



Daf In Review – Weekly Chazarah

Maseches Eruvin, Daf אָב – Daf אָב

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

-----Daf אָב--41-----

- **Q: Rabbah** said, we asked **R' Huna** whether one who fasts on a Friday should complete the fast (it is not proper to go into Shabbos while suffering from hunger). **R' Huna** did not know the answer. They then asked **R' Yehuda** and he did not know the answer. **A: Rava** quoted a Braisa which says that when Tisha B'Av falls on a Friday, one should eat something before Shabbos.
 - Another Braisa says this is a machlokes Tanna'im. The Braisa quotes **R' Yehuda** who said that he was once with **R' Akiva** on Tisha B'Av that was on a Friday and **R' Akiva** ate something before Shabbos began. **R' Yose** argues and says that one may complete a fast on Friday. **R' Yose** said, you surely agree that when Tisha B'Av is on a Sunday, one stops eating while it is still Shabbos. If he can fast at the end of Shabbos he can complete a fast on Friday into the beginning of Shabbos as well. They responded, it is very different when one ate all day and stops for the last hour of Shabbos, and when one hasn't eaten all day and continues to fast for the first hour of Shabbos.
 - **Ulla** paskens like **R' Yose** (that one may complete his fast on a Friday).
 - **Q:** How can he say that we pasken like **R' Yose**? A Mishna says, **R' Gamliel** says we do not begin to decree a series of fasts on Rosh Chodesh, Chanukah or Purim, but if the series had begun and one of these days fell out on a fast day of the series, one should fast. **R' Meir** says, **R' Gamliel** would agree that one would not complete the fast on those days. Similarly, one may not complete the fast of Tisha B'Av on a Friday! A Braisa goes further and says that during the lifetime of **R' Gamliel**, the halacha was accepted as following him. After his passing, **R' Yehoshua** tried to change the halacha. **R' Yochanan ben Nuri** said, while he was alive we followed him, we will not change the halacha now. We see that we pasken that a fast on Friday may NOT be completed!? **A:** During **R' Gamliel's** lifetime they paskened like him, but during **R' Yose's** lifetime, they paskened like **R' Yose**.
 - **Q:** Did they pasken like **R' Gamliel** during his lifetime? A Braisa says that **R' Elazar the son of R' Tzadok** (who was a descendant of Sanav from sheivet Binyamin) said, when Tisha B'Av fell on a Shabbos and the fast was therefore pushed off to the next day, Sunday, our family fasted but did not complete the fast because the 10th of Av is a Yom Tov for us. It seems that only a Yom Tov itself is enough of a reason not to complete a fast. However, on Erev Yom Tov or Erev Shabbos the fast would have to be completed!? **A: Ravina** said, that Yom Tov was only D'Rabanan, and therefore one may even fast part of the Yom Tov itself, so surely one may complete the fast on that Yom Tov's eve. However, on Erev Shabbos one may not complete a fast, because on Shabbos itself one may not even fast part of the day.
 - **R' Yosef** said, "I never heard that the halacha follows **R' Yose**". **Abaye** told him, you taught us this halacha on the Mishna that we quoted before with **R' Gamliel** and **R' Meir**. You said that **R' Yehuda in the name of Rav** says that **R' Meir** says the fast may not be completed, but the **Chachomim** say it may be completed. Presumably the **Chachomim** are arguing about completing the fast on Rosh Chodesh, Chanukah, Purim and Friday!
 - The Gemara says, it could be that the **Chachomim** were only arguing about Rosh Chodesh, Chanukah and Purim, but would agree that one may not complete a fast on Friday.

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- This would make sense that **R' Yehuda** was not referring to a Friday, because **R' Yehuda** was asked regarding the halacha of fasting on a Friday and he did not know the answer!
 - This is not a proof, because we find that **R' Huna** also didn't know the halacha when asked and yet we find that he paskens that a fast may be completed on Friday. We must say that they did not know the halacha when asked originally but then later learned the halacha.

HADRAN ALACH PEREK BAKOL M'ARVIN!!!

PEREK MI SHEHOTZIUHU -- PEREK REVI'I

MISHNA

- A person who was forcibly removed from his techum by goyim or due to temporary insanity, may only walk in the 4 amos that he is now in. If they forcibly took him back to within his original techum, he may walk around his entire original techum.
 - If they took him to another city or a building outside of his techum, **R' Gamliel** and **R' Elazar ben Azarya** say he may walk the entire city or building. **R' Yehoshua** and **R' Akiva** say that he only gets 4 amos.
 - It once happened that they were on a ship that moved beyond 2,000 amos from where it was bein hashmashos. **R' Gamliel** and **R' Elazar ben Azarya** walked around the entire ship. **R' Yehoshua** and **R' Akiva** stayed within their 4 amos because they wanted to be machmir on themselves.
 - Another time they did not reach the port until it was already Shabbos. They asked **R' Gamliel** if they were allowed to disembark. **R' Gamliel** said they may, because he saw that they were within 2,000 amos to the port as Shabbos began.

GEMARA

- A Braisa says, there are 3 things that cause a person to go against his own will and Hashem's will: avodah zarah, evil spirits, and the suffering of poverty. The reason to give this list is so that people should daven not to fall to one of these.
 - Three things save a person from having to enter Gehenom: suffering with poverty, having stomach sickness, and one who is indebted to creditors (who come after him). Others say, also one who has a bad wife. The first view doesn't include this because the person can just divorce her and not suffer. The second view says there are times when he can't divorce her (she has a large kesubah or they have children). The reason to give this list is that one should accept these sufferings with love.
 - Three people die suddenly: one suffering from stomach sickness, one who has given birth, and one with the "hadrokan" illness. The reason to give this list is so that one should prepare "tachrichin".
- **R' Nachman in the name of Shmuel** says, if one leaves his techum willingly, he may only walk within his 4 amos.
 - **Q:** The Mishna says even if he is forcibly removed he only gets his 4 amos, so surely when he leaves willingly he only gets 4 amos!? **A:** **R' Nachman** meant that if one returns to his techum willingly he only gets his 4 amos.
 - **Q:** That is also obvious! The Mishna says if the goyim return him he gets his original techum back. It is mashma that if he returns on his own he does not!? **A:** **R' Nachman** meant, if he left willingly and was returned forcibly he only gets his 4 amos.
 - **Q:** That is also obvious! The Mishna says, if he is forcibly removed and forcibly returned he gets his original techum. It is mashma that if one way was willingly he does not get his techum!? **A:** We would have thought that the Mishna should not be read as one case, but means that even if he left willingly but was returned forcibly he gets his techum back. **R' Nachman** tells us that this is not the case.

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- **Q:** They asked **Rabbah**, if one left his techum and is therefore stuck in his 4 amos, but needs a bathroom, may he leave the 4 amos? **A:** **Rabbah** said, this is a human dignity issue, which surely trumps this halacha D'Rabanan.
 - **Nehardai** says, if he is clever, he should look for the closest bathroom towards his original techum, and if that results in him reentering his techum, he would get his original techum back.
- **R' Pappa** says, if fruits were taken out of their techum (objects take on the techum of their owners), and are then returned to the techum, even b'meizid, they regain their original techum, because they are considered to have been forcibly removed and returned (since they don't move on their own).
 - **Q:** **R' Yosef bar Shmaya** asked, a Braisa says that **R' Nechemia and R' Eliezer ben Yaakov** say the fruit is assur unless it is returned to its techum b'shogeg!? **A:** It is actually a machlokes Tanna'im. The **T"K** of a Braisa says, fruits removed from their techum may only be eaten if removed b'shogeg, not b'meizid. **R' Nechemia** says the fruits may only be eaten if returned to their techum. **R' Nechemia** must be referring to where it was returned b'shogeg (based on the earlier Braisa quoted in the question). If so, he is not discussing the same case as the **T"K**! The Braisa must be missing words. The **T"K** must be saying that if returned to the techum, even b'meizid, the fruits may be eaten, and **R' Nechemia** is saying that is true only if returned b'shogeg. We see this is a machlokes among Tanna'im.
 - **Q:** Maybe all agree that when returned to the techum it may only be eaten if returned b'shogeg. Maybe they only argue regarding eating them outside the techum, in which case the **T"K** says it may be eaten only if brought out b'shogeg and **R' Nechemia** says even then it may not be eaten outside the techum!? **A:** When **R' Nechemia and R' Eliezer ben Yaakov** say it may not be eaten when returned to the techum b'meizid, that must mean that the **T"K** argues and says that even if returned b'meizid it may be eaten.

-----Daf כג---42-----

- **R' Nachman in the name of Shmuel** says, if one does not know where his techum ends, he may take 2,000 mid-sized steps.
- **R' Nachman in the name of Shmuel** says, if a person made his Shabbos dwelling in an open field, and on Shabbos goyim came and enclosed an area of larger than 2,000 amos around him, he may still only walk 2,000 amos (even though he would have been allowed to walk the entire enclosure if it would have been enclosed before Shabbos), and may transfer items even beyond his 2,000 amos (items which don't have his techum restriction) by throwing them (for transferring purposes the enclosure does get the halacha of a reshus hayachid). **R' Huna** says, he may walk in his 2,000 amos, but may only carry within 4 amos.
 - **Q:** According to **R' Huna**, why can't he transfer in the entire enclosure by throwing? **A:** We are afraid that if he throws beyond his techum, he may follow the item and walk beyond his techum.
 - **Q:** Why can't he at least carry normally within the 2,000 amos? **A:** Since he may not carry beyond the 2,000 amos, it is as if he is in an area that is totally opened to a place in which he is not allowed to carry. In that case, the halacha is that he is also not allowed to carry in the place that he is in.
 - **Chiya bar Rav** says, he may walk and carry in the 2,000 amos.
 - **Q:** He is not following either shitah!? **A:** He meant to say that he may only carry within 4 amos.
 - **Q:** That is exactly what **R' Huna** said!? **A:** The statement should read "**Chiya bar Rav also says**".
 - **R' Nachman** said to **R' Huna**, do not argue on **Shmuel**, because a Braisa agrees with him. The Braisa says, if one's techum ends in middle of a city, he may not walk past the techum, but he may carry throughout the city. Presumably that means that he can throw beyond his techum! **R' Huna** says, it refers to "carrying" by pulling an object. Since the object is within his reach, we don't have to be afraid that he may be drawn to beyond the techum.
 - **R' Huna** said, if one's techum ends midway through a chatzer, he may not walk past his techum.
 - **Q:** That is obvious!? **A:** The chiddush is that he may walk in the chatzer up until his techum

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- **Q:** That is also obvious!? **A:** We would think that we don't let him walk there for the concern that that may lead him to carry there. **R' Huna** teaches us that he may walk there up until his techum.
- **R' Nachman** said that **R' Huna** would agree that if one's techum ends at the opening to a house (the house is missing the wall which is at the border of his techum), that he would be allowed to throw items beyond the techum into the house, because the roof acts as a noticeable marker and reminder that he cannot walk beyond his techum.
- **R' Huna the son of R' Nosson** said, the machlokes between **R' Nachman** and **R' Huna** whether one may throw items beyond his techum is a machlokes Tanna'im in our Mishna. The Mishna said, if goyim forcibly remove someone from his techum and put him in an open field, he must remain in his 4 amos. If they put him in a building, **R Gamliel and R' Elazar ben Azarya** say he may walk around the entire building, **R' Yehoshua and R' Akiva** say that he may only walk within his 4 amos in the building. We can say that according to the first pair, just as they are not goizer walking in a building for concern that it would lead one to walk beyond 4 amos in an open field, so too they would not be goizer throwing beyond his techum out of concern that it may lead him to walk beyond his techum. The second pair, who are goizer, would be goizer regarding throwing beyond his techum as well.
 - **Q:** It could be that the first pair are not goizer in the Mishna because the difference between an open field and a building is very noticeable and there is therefore no concern and no need to be goizer. However, when throwing beyond the techum, where it is all in one space, maybe they would be goizer! Also, maybe the second pair does not limit his walking to within 4 amos in the building because of a gezeira. Maybe they limit it because they say the only time one gets to consider an enclosed area as if it were his 4 amos is when his dwelling is located in an enclosed area, not when he is placed into such an area beyond his techum.
- **Rav** says the halacha follows **R' Gamliel** with regard to a building (a person put there beyond his techum may walk the entire building) and with regard to a ship (if the ship has moved beyond the techum he may walk the entire ship). **Shmuel** says, the halacha follows **R' Gamliel** in the case of the ship, but not in the case of the building.
 - **Q:** All agree that we follow **R' Gamliel** in the case of a ship. Why do we pasken like him? **A:** **Rabbah** said, because he was within the walls of the ship as Shabbos began so he gets to consider the entire ship as his 4 amos. **R' Zeirah** said, because the ship's constant movement carries him beyond his 4 amos, every moment thereby giving him the right to a new 4 amos. Therefore, every step he takes is within the new 4 amah area that he is getting as the ship moves.
 - **Q:** What is the practical difference between these reasons? **A1:** Where the ship's walls are not tall enough to make them significant (they are less than 10 tefachim). **A2:** Where the person jumped to a second ship on Shabbos (he wasn't within these walls at the onset of Shabbos).
 - **R' Zeira** doesn't say like **Rabbah**, because these walls were made to hold off the water and are therefore not considered significant as walls to enclose the area for purposes of Shabbos. **Rabbah** doesn't say like **R' Zeira**, because he says that all agree that one may walk the entire length of a moving ship. The machlokes is regarding a stationary ship, in which case **R' Zeira's** reasoning does not apply.

-----Daf ל"ג-----43-----

- **Rabbah** said, the machlokes between **R' Gamliel** and **R' Yehoshua** is only regarding a stationary ship. However, all agree that one may carry throughout a moving ship.
 - **R' Nachman bar Yitzchak** says, our Mishna is mashma like **Rabbah**. In the Mishna's story with the Tanna'im on the ship, the Mishna says that **R' Yehoshua and R' Akiva** stayed within their 4 amos because "they wanted to be machmir on themselves". If they argue in all cases, staying within their 4

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amos is not a chumra, it is truly assur! It must be that the ship was moving and therefore all agreed that it was truly mutar to move all around the ship.

- **R' Ashi** said, our Mishna is mashma like **Rabbah**. The Mishna brings the story with the ship alongside its discussion of the person who ends up in a building that is out of his techum. The Mishna did so to teach that just like the buildings are stationary, the machlokes regarding the ship is likewise when the ship is stationary.
- **Rav and Shmuel** agree that the halacha follows **R' Gamliel** in the case of a ship.
 - **Q:** Saying the halacha follows him seems to mean that someone argued with **R' Gamliel**. In its story, the Mishna says that **R' Yehoshua and R' Akiva** sought to be *machmir* on themselves. That means that in truth they agreed with **R' Gamliel**. If so, no one argues on him!? **A:** We find that they do argue in a Braisa. The Braisa says that **Chananya (R' Yehoshua's nephew)** said that his uncle argued with **R' Gamliel** in the case of a stationary ship. He only agreed with him when a ship is in motion.
- **Q: R' Chananya** asked, do the halachos of techum apply above 10 tefachim or not? Clearly, a platform that is 10 tefachim high and 4 amos wide is included in the halachos of techum (it is considered a mound of dirt). The question is regarding a pedestal which is more than 10 tefachim high but less than 4 tefachim wide, or someone who (uses one of Hashem's Names and) flies in the air above 10 tefachim, or a ship that floats more than 10 tefachim off the seabed. Does techum apply?
 - **R' Hoshaya** said, we can bring a proof from our Mishna. **R' Yehoshua and R' Akiva** sought to be *machmir* on the ship. If techum doesn't apply above 10 tefachim, it should not have applied on the ship and there was no reason for them to be *machmir*!
 - It could be like **Rava** says elsewhere, that the ship was in very shallow water, within 10 tefachim to the ground.
 - We can bring a proof from the next part of the Mishna where they were concerned about the techum when the ship they were on was heading towards the port. If techum doesn't apply above 10 tefachim, why were they concerned for techum!
 - **Rava** says, the case is discussing where the ship was traveling in very shallow waters.
 - We can bring a proof from the following. It once happened that 7 halachos were related to **R' Chisda** in Sura on Shabbos morning, and were later related to **Rava** in Pumbedisa in the afternoon. Presumably the halachos were related by **Eliyahu Hanavi** (from Sura to Pumbedisa is beyond the techum), and we see that he didn't have to be concerned about techum because he flies above 10 tefachim!
 - It may be that the halachos were related by **Yosef the Sheid**, who does not keep the halachos of Shabbos.
 - We can bring a proof from a Braisa. The Braisa says, if one promises to become a nazir on the day that Moshiach comes, he is allowed to drink wine on Shabbos and Yomim Tovim, but not during the week. This makes sense if we say that techum applies above 10 tefachim, because that would mean that Moshiach could not come on Shabbos and Yom Tov! If there are no techum concerns, why can't he come then!?
 - This is no proof. The reason he can drink wine on Shabbos and Yom Tov is because the pasuk tells us that Eliyahu Hanavi will come the day before Moshiach. Since he didn't come the day before, Moshiach will not be coming that day and he can drink wine.
 - **Q:** Based on that, he should be able to drink wine during the week as well if Eliyahu had not come on the previous day!? It must be that he may not because we are concerned that possibly Eliyahu came the previous day to the Beis Din HaGadol and we are not yet aware. If so, how can he drink wine on Shabbos? Maybe Eliyahu went to the Beis Din Hagadol on Friday!? **A:** We have a kabbalah that Eliyahu will not come on Erev Shabbos or Erev Yom Tov, because it would be too difficult for the people to properly greet Eliyahu and still prepare for Shabbos or Yom Tov (and therefore Moshiach cannot come on the following day of Shabbos or Yom Tov).
 - **Q:** Presumably, for the same reason, Moshiach could not come on an Erev Shabbos or Erev Yom Tov either. If so, he should be able to drink wine on those days as well!? **A:**

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Although Eliyahu can't come on those days for that reason, Moshiach can, because when Moshiach comes all the goyim will willingly become servants to us and therefore we will not need to prepare for Shabbos and Yom Tov (they will do so for us).

- From the fact that he can't drink on Sunday means that Eliyahu may come on Shabbos. This would mean that there is no issue of techum above 10 tefachim on Shabbos!
 - It may be that there is a techum issue. The Tanna of this Braisa is unsure, and therefore is machmir and does not allow the person to drink wine on Sunday either.
- **Q:** If he made the promise during the week, the promise takes effect immediately, so how can he drink wine when Shabbos or Yom Tov arrives? **A:** The Braisa refers to where he makes the promise on Shabbos or Yom Tov. He is then allowed to drink wine on that very day. However, once the next day arrives, the promise takes effect and he may no longer drink wine.

PA'AM ACHAS LO NICHNISU LANAMAL...

- A Braisa teaches that **R' Gamliel** had a hollow tube that was fashioned to a certain length so that looking through it allowed a line of sight equal to 2,000 amos. He therefore was able to know that they were within 2,000 amos to the port before Shabbos began.
 - The Braisa says, if one wants to measure the depth of a valley, he can use this type of instrument.
 - The Braisa says, if one wants to measure the height of a palm tree, he should find the ratio between himself and his shadow, then measure the tree's shadow and, based on the same ratio, he can figure out the height of the tree.
 - The Braisa says, if wants to make sure animals don't rest in the shade of a grave, he should see where the shade falls in the morning and build the gravestone on an angle that will not produce shade at that time of the day. This will prevent animals from seeking refuge from the sun near the grave.
- **Nechemia the son of Chanilai** was engrossed in learning and unknowingly walked beyond his techum. **R' Chisda** said to **R' Nachman**, "Your talmid **Nechemia** is suffering (he is restricted to moving only within his 4 amos)". **R' Nachman** said to create a wall of people from where **Nechemia** was until the place of his original techum. Once he would get back into his techum, he would once again be free to move around the entire techum.
 - **Q: R' Nachman bar Yitzchak** asked **Rava**, what was **R' Chisda's** question (i.e. why didn't he give the same answer as **R' Nachman**)? Was the case where there were enough people to make a wall all the way into the techum and his question was whether we pasken like **R' Gamliel** who allows one to retake his techum when he reenters it, or was his question because the case was where there were only enough people to make a wall to within 2 amos of his techum, and his question was whether we pasken like **R' Eliezer** (from a Mishna later on) who allows one to reenter even in that case? **A: Rava** answered, since **Rav** clearly said the halacha follows **R' Gamliel**, **R' Chisda** would not have been in question about that. His question must have been whether or not we pasken like **R' Eliezer**.

-----Daf 72--44-----

- **R' Nachman** had said that **R' Chisda** should create a human wall from where **Nechemia** stood until his original techum.
 - **Q: R' Nachman bar Yitzchak** asked **Rava**, a Braisa says that if a succah wall fell down on Yom Tov, one may not put a person, an animal, or keilim there to act as a wall, because one may not make even a temporary structure on Yom Tov or Shabbos!? **A: Rava** answered, another Braisa allows it. The Braisa says a person may have his friend act as a wall for a succah to allow him to eat and sleep there, and he may stand up a bed and put a sheet over it to shade a meis or food from the sun.
 - **Q:** The Braisos contradict each other!? **A:** The first Braisa follows **R' Eliezer** and the second Braisa follows the **Rabanan**. A Mishna says: **R' Eliezer** says a window shutter may be placed to close the window on Shabbos if the shutter is attached to the building and does not drag on the floor when it hangs. The **Chachomim** say the shutter may be placed to close the window even if it is not attached at all. We see that **R' Eliezer** prohibits making a temporary structure and the **Rabanan** allow it.

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- **Q:** The Gemara on that Mishna says, **Rabbah bar bar Chana in the name of R' Yochanan** says that all agree that one may not create a new temporary structure, and they only argue regarding making a temporary addition to an existing structure. If so, the second Braisa, which allows making the entire wall, can't follow the **Rabanan** either!? **A:** The first Braisa (which says the animal cannot be placed as a wall) follows **R' Yehuda**, and the second Braisa follows **R' Meir**. A Braisa says, if one uses an animal for a wall of a succah, **R' Meir** says it is passul (we see he says it does not have the din of a wall, so constructing such a wall on Shabbos would be allowed) and **R' Yehuda** says it is kosher (it is a good wall and would therefore not be allowed to be made on Shabbos).
 - **Q: R' Meir** only disallows placing an animal there because it may run away. However, he would seemingly allow using people and keilim as the succah wall, and therefore he would not allow a wall of people or keilim to be made on Shabbos. The Braisa which we have tried to attribute to **R' Meir** *does* allow the making of a wall of people and keilim!? Also, **R' Meir** according to **R' Eliezer** would not even allow adding to a wall, and **R' Meir** according to the **Rabanan** only allow adding, not creating a new wall!? **A:** Both Braisos follow the **Rabanan** and they are not contradictory with regard to using keilim as the wall for the following reason. The Braisa that allows using keilim for the wall is discussing using it for the 4th wall (a succah with 3 walls is kosher, so the 4th wall is considered to only be “adding” to an existing wall). The Braisa that doesn't allow keilim is referring to placing the keilim as a 3rd wall. That is truly making a wall, which is assur to do on Yom Tov.
 - **Q:** Both Braisos said that placing the person there makes the succah kosher, which would mean that with regard to a person, they are referring to the 3rd wall. If so, the Braisos are contradictory regarding using a person for a wall!? **A:** The Braisa that allows it discusses where the person is not aware that he is being used as a wall. The Braisa that prohibits it discusses where the person stands there intending to be a wall. That is more akin to “building” and is therefore prohibited.
 - **Q:** The case with **Nechemia** presumably was where the people intended to act as a wall and yet it was permitted!? **A:** They were not aware that they were being used to make a wall.
 - **Q: R' Chisda** was clearly aware!? **A: R' Chisda** was not one of the people used to make the wall.
 - There were people of a wedding party who knowingly acted as a human wall to allow the carrying of water from a reshus harabim into a reshus hayachid. **Shmuel** gave them malkus and said, the **Rabanan** only allowed this when the people were not aware that they were acting as a wall, not when they knowingly did so!
 - **Rava** left bottles in the town square of Mechuza. On Shabbos, after giving his shiur and while surrounded by his talmidim, his attendant picked up the bottles and brought them to the reshus hayachid (while surrounded by the human wall). On another Shabbos the attendant wanted to again use this method, but **Rava** did not allow him to do so, because doing it again would be considered as “knowingly” having done so.
 - **Levi** brought straw into the reshus hayachid using a human wall. **Ze'iri** brought in “aspasta”. **R' Simi bar Chiya** brought in water.

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- One who left his techum for a permitted reason (e.g. to say witness about the new moon, to fight an invading army, to save people from a flood, or to be a midwife at a birth) and is told (before the destination is reached) that the need is no longer there, this person gets a full 2,000 amah techum. If he is still within his original techum, he retains his original techum.
- All who leave to rescue people may return to their places.

GEMARA

- **Q:** What does the Mishna mean, “If he is still within his original techum, he retains his original techum”? **A:** **Rabbah** says it means that if he is within his original techum it is as if he never left his house (i.e. he retains the original techum with his house as the epicenter of the techum).
 - **Q:** That is obvious!? **A:** We would think that once he sets out to leave the techum permissibly, his techum begins to center around him instead of his house. The Mishna teaches us that his house continues to be the center of his techum.
 - **A: R’ Simi bar Chiya** says this part of the Mishna is a continuation of the previous statement. It means to say, that if the new techum awarded this person overlaps his original techum, he may return to his original techum and retain the original techum as if he never left.
 - **Rabbah and R’ Simi bar Chiya** argue whether the fact that the techumin overlap allows him to return to his original techum. **R’ Simi bar Chiya** says that it does allow him to do so, and **Rabbah** says that it does not allow him to do so.
 - **Q: Abaye** asked **Rabbah**, how could you say that overlapping techumin is not something of halachic significance? If one makes his dwelling in a cave that is 4,000 amos long, with an entrance at each end, but the distance between the entrances above ground is less than 4,000 amos apart, the halacha is that he would be allowed to walk above ground for the full length between entrances and an additional 2,000 amos in each direction. This is because the techum of one entrance overlaps the techum of the other. This overlap allows them to be considered one large techum. We see that overlapping techumin have halachic significance!? **A: Rabbah** says this case is very different. In this case, both techumin were established at the onset of Shabbos (through his dwelling in the cave). In the case of the Mishna, one techum was created at the onset of Shabbos and one was created when he legally left his techum on Shabbos itself (which act caused him to get a new “dwelling”).
 - **Abaye** asked, a Mishna says that if someone improperly leaves his techum, but remains within 2 amos of the techum, **R’ Eliezer** says that he may reenter his original techum. This is because **R’ Eliezer** holds that the 4 amos a person gets when he leaves his techum are measured as a circle with a 4 amah diameter of which he is in the middle (that gives him 2 amos in each direction). In any case, we see that if his new “techum” (i.e. the 4 amah area) overlaps with his original techum, he may reenter the techum! This is a case of a new techum created on Shabbos and still we see that overlapping has legal significance!? **Rabbah** himself said that the **Rabanan** agree that if one left the techum permissibly for a mitzvah (like in our Mishna), the overlapping of the techumin allow him to return to the original techum! Based on this, the Mishna is a valid proof!

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V'CHOL HAYOTZIN L'HATZIL CHOZRIN LIMKOMAN

- **Q:** The Mishna seems to say that all rescuers may always return to their original techum, no matter how far away they are. This contradicts the earlier part of the Mishna which said that he gets a new 2,000 amos, but not more than that!? **A: R’ Yehuda in the name of Rav** says, the Mishna means to say that they may carry their weapons back for a distance of 2,000 amos even though there is no apparent danger anymore and therefore no reason to allow carrying outside a reshus hayachid.
 - **Q:** Maybe the Mishna does mean that a rescuer is different than the people mentioned previously in the Mishna and a rescuer may actually go back from more than 2,000 amos away!? **A: R’ Yehuda in the**

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name of Rav did not want to answer like that because a Mishna in Meseches Rosh Hashana groups rescuers with all others who have left their techum permissibly and gives them 2,000 amos. Therefore he said the Mishna refers to allowing them to carry their weapons with them when returning from the fighting. A Braisa explains, originally they would leave their weapons at the nearest house after the fighting. However, it once happened that the enemy realized this and chased the returning fighters, who all ran back to this house to get their weapons. The enemy followed them inside. Amid the chaos, more Yidden were killed by fellow Yidden than were killed by the enemy. At that time it was instituted that they carry their weapons back with them.

- **A: R' Nachman bar Yitzchak** says, the Mishna in Rosh Hashana is discussing where the Yidden were victorious. In that case they are limited to an area of 2,000 amos since the danger is gone. Our Mishna is talking about a case where they were not victorious. In that case the danger still exists and they are therefore allowed to return all the way to their original techum.
- **R' Yehuda in the name of Rav** said, if goyim besiege a Jewish city on Shabbos, we may not go out to fight them with weapons on Shabbos, or in any way violate Shabbos.
 - A Braisa says the same thing and adds, that is only if they are besieging the city for monetary purposes. If they have come to kill people, of course we may go fight them with weapons on Shabbos and violate Shabbos in any way. Also, if the city under siege is a border city, then we may go fight them with weapons and violate Shabbos in any way even if the siege is for monetary purposes (because if a border city were to fall, it would be easier for the goyim to conquer the other cities).
 - **R' Yosef bar Menyumi in the name of R' Nachman** said, Neharda'ah has the status of a border city.

MISHNA

- If one is travelling and after Shabbos begins realizes that he is within 2,000 amos to a city (had he realized this before Shabbos he would have designated the city to be his place of dwelling, something which he may do based on a Mishna later on), **R' Meir** says, since he did not have in mind to make the city his place of dwelling, his place of dwelling remains the place he was when Shabbos began. **R' Yehuda** says, the city is considered to be his place of dwelling (since we assume that he would have intended that had he known its location).
 - **R' Yehuda** said, **R' Tarfon** was once in this situation and he considered the city to be his place of dwelling.

GEMARA

- A Braisa says, **R' Yehuda** said, **R' Tarfon** was travelling and Shabbos began while he was still on the road. He went to sleep, not realizing that he was in close proximity to a city. In the morning he found shepherds who told him that the city was nearby. He entered and went to the Beis Medrash. We see that even without intention he went into the city and took on its techum! They said to **R' Yehuda**, there is no proof from there. It could be that **R' Tarfon** realized where the city was and intended to treat it as his dwelling place. Also, maybe he didn't take on the city's techum. Maybe he went to the Beis Medrash because it was within the techum of where he was when Shabbos began!

MISHNA

- If one is on the road and is sleeping at the onset of Shabbos, **R' Yochanan ben Nuri** says he gets a techum of 2,000 amos. The **Chachomim** say he must remain within his 4 amos.
 - **R' Eliezer** said, the 4 amos are measured with him being in the center (i.e. he gets 2 amos in each direction). **R' Yehuda** says he can choose 4 amos in any direction he wants, but once the choice is made he cannot retract and choose a different direction.
- If there are 2 people limited to 4 amah areas, and their areas overlap, they may bring their food to the overlapping area and eat together, as long as each doesn't carry items belonging to the other back into his own exclusive area.

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- If there are 3 people limited to 4 amah areas, and the middle person overlaps with each outer person, but the 2 outer people do not overlap with each other, the middle person may eat in the overlapping area of each side with the one who overlaps that area, but the two outer people may not eat together.
 - **R' Shimon** said, this case is similar to a case where there are 3 chatzeiros which each open to the reshush harabim, and in which the 2 outer ones open to the middle one as well. If the 2 outer chatzeiros each made an eiruv with the middle chatzer, the middle chatzer is permitted to transfer to each of them, and each of them to it, but the 2 outer ones remain assur to each other.

GEMARA

- **Q: Rava** asked, does **R' Yochanan ben Nuri** hold that keilim of hefker also get a 2,000 amah techum, and the reason the machlokes is regarding a sleeping person is to show the extent of the **Rabanan**, that although a person gets a techum when he is awake, he does not get more than 4 amos when he is sleeping at the onset of Shabbos, or does **R' Yochanan ben Nuri** hold that keilim of hefker do not get a techum, and a sleeping person is different than hefker keilim because an awake person gets a 2,000 amah techum, so a sleeping person is no different? **A: R' Yosef** brings a proof from a Braisa which says, rain that falls on Erev Yom Tov gets a techum of 2,000 amos. If **R' Yochanan ben Nuri** holds that hefker items get their own techum, this Braisa is following his view. If we say that he says hefker items do not get a techum, who is the Tanna of this Braisa!? It must be that he holds that hefker items get their own techum.
 - **Q: R' Safra** asked **Abaye**, maybe the Braisa is dealing with rain that fell near a city and it gets a techum because the people of the city have in mind to use that water on Yom Tov!? **A: Abaye** said, it must be that **R' Yochanan ben Nuri** holds this way for another reason. A Mishna says that a well used by those being oleh regel takes on the techum of those who draw the water. A Braisa says that the water of such a well has its own techum of 2,000 amos. These contradictory statements must be answered by saying that the Mishna follows the **Chachomim** that hefker items do not have their own techum, and the Braisa follows **R' Yochanan ben Nuri** who says that they do!
 - **R' Yosef** told **Abaye**, you could have just answered **R' Safra** from the original Braisa. If it is true that the rainwater gets the techum of the people in the nearby city, the Braisa should say so, and not say that it gets a “techum of 2,000 amos”!
 - The Braisa quoted by **R' Yosef** said that rain that falls on Yom Tov gets the techum of whoever takes the water (since it had no techum when Yom Tov began).
 - **Q: Why don't we say that its “dwelling place” is in the ocean (which is where it must have been before it came down as rain)?** **A: R' Yitzchak** says the Braisa is discussing rainclouds that formed from before Yom Tov, so the rain was not in the ocean at the start of Yom Tov.
 - **Q: Maybe the clouds that produced the rain are different than the clouds that were there on Erev Yom Tov?** **A: He** has a way of recognizing that they are the same clouds. **A2: Or we can say that it is at most a safek with regard to a halacha D'Rabanan, and therefore we can be meikel.**
 - **Q: Why don't we say the rain's dwelling place is in the clouds? From the fact that we don't say that, it is a proof that the halachos of techum do not apply above 10 tefachim!?** **A: It could be that techum does apply, but the rain at the start of Yom Tov is absorbed in the clouds and therefore cannot be said to have a dwelling place.**
 - **Q: If so, the rain should be muktzeh as “nolad”?!** **A: The rain does exist in a liquid state in the clouds, but the water is in constant motion in the clouds, thus making that it can't be said to have a dwelling place at the onset of Yom Tov.**
 - Now that we have said this, the same thing can be said for water in the ocean. Since it is in constant motion, it cannot be said to have a dwelling place.

- **R' Yaakov bar Idi** in the name of **R' Yehoshua ben Levi** paskens like **R' Yochanan ben Nuri**.

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- **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

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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, and the general rule may only come into effect when we are not told specifically how to pasken.

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- [**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

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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'**

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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.