **Rava** says that **Shmuel** does not allow this type of relinquishing from one chatzer to another.
 - In a case where they made a joint eiruv and placed it in the outer chatzer, and one member of the outer chatzer forgot to join, he could not simply relinquish his rights and thereby allow carrying, because who should he relinquish it to? He can't relinquish to the people of the outer chatzer, because the people of the inner chatzer would be prohibited to carry (because the eiruv is no good) and would therefore also prohibit the people of the outer chatzer. He can't relinquish to the people of the inner chatzer, because **Rava** says that **Shmuel** does not allow this type of relinquishing from one chatzer to another.
 - In a case where they made a joint eiruv and placed it in the inner chatzer, and one member of the inner chatzer forgot to join, he could not simply relinquish his rights and thereby allow carrying, because who should he relinquish it to? He can't relinquish to the people of the inner chatzer, because the eiruv makes it that the outer people are “in” the inner chatzer as well, and he has not relinquished his rights to them. He can't relinquish to the people of the outer chatzer, because **Rava** says that **Shmuel** does not allow this type of relinquishing from one chatzer to another.
 - **Q: R' Huna the son of R' Yehoshua** asks, why can't he relinquish his rights to all the members of the inner chatzer, and through the joint eiruv thereby allow all to carry? **A: Rava** says, that would only work according to **R' Eliezer**, who says that one need not relinquish to all members of the eiruv. However, according to the **Rabanan** he must relinquish to all members, and he cannot do so here because he cannot relinquish to the members of the outer chatzer.

- In a case where they made a joint eiruv and placed it in the inner chatzer, and one member of the outer chatzer forgot to join, in this case **Shmuel** would say that the inner chatzer may carry within their chatzer, because they can effectively tell the people of the outer chatzer, we have joined with you to enhance our rights, not to detriment them. Therefore they can disassociate themselves from the outer chatzer and can carry in the inner chatzer. The outer chatzer would remain assur to carry in.