



Daf In Review – Weekly Chazarah

Maseches Eruvin, Daf 77 – Daf 78

Daf In Review is being sent l'zecher nishmas R' Avrohom Abba ben R' Dov HaKohen, A"H
vl'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

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- **R' Yirmiya** had said that an eiruv in a basket attached to a tree above 10 tefachim is valid because the basket could potentially be tilted down to within 10 tefachim of the ground (even though it had not been tilted).
 - **Q:** A Braisa says, if one intended to set his dwelling place in a reshus harabim and he placed his eiruv in a nearby wall, if it is lower than 10 tefachim it is a good eiruv (transfer of the eiruv would only involve an issur D'Rabanan, because they are both within the reshus harabim). If it is higher, it is not. If one intended to make his dwelling place on top of a closet (which itself is above 10 tefachim), if the eiruv was placed in a wall higher than 10 tefachim, it is valid (because the eiruv and the dwelling are both in a reshus hayachid). If it is lower, it is not. According to **R' Yirmiya**, this last case should be a valid eiruv because the closet can potentially be tilted down to below 10 tefachim into the reshus harabim!? **A: R' Yirmiya** says the Braisa is discussing a closet that is nailed to the wall and therefore cannot be tilted down. **A2: Rava** says the Braisa may be discussing a closet that is not nailed to the wall, but is discussing a very tall closet, which, if tilted to below 10 tefachim would protrude more than 4 amos from its original location, which would invalidate the eiruv.
 - **Q:** If the eiruv is attached to a string whose other end is in his hand as Shabbos begins, it would only be a D'Rabanan to pull the string and bring the eiruv up into the reshus hayachid. If so, it would be mutar bein hashmashos and it should be a valid eiruv!? **A:** It was not attached to a string.

NASNO B'BOR AFILU AMOK ME'AH AMAH...

- **Q:** Where is this bor located? If it is in a reshus hayachid, since the inside of the bor is considered a reshus hayachid as well, it is obvious that the eiruv is valid! If the bor is in the reshus harabim, if he intended his dwelling to be outside the bor, then how does he have access to the eiruv which is in the reshus hayachid?! If he intended to establish his dwelling in the bor, it is obvious that the eiruv would be valid!? **A:** The Mishna is discussing where the bor is in a karmelis and is following **Rebbi** who says that since the transfer between a karmelis and a reshus hayachid is only D'Rabanan, it may be done bein hashmashos and the eiruv is valid.

MISHNA

- If one places his eiruv on top of a pole or a reed in the reshus harabim, as long as it has been detached from the ground and then stuck in (e.g. it is not a reed still attached to the ground), even if it is 100 amos high, it is a valid eiruv.

GEMARA

- **Q: R' Ada bar Masna** asked **Rava**, by saying that the reed must be detached from the ground, that means that the Mishna is following the **Rabanan** who argue on **Rebbi** and don't allow an issur D'Rabanan to be done bein hashmashos. We said the earlier part of the Mishna (i.e. the previous Mishna) does follow **Rebbi**?! **A: Rava** said, the earlier part of the Mishna follows **Rebbi** and this part of the Mishna follows the **Rabanan**. **A2: Ravina** said, this part of the Mishna follows **Rebbi** as well. The gezeirah that one may break off a reed is stronger than the gezeirah by a tree and therefore applies even during bein hashmashos.
 - It once happened that the army came into Neharda'ah before Shabbos, crowding the space typically used by the talmidim to learn. **R' Nachman** told them to go to the swamp area on Friday and bend over the reeds to allow them for sitting upon on Shabbos (so they shouldn't be muktzeh). **Rami bar Chama** asked him, our Mishna says that reeds may not be used on Shabbos when still attached to the ground!? **R' Nachman** answered that the Mishna is talking about hardened reeds, which may not be used on Shabbos. The swamp area has soft reeds, which are considered to be vegetables, and they may be used on Shabbos.

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- We see from Braisos that at times reeds are considered to be trees and at times vegetables. The difference must be whether or not they have hardened.

MISHNA

- If one placed his eiruv into a closet, locked it and has now lost the key, it is a valid eiruv. **R' Eliezer** says, if he doesn't know that the key is in its place, it is not a valid eiruv.

GEMARA

- **Q:** He has no access to the eiruv, so how can it be valid?! **A: Rav and Shmuel** both say we are discussing a closet made of bricks which can be disassembled to access the eiruv. We find that **R' Meir** says so in a Mishna.
 - **Q: R' Meir** only allows that when the bricks are not cemented!? **A:** Here too the bricks were not cemented.
 - **Q: R' Meir** only allowed that on Yom Tov, not on Shabbos!? **A:** Here too we are discussing Yom Tov, not Shabbos.
 - **Q: R' Eliezer** says in a Braisa (that begins with the case of our Mishna) that if one loses the key in the city it is a good eiruv (because when he finds it he can carry it back to the closet), but if he loses it in the field it is not a good eiruv (because it cannot be brought back to the closet). If we are discussing Yom Tov, it can even be brought back from the field!? **A:** The Braisa is missing words and should say that the first part of the Mishna which requires disassembling the closet refers to Yom Tov, However on Shabbos that would be assur and therefore the eiruv would not be valid. The Braisa then continues discussing Shabbos and says that if the key is found in the city the eiruv is mutar (because **R' Eliezer** holds like **R' Shimon** that one may transfer an item between roofs, chatzeiros and karfofs and can thereby return the key to the closet). If the key is found in the field, the eiruv is not valid (although **R' Shimon** says that in that case one may carry less than 4 amos at a time for the sake of a mitzvah, which would include eiruv as well, **R' Eliezer** does not agree with **R' Shimon** regarding this and instead paskens like the **Rabanan** who say it would be assur).

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- **Rabbah and R' Yosef** give another understanding to the machlokes in the Mishna. They say the Mishna is discussing a large, wooden box (that can hold 40 se'ah). The **T"K** holds that it has the status of a keili and therefore can be broken open (because there is no issur of demolishing keilim on Shabbos) and **R' Eliezer** says that a box this size is considered an "ohel" (a structure, not a keili) and therefore, there is an issur of demolishing it, and there is consequently no access to the eiruv.
 - We find this to be a machlokes between Tanna'im. A Mishna says, if a zav makes a closet move through direct force (without direct contact), the **T"K** says the closet becomes tamei. **R' Nechemia and R' Shimon** say it remains tahor. Presumably, the point of dispute is whether the closet is considered to be a keili (and can therefore become tamei) or is considered an "ohel" and can't become tamei.
 - **Q: Abaye** quotes a Braisa in which all agree that an "ohel" moved by a zav is tamei as well. If so, that can't be the point of machlokes!? **A:** Rather, **Abaye** said, the point of dispute in the Braisa is whether movement caused indirectly by the zav brings about tumah as well.
 - **Abaye and Rava** say, our Mishna is discussing where the closet is locked with a rope and one needs to bring a knife to cut the rope and gain access to the eiruv. The **T"K** holds like **R' Yosef** that all keilim may be moved on Shabbos except a large saw and a carpenter's tool. Therefore, the knife may be moved and used to open the closet. **R' Eliezer** holds like **R' Nechemia** that no keili may be moved except for its primary use (therefore the knife may not be moved to cut open the rope lock).

MISHNA

- In one's eiruv rolled beyond the techum, or if a heap of rubble fell on it, or if it got burned, or if it was terumah and it became tamei: if these things took place before Shabbos began, it is not a valid eiruv. If it happened after

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Shabbos began, it is a valid eiruv. If it is a “safek” when it took place, **R’ Meir and R’ Yehuda** say he is like “a donkey driver who is also a camel driver” (i.e. he may only carry in the overlapping area that would be permitted whether his dwelling is his house or the place where he placed down his eiruv). **R’ Yose and R’ Shimon** say a doubtful eiruv is presumed to have been valid when Shabbos began. **R’ Yose** said, **Avtulmus** said in the name of 5 elders that a doubtful eiruv is considered to be valid.

GEMARA

- **Rava** says, an eiruv that rolls beyond the techum is only problematic when it rolls more than 4 amos beyond the techum, because every person gets 4 amos in addition to the 2,000 amos of the techum.

NAFAL ALAV GAL...

- The Gemara thought that the Mishna is discussing a case where the eiruv could be taken out of the rubble with only having to transgress a D’Rabanan. Based on that, the Gemara asks that the Mishna doesn’t follow **Rebbi**, because according to him, the D’Rabanan may be done bein hashmashos and the eiruv would therefore be valid. The Gemara says that the Mishna is discussing a case where one would have to transgress a D’Oraisa in order to get access to the eiruv.
 - This case and the case of rolling beyond the techum are both needed. If it would have just said the case of rolling beyond the techum, we would say only there it is not valid because it is not within the techum, but when buried under rubble, it is within the techum and should be valid. If it would have only said this second case, we would say it is totally inaccessible, but when it rolls beyond the techum, a wind may come and blow it back within the techum, so maybe it remains valid. That’s why we need to mention both cases.

OY NISRAF, TERUMAH V’NITMEIS

- The case of the eiruv getting burned is to teach the extent of **R’ Yose’s** leniency, that even though the eiruv doesn’t exist, if it is a safek as to when it happened, it is a valid eiruv. The case of terumah teaches the extent of **R’ Meir’s** chumrah, that even though the eiruv exists, it still is considered to be invalid.
 - **Q:** How can we say that **R’ Meir** says we are machmir by a safek? We find that an anonymous **T”K** in a Mishna (which is **R’ Meir**) says that when there is a safek concerning the validity of the tevila or the mikvah where a tamei person was toivel, if the person was tamei D’Rabanan we are meikel, and **R’ Yose** says we are machmir!? **A:** **R’ Meir** holds that the halacha of techum is D’Oraisa, so we must be machmir.
 - **Q:** We find that **R’ Meir** allowed using a lenient process of measuring for techum, which would only be allowed if he held that techum is D’Rabanan!? **A:** **R’ Meir** himself says techum is D’Oraisa. At times he quotes his rebbi, who held that techum is D’Rabanan.
 - **Q:** We find that **R’ Meir** is lenient regarding a safek D’Oraisa in a Mishna where one touched another person at night and in the morning found the other person to be dead, and he is unsure whether he was dead when he touched him. **R’ Meir** says the person remains tahor. If so, why is he machmir in our Mishna with the terumah that became tamei? **A:** **R’ Yirmiya** said, our Mishna is discussing where there was a sheretz on the terumah from the very beginning of bein hashmashos.
 - **Q:** If that is the case, how does **R’ Yose** say that the eiruv is valid!? **A:** **Rabbah and R’ Yosef** say, our Mishna is discussing where there are 2 conflicting sets of witnesses as to when the terumah became tamei. Therefore, we do not rely on a chazakah and **R’ Meir** is machmir. In the case with the dead person, there are no witnesses, so we rely on the chazakah that the person was alive and we can be lenient. **A2:** **Rava** says, in the case of the dead person there are two chazakos (1 – that the person was alive, 2 – that the live person was tahor) and we can therefore be lenient. In the case of eiruv there is only one chazakah (that the terumah is tahor) and therefore we cannot be lenient.
 - **Q:** In our Mishna **R’ Yose** is lenient by a safek and in the case of the safek concerning the tevila or the mikvah, he is machmir!? **A:** **R’ Huna bar Chinina** said, the case of tumah is different because tumah has a base in the Torah, whereas techum, which is only D’Rabanan, does not. **A2:** Even if we say that he holds techum is D’Oraisa, it could be that **R’ Yose** himself is machmir, and in our Mishna he is quoting his rebbi, who was lenient.

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- **Rava** says, the reason why **R' Yose** is machmir regarding the safek of tevila and mikveh even though he is lenient regarding a doubtful eiruv is because the person who is toivel has a chazakah that he is tamei, so he retains his tumah status.
 - **Q:** Why don't we follow the chazaka that the mikveh itself is a kosher mikveh? **A:** The Mishna is discussing a mikveh that was not measured and therefore does not have a chazaka of being kosher.
- A Braisa says, the doubtful eiruv that **R' Yose** says is valid is when, for example, an eiruv is made of tahor terumah and we are not sure if it became tamei on Friday or on Shabbos, or a case when one made an eiruv with tevel and we are not sure if terumos and ma'aseros were given on Friday or on Shabbos. However, if an eiruv of terumah was made but it is a safek whether the terumah was tahor or tamei to begin with, or if an eiruv was made of fruit which were a safek whether they were tevel or not, the eiruv is passul (in these cases it was a safek from the start, never having a chazakah of being kosher).
 - **Q:** Just like we say the terumah was tahor based on its chazaka, we should say the eiruv of tevel is passul based on its chazaka as being tevel?! **A:** Change the words of the Braisa. It is not a safek if ma'aser was ever given. It was surely not tevel and at some point tevel got mixed into it. The safek is that we don't know when the tevel got mixed in – on Friday or on Shabbos.
 - **Q:** **R' Shmuel bar R' Yitzchok** asked **R' Huna**, if a person has 2 loaves of terumah bread – one that is tamei and one that is tahor – and he is unsure which is which, can he make an eiruv by saying the eiruv should be the tahor bread, whichever one it is? Even according to **R' Meir** who is machmir with the tamei terumah, here there is a tahor loaf of terumah so maybe he would allow it? Or maybe, even according to **R' Yose** who is lenient there, that could be because he knows exactly where his eiruv is, but here he does not, so maybe it would be passul? **A:** **R' Huna** answered that according to **R' Meir** and **R' Yose** the eiruv would be passul, because at no point does he have a meal that can be eaten (because he is unsure which is the tahor one from the get-go).
 - **Q:** **Rava** asked **R' Nachman**, if one says that a particular loaf of bread should remain chullin on Friday and should become hekdesch on Shabbos, and then says that the bread should be his eiruv (an eiruv can't be made of hekdesch), is it a good eiruv? **A:** **R' Nachman** said it is a good eiruv.
 - **Q:** He then asked, what about where he says the bread should be hekdesch on Friday but should be redeemed onto money when Shabbos begins, and then says that loaf should act as his eiruv, is it valid? **A:** He answered it is not a valid eiruv.
 - **R' Nachman** explained that in each case we follow the chazaka. Therefore, in the first case it is considered chullin during bein hashmashos and in the second case it is considered hekdesch during bein hashmashos.
 - A Mishna says, if one takes a pitcher that is a "tevil yom" (which can still make terumah become tamei) on Friday, fills it with ma'aser wine that has not yet had terumas ma'aser separated from it, and says that the wine in the pitcher should be the terumas ma'aser when Shabbos begins, his designation is effective. If he then says that the wine in the pitcher should be his eiruv, the eiruv is not valid. **Rava** says, this Mishna must hold that the eiruv takes effect at the end of the day Friday (before Shabbos begins) and at that point it was still tevel and therefore is not a valid eiruv. **R' Pappa** said, even if an eiruv first takes effect when Shabbos begins (and at that point it was no longer tevel), still, this eiruv would not be valid because there was nothing that was fit for a meal on Friday (it was still tevel then).

MISHNA

- A person may place multiple eiruvim (in multiple directions) and make a condition – for example, he can say if goyim (who he wants to avoid) come from the east, I want the eiruv to the west to be effective and visa-versa, and if they come from both sides I want to be able to choose a direction on Shabbos, and if they don't come at all, I want my dwelling to remain in my house.

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- A person may place multiple eiruv (in multiple directions) and make a condition – for example, he can say if the chachom (who he wants to go listen to) comes from the east, I want the eiruv to the east to be effective and visa-versa, and if a chachom comes from each side I want to be able to choose a direction on Shabbos, and if they don't come at all, I want my dwelling to remain in my house.
 - **R' Yehuda** says, if one of the chachomim was his rebbi, he must use the direction towards his rebbi. If both were his rebbi, he can choose whichever direction he wants.

GEMARA

- **R' Yitzchok** taught a Braisa that had the reverse of our Mishna (in the case of the goyim he was planning to go towards them and in the case of the chachom he was trying to go away from him).
 - **Q:** The Braisa says different than our Mishna?! **A:** With regard to goyim, our Mishna is discussing tax collectors and the Braisa is discussing gov't officials who can help the people. With regard to the case of the chachom, the Mishna is discussing a chachom that he wants to go hear and the Braisa is discussing a children's rebbi (where the chachom that he wants to hear is said to be coming from the opposite direction of the children's rebbi).

R' YEHUDA OMER IHM HAYA ECHAD MEIHEN...

- The **Rabanan** argue and say that at times one would rather hear someone other than his normal rebbi.
- **Rav** says, our Mishna is incorrect based on **Ayo's** version of **R' Yehuda** (in a Braisa). **Ayo** says that **R' Yehuda** does not allow one to decide on Shabbos which eiruv he will choose. He can set up two eiruvim and have the choice based on where the chachom will come, but not based on his own decision.
 - **Q:** In either case we must come onto the principle of "breirah", so why would only one case be allowed? **A: R' Yochanan** said, **Ayo** would say that **R' Yehuda** only allows it when the chachom has already arrived at bein hashmashos. Although the one making the eiruv does not yet know at that time which eiruv has taken effect, the arrival of the chachom has made only one of them take effect.
 - **Q:** Why don't we say that **Ayo's** Braisa is incorrect based on our Mishna?! **A:** We find elsewhere that **R' Yehuda** does not believe in the concept of "breirah".

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- **Ulla** said, **Ayo's** Braisa must be incorrect, because our Mishna says that **R' Yehuda** does hold of "breirah".
 - **Q:** The Gemara brought a Braisa that said that **R' Meir** says there is breira and **R' Yehuda, R' Yose, and R' Shimon** say we don't say the concept of breira!? **A: Ulla** says that **R' Yehuda** should be paired with **R' Meir** in the Braisa, meaning that he would hold of breira.
 - **Q:** Does **R' Yose** not believe in breira? **R' Yose** says in a Mishna that if 2 women buy their birds (where they are each required to bring a chatas and an olah bird) together and give the 4 birds to the Kohen, or if they give money for the birds to the Kohen, the Kohen can use any bird for any woman for either korban. Presumably, that can only work if he holds of the concept of breira!? **A: Rabbah** said, that Mishna is discussing where they each stipulated that the Kohen should be able to decide on the use of each bird. Therefore, the Kohen may do as he chooses without coming onto the concept of breira.
 - **Q:** If so, it is obvious that the Kohen can choose. What is the chiddush of the Mishna?! **A:** The Mishna teaches us the din of **R' Chisda**, that even though the birds are bought in pairs, the Kohen may use both birds of the pair for chatas or for olos, and we don't say that one chatas and one olah must come from each pair.
 - **Q:** We find a Braisa where **R' Yose** says that a chaver who purchased produce for an ahm ha'aretz along with produce for his own use, does not need to give ma'aser before giving it to the ahm ha'aretz (because breira tells us that the produce he gave to the ahm ha'aretz was never his all along). The **Chachomim** say he must give ma'aser!? **A:** We must switch the rulings and have it so that **R' Yose** is the one who says he must give ma'aser before giving it to the ahm ha'aretz.

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- **Q:** A Braisa says, if a person says “My ma’aser should be redeemed on the coin that I will eventually take out of my wallet”, **R’ Yose** says it works, even though to say so means we are relying on the concept of breirah!? **A:** We must reverse this ruling as well and say that **R’ Yose** says it is *not* a good redemption.
- **Q:** Why do we change 2 Braisos for a Mishna? Maybe we should change the Mishna!? **A:** The Braisa with the ma’aser redemption clearly must be reversed because it later says that **R’ Yose** agrees that if he says the ma’aser should be redeemed on the new coin in his wallet, it is a good redemption. If he “agrees” that it is a good redemption here, it must mean that he held earlier that it is NOT a good redemption.
 - This later case in the Braisa is discussing where he has only one new coin, and that is why it is a good redemption even without the concept of breira.
- **Rava** asked **R’ Nachman**, we find a Braisa where a Tanna does not hold of breira even regarding eiruv, which is a D’Rabanan concept. Who is the Tanna who does not hold of breira even by a D’Rabanan? **R’ Nachman** remained silent.
 - **Q:** Why didn’t he say it was **Ayo’s** version of **R’ Yehuda** in the Braisa we discussed? **A:** He was unaware of **Ayo’s** Braisa.
 - **R’ Yosef** quotes a Braisa which says that if a person sets an eiruv and says it should be effective for all Shabbosos of the year whenever I want it to be effective, if he decides any Friday during the day, it is effective. If he decides on a Shabbos, **R’ Shimon** says it is effective (he holds of breira) and the **Chachomim** do not (this is the Tanna who doesn’t hold of breira even by a D’Rabanan).
 - **Q:** The Braisa quoted earlier said that **R’ Shimon** does NOT hold of breira (in the case where one designated portions of his wine as terumah and ma’aser and leaves over some wine at the end of the barrel to be considered the terumah and ma’aser that was separated)!? **A:** Reverse the rulings in the Braisa just quoted by **R’ Yosef**.
 - **Q:** Maybe **R’ Shimon** only doesn’t hold of breira by a D’Oraisa, but by a D’Rabanan he agrees that we do say breira!? **A:** **R’ Yosef** says, whoever holds of breira holds of it in all cases and visa-versa.
 - **A2:** **Rava** says that **R’ Shimon** really does hold of breira. The reason he says that the terumah is not considered to be separated in the earlier Braisa is because when one separates terumah it must be noticeable that he left over something. In the case of the barrel, that is not noticeable.
 - **Q:** **Abaye** asks, we find that **R’ Shimon** allows one to designate terumah in a pile of produce without actually separating the terumah?! **A:** In that case he says “the terumah is *within* the pile”, which means that the produce around the edges are not terumah. Thus, there is produce that is visibly not part of the terumah. However, in the case of the wine, the terumah is not distinguishable from the remaining wine.
 - **A3:** **R’ Shimon** holds of breira. The reason he does not allow the separation of the terumah wine while in the barrel is because (like he says to **R’ Meir** in the Braisa), we must be concerned that the barrel will break after he has drunk some wine, resulting in the loss of the remaining wine (which has the terumah in it). This would mean that whatever he drank was tevel.

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MISHNA

- **R’ Eliezer** says, when Yom Tov and Shabbos are on consecutive days, one must make a separate eiruv for each day, and can have each eiruv in a different place (i.e. the days are considered 2 distinct kedushos). The **Chachomim** say an eiruv may only be made in one direction, and may only be made for both days.
- According to the **Chachomim**, one should bring the eiruv on Thursday bein hashmashos (in a case where Yom Tov is on Friday), wait there until after bein hashmashos, bring the food back home, and bring the food back there on Friday for bein hashmashos. If he can’t ascertain the eiruv’s existence on Friday bein hashmashos it will not be effective for Shabbos. **R’ Eliezer** said to the **Chachomim**, from the fact that you require that the eiruv exist on Friday bein hashmashos, that means that you agree that the two days are considered to be 2 distinct

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kedushos (if it was considered one day, then an eiruv established on Thursday at bein hashmashos would be sufficient for both days)! If so, the two eiruvim should be able to be placed at different locations!?

GEMARA

- **Q:** The **Chachomim** say the eiruv may only be in one place and may only be for both days. Isn't that saying the exact same thing? **A:** The **Chachomim** were saying to **R' Eliezer**, you agree that one may not make 2 eiruvim for one Shabbos! If so, the same halacha should apply to Shabbos and Yom Tov when they are on consecutive days! **R' Eliezer** responded that this is different because they are 2 separate kedushos.
- In a Braisa, **R' Eliezer** says to the **Chachomim**, you agree that the eiruv made on Thursday evening does not suffice for Shabbos and the person must return to the place of the eiruv on Friday evening. If so, that means you agree that the 2 days are 2 separate kedushos! If so, 2 separate eiruvim should be allowed as well!?
 - The **Chachomim** are unsure whether the days are one kedusha or 2 separate kedushos. Therefore, they go lechumra (they require that the eiruv be made for each day in case the days are separate kedushos, but they also require that the eiruv must be in the same place, in case they are one kedusha).
- In a Braisa the **Chachomim** say to **R' Eliezer**, you agree that one may not initially make an eiruv on Yom Tov for Shabbos. The reason must be because you agree that the days are one kedusha! **R' Eliezer** responds, the reason it may not be done is because it is assur to prepare on Yom Tov for Shabbos.
- A Braisa teaches the following machlokes: **Rebbi** says, if one made an eiruv with his physical presence for Yom Tov, he must do that again for the following day of Shabbos. If he made an eiruv with food and it no longer exists at the onset of Shabbos, he cannot rely on that eiruv for Shabbos (i.e. the days are 2 distinct kedushos). **R' Yehuda** says it is a safek whether they are one kedusha or 2 kedushos, and therefore, if the eiruv was not reestablished for Shabbos, he is limited to the areas jointly permitted by the eiruv and his actual place of dwelling. **R' Shimon ben Gamliel and R' Yishmael the son of R' Yochanan ben Broka** say, the eiruv need not be reestablished for Shabbos (i.e. the days are definitely one kedusha and the eiruv therefore remains in effect until after Shabbos).
 - **Rav** paskens that we follow the 4 elders who each pasken like **R' Eliezer** that the days are clearly 2 separate kedushos. The 4 elders are: **R' Shimon ben Gamliel, R' Yishmael the son of R' Yochanan ben Broka, R' Elazar the son of R' Shimon, and R' Yose bar Yehuda**. Some say to remove **R' Yose bar Yehuda** from the list and replace him with **R' Elazar**.
 - **Q:** We have stated above that **R' Shimon ben Gamliel and R' Yishmael the son of R' Yochanan ben Broka** say the days are one kedusha!? **A:** We must reverse their opinion in the Braisa so that they say the days are 2 separate kedushos.
 - **Q:** If so, they are saying the exact same thing as **Rebbi**!? **A:** The Braisa should read that they "also say" ("v'chein") like **Rebbi** said.
 - **Q:** Why doesn't **Rav** include **Rebbi** in his list? **A:** **Rebbi** quoted the shita of **R' Eliezer**, but did not actually agree with it.
 - **Q:** Maybe the others did the same? **A:** **Rav** learned from his rebbi that only **Rebbi** quoted the shita without agreeing to it.
 - **Q:** **R' Chisda** asked that **Rav** contradicts himself. Here he paskens that the days are 2 separate kedushos, yet elsewhere he paskens that when Yom Tov and Shabbos are on consecutive days, an egg born on the earlier day is assur on the following day! If they are 2 kedushos, it should be mutar!? **A:** **Rabbah** explains, that is because it is assur to prepare from Shabbos to Yom Tov and visa-versa. It is not because they are one kedusha.
 - **Q:** **Abaye** asked, if so, how can our Mishna say that he must go on Yom Tov and reestablish the eiruv for Shabbos? He is preparing for Shabbos on Yom Tov!? **A:** **Rabbah** says, the eiruv does not take effect until the very beginning of Shabbos, so he has done nothing on Yom Tov for Shabbos.
 - **Q:** If so, why can't he make an eiruv with a pitcher that is a "t'vul yom" which has wine destined to become terumah when Shabbos begins (see yesterday's Gemara)?! **A:** It can't be used as an eiruv, because the wine is tevel until

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Shabbos begins and it is not a meal fit to be eaten on Friday (which is a requirement of the eiruv).

- **Q:** If so, when one makes an eiruv in one direction for Yom Tov which is on Friday and sets an eiruv in the opposite direction for Shabbos, that eiruv for Shabbos is not fit to be eaten on Friday because it is presumably beyond his techum for Yom Tov (we are assuming one eiruv was placed the maximum distance in one direction and the other was placed the maximum to the other direction, which means the distance between the 2 is 4,000 amos)!? **A:** The case in the Mishna is where the 2 eiruvim were placed within the techum of each other.
- **Q:** If preparing from Yom Tov to Shabbos is assur, how can one make an eiruv with his physical presence on Friday (Yom Tov) bein hashmashos for Shabbos? He is preparing for Shabbos!? **A: Rabbah** said, since he need not say anything when he establishes the eiruv with his physical presence, it is not considered a preparatory act.
 - **Q:** That seems to only follow **R' Yochanan ben Nuri** who says that even a sleeping person's presence creates an eiruv (because nothing need be said)!? **A:** It may even follow the **Rabanan** who argue on **R' Yochanan**. The **Rabanan** only argue regarding a sleeping person who does not have the *ability* to speak in his current state. However, an alert person need not say anything. The *ability* to say something is enough.
 - **Rabbah bar R' Chanin** said to **Abaye**, **Rabbah** would have reversed his opinion that the eiruv made without speaking is not considered a preparatory act had he known the following Braisa. The Braisa says, a person may not go to the end of his field to see what is needed to be done after Shabbos, or go to the city limits to be ready to enter the bathhouse after Shabbos or Yom Tov ends.
 - The Gemara says, **Rabbah** was aware of this Braisa and still did not reverse his opinion, because there it is clear why he is walking to the end of his field or to the end of the city. When walking to the eiruv, it is not obvious. If he is a talmid chachom, people will assume he walked there because he was engrossed in his learning. If he is an ahm ha'aretz, people will say he walked there because he was looking for his lost donkey.

-----Daf 38-----

- **R' Yehuda** says, if one makes an eiruv with his physical presence for Yom Tov that is on Friday, he may make an eiruv the next evening (for Shabbos) with his physical presence as well. If he makes the first eiruv with food, he may make the second eiruv with food as well. If he makes the first eiruv with food he may make the second eiruv with his physical presence. If he makes the first eiruv with his physical presence, he may not make the second eiruv with food (he would have to make an oral statement when doing so and that would be assur as "hachana" from Yom Tov for Shabbos).
 - **Shmuel** says, if he makes the first eiruv with food, he may only make the second eiruv with food when he is using the same food that he used for the first eiruv. It is only then that he would not have to make any oral statements.
 - **R' Ashi** said, our Mishna is mashma like that as well, because our Mishna says that after establishing the first eiruv with food, he should take the food home and return it to be used for the second eiruv the following evening.
 - According to **Abaye and Rabbah bar R' Chanin** who said that establishing an eiruv is not considered to be "hachana", the Mishna doesn't mean that that is the way it must be done. It is giving good advice as to how to be able to use the same food twice.

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MISHNA

- Rosh Hashana was typically kept as 2 days of Yom Tov out of doubt whether the day would ultimately be considered as the first of Tishrei or the last day of Elul (depending on if the witnesses would testify that they saw the new moon). **R' Yehuda** says, because this was done out of doubt, it is surely treated as 2 separate kedushos for eiruv and one may make a separate eiruv for each day. The **Chachomim** did not agree with **R' Yehuda**.
- **R' Yehuda** also said that if one needs to separate terumah and ma'aser from a basket of fruit on Rosh Hashana, he may separate it from the basket on the first day with a condition – if today is not Yom Tov, then this separation is valid, and if it is Yom Tov, my words should have no effect. On the second day he then does the same thing. By doing so, he can definitely eat from the fruit on the second day of Rosh Hashana. The same logic can be used to allow an egg born on the first day to be eaten on the second day. The **Chachomim** again did not agree with **R' Yehuda**.
- **R' Dosa ben Harkinas** says, the chazzan on the first day Rosh Hashana says “Hashem, protect us on this day of Rosh Chodesh, whether it is today or tomorrow”. On the second day he says “Whether it is today or was yesterday”. The **Chachomim** did not agree with **R' Dosa ben Harkinas**.

GEMARA

- **Q:** Who is the “**Chachomim**” who disagree with **R' Yehuda**? **A:** **Rav** said, it is **R' Yose** from a Braisa. The Braisa says that the **Chachomim** of the previous Mishna who don't allow setting up 2 eiruvim for a Yom Tov followed by a Shabbos do allow 2 eiruvim to be set up for the 2 days of Rosh Hashana. **R' Yose** argues and says that may not be done. In the Braisa **R' Yose** says to the **Chachomim**, you agree that if the witnesses came in the late afternoon that Beis Din would no longer accept them, but would still treat the remainder of that day and the entire next day as Yom Tov. We see that the 2 days of Rosh Hashana are sometimes kept even without there being a doubt! The Gemara explains that the **Rabanan** say that first day is treated as Yom Tov (even though it is clearly not) so that in subsequent years people do not treat the day as not being Yom Tov even earlier in the day, when there is truly a chance that the day may become Yom Tov.

V'OD OMAR R' YEHUDA...

- All 3 cases mentioned by **R' Yehuda** in the Mishna are necessary. If he would just say that he allows 2 eiruvim on Rosh Hashana, we would say he allows that because everything he did was done before Yom Tov began, but when he separates terumah on Yom Tov, that would not be allowed. Therefore **R' Yehuda** specifically says it is allowed in that case as well. Still, we would say that it is allowed in that case because there is no reason to be goizer, but in the case of the egg born on Yom Tov, **R' Yehuda** may agree that it is assur as a gezeirah for the case of fruit that falls from a tree on Yom Tov or juice that flowed from fruit on Yom Tov. That is why **R' Yehuda** mentioned this case as well.
- A Braisa explains the proper way to separate terumah on Rosh Hashana according to **R' Yehuda** (as explained in the Mishna above). The Braisa then says that **R' Yose** prohibits doing so, and **R' Yose** prohibited doing so on a 2-day Yom Tov of “chutz la'aretz” as well.
 - A deer was caught (by a goy) on the first day of a 2-day Yom Tov of “chutz la'aretz” and was slaughtered on the second day and brought to the house of the Reish Galusa to eat. **R' Nachman** and **R' Chisda** ate the meat (although one may not benefit from a melacha performed by a goy for him, here the melacha was done the first day and they were eating on the second day, and the days are considered to be separate kedushos). **R' Sheishes** did not eat it (he held the days are one long kedusha). **R' Sheishes** said, how can I eat when **Isi** taught a Braisa that **R' Yose** doesn't allow one to take terumah on the 2 days of Yom Tov in “chutz la'aretz”?
 - **Q:** **Rava** asks, maybe **R' Yose** was referring to the 2 days of Rosh Hashana in “chutz la'aretz”, but not the typical 2 days of Yom Tov in “chutz la'aretz”?! **A:** If that was true, **R' Yose** wouldn't have said “the 2 days *of* chutz la'aretz”. He would have said “the 2 days *in* chutz la'aretz”.
 - **R' Assi** said, maybe **R' Yose** can even hold like **R' Nachman** and **R' Chisda**. Maybe **R' Yose** was saying that the 2 days of Yom Tov of “chutz la'aretz” are treated like the 2 days of Rosh Hashana according to the **Rabanan**, who argue and say that they are 2 separate kedushos.

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- The Gemara says that **R' Ashi** later met **Rabbah bar Shmuel** and asked whether he was taught anything regarding the 2 days of Yom Tov of “chutz la’aretz”. **Rabbah bar Shmuel** answered that he was taught a Braisa that says that the 2 days of Yom Tov of “chutz la’aretz” are 2 separate kedushos. **R' Sheishes** said, if you meet **R' Nachman** and **R' Chisda**, don't tell them this.
- **R' Ashi** says the story actually was that the deer was brought by a goy for the Reish Galusa from outside the techum on Yom Tov (it was only an issur D'Rabanan). **R' Nachman** and **R' Chisda** said that a Jew who was not the intended recipient of the issur D'Rabanan performed by the goy may benefit from it, and therefore they held they were allowed to eat it. **R' Sheishes** held that anything brought for the Reish Galusa was considered to have been brought for the **Rabanan** who frequented the house of the Reish Galusa, and therefore he held it was not to be eaten by them.
 - According to this version of the story, the conversation between **R' Sheishes** and **Rabbah bar Shmuel** never took place.

-----Daf 72-----40-----

- A goy brought turnips to Mechuza on Yom Tov. **Rava** saw that they were withered and therefore allowed the Jews to purchase them from the goy, because he said they were clearly detached from the ground before Yom Tov. The only concern that could exist is that it was brought from beyond the techum. However, since the goy brought them to sell to the local goyim, Jews may buy them as well. When **Rava** later saw that goyim began bringing the turnips to sell to the Jews, he said it was then assur to purchase the turnips from them.
- On the second day of Yom Tov in chutz la'aretz, a goy cut down haddassim to be used by Jews. **Ravina** allowed the smelling of these haddassim immediately after Yom Tov. **Rava bar Tachlifa** said to **Ravina**, these people are unlearned people and therefore you should not allow them to benefit from the haddassim immediately after Yom Tov.
 - **Q: R' Shmaya** asked, if they were learned people they can benefit immediately after Yom Tov? They should still have to wait for the amount of time it would take to cut the branches off the trees!
 - They asked **Rava**, and he agreed that they must wait that amount of time before using the haddassim.

R' DOSA OMER HA'OVER LIFNEI HATEIVAH...

- **Rabbah** said, they asked **R' Huna**, is there a need to mention Rosh Chodesh in the Rosh Hashana davening since they do necessitate separate korbonos, or is there no need to mention it because they are both referred to as “days of remembrance”? He answered, the **Rabanan** in our Mishna argue with **R' Dosa**. Presumably they argue regarding the point of making mention of Rosh Chodesh in Rosh Hashana davening. We see that the **Rabanan** say no mention should be made. The talmidim said to **R' Huna**, the **Rabanan** argue regarding the point of making the mention based on a stipulation (i.e., if today is Rosh Chodesh or tomorrow is Rosh Chodesh), but they agree that mention must be made! This must be the proper understanding, because a Braisa says that this same machlokes existed for every Rosh Chodesh of the year. The **Rabanan** surely agree one must mention Rosh Chodesh during the rest of the year. The question is only on Rosh Hashana. The machlokes must be whether to mention it with a stipulation.
 - **Q:** If that is correct, why do they need to argue in the Mishna and the Braisa? **A:** If they would only argue on Rosh Hashana we would think the **Rabanan** don't allow the use of a stipulation there because it would lead people to say that one day of Rosh Hashana is not truly Yom Tov and people may treat it improperly. However, during the rest of the year, this concern doesn't exist and one should use a stipulation. And, if they would only argue regarding the rest of the year, we would say that only over there does **R' Dosa** say to use a stipulation, because the risk we just mentioned does not apply. Therefore, they argue in both cases.
 - **Q:** A Braisa brings a machlokes between **B”S** and **B”H** regarding how many brachos there are in the Musaf “shemonah esrei” of Rosh Hashana that falls on a Shabbos. **B”S** say 10, because a separate bracha is added for Shabbos, and **B”H** say there are 9, because no separate bracha is added. From the fact that

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B”S don’t require an 11th bracha for Rosh Chodesh, it seems that all agree that Rosh Chodesh is NOT mentioned!? **A: R’ Zeira** said, it could be that they require mention of Rosh Chodesh, however, Rosh Chodesh is different in that it does not require its own bracha (just like by shachris, mincha and ma’ariv) and gets combined into another bracha.

- **Q:** We find that **B”S** require an additional bracha for Rosh Chodesh in mussaf when it falls on Shabbos!? **A:** This remains unanswered.
- The concept of combining the mention of Rosh Chodesh in the Shabbos bracha is actually the subject of a machlokes. In a Braisa, the **T”K and R’ Eliezer** hold that it is not done, and **R’ Shimon ben Gamliel and R’ Yishmael the son of R’ Yochanan ben Broka** say it is done.
- Getting back to the original question of whether Rosh Chodesh is mentioned in the Rosh Hashana davening, **R’ Chisda** and **Rabbah** say it does not need to be mentioned.
- **Rabbah** said, they asked **R’ Huna**, what is the halacha regarding making a “shehechyanu” on Rosh Hashana and Yom Kippur? They only occur once a year, so it should be said, but they are not called “rigalim” (festivals), so maybe it should not be said? **R’ Huna** did not know the answer. **R’ Yehuda** said, “I even make a shehechyanu on new squash”. **Rabbah** said, I wasn’t asking if one may choose to make one (that is surely permitted), I was asking whether one is **required** to make a shehechyanu. **R’ Yehuda** responded, that **Rav and Shmuel** both say that one only need make the bracha on the “shalosh rigalim”.
 - **Q:** A Braisa says that **R’ Yehoshua** explains a pasuk to mean that a special bracha needs to be made on the 7 days of Pesach, the 8 days of Succos, and based on an extra word “gam” in the pasuk, a bracha needs to be made on Shavuot, Rosh Hashana, and Yom Kippur as well. Presumably this bracha referred to is shehechyanu!? **A: R’ Yehoshua** was referring to a bracha about the Yom Tov. This makes sense because one does not make a shehechyanu all 7 days of Pesach or 8 days of Succos.
 - This proof is not so correct, because maybe he means that if the shehechyanu was not made on the first day, it is made on the next day, and so on.
 - **Q:** If it is made on a day other than the first day, it would mean that he is not making it over a cup of wine (they didn’t have wine after the first day). This seems to be a proof to **R’ Nachman** who says that a shehechyanu need not be made over a cup of wine?! **A:** It could be that **R’ Yehoshua** is discussing a case where the person happened to have a cup of wine.
 - **Q:** That answer doesn’t work for Yom Kippur!?
 - Getting back to the original question of whether a shehechyanu must be said on Rosh Hashana and Yom Kippur, the **Rabanan** sent **R’ Yeimar Saba** to go and observe how **R’ Chisda** conducted himself on Rosh Hashana. He saw that **R’ Chisda** did make a shehechyanu when he made Kiddush.

The Gemara paskens that one must make a shehechyanu on Rosh Hashana and Yom Kippur, and it need not be made over a cup of wine.