

OVERVIEW of the Daf

1) The ruling of R' Yehudah (cont.)

The Gemara concludes that there is a dispute whether R' Yehudah and Chachamim disagree.

2) Understanding the language of R' Yehudah

Everyone agrees that when R' Yehudah introduces a statement with the word אימתי he is coming to explain, and there is a disagreement whether the word במה indicates that he is explaining or disagreeing.

The Gemara unsuccessfully challenges the accepted meaning of R' Yehudah's use of the word אימתי.

הדרן עלך חלוין

3) **MISHNAH:** The procedure for making an eruv techumin for others is described and how others become included in the eruv.

4) Clarifying the Mishnah

R' Yosef asserts that an eruv techumin may only be made to travel to a mitzvah matter.

The Gemara incorrectly thought to deduce from the Mishnah that the principle of retroactive clarification is not recognized.

5) A child being included in his mother's eruv

R' Assi ruled: A child even in his sixth year follows the eruv of his mother.

R' Asi's ruling is challenged. R' Huna the son of R' Idi unsuccessfully attempts to reinterpret R' Assi's ruling to avoid the refutation from the Baraisa.

6) Making an eruv for another without their agreement

Two Baraisos list for whom one may make an eruv without their prior knowledge.

Two points mentioned in the second Baraisa are clarified.

7) **MISHNAH:** Different opinions are presented regarding the amount of food necessary to make a valid eruv techumin.

8) Calculating the quantity of two meals

Two examples of loaves that will equal the volume of two meals are cited.

Two Amoraim agree with R' Meir's assertion that the meals should be calculated based upon weekday meals rather than Shabbos meals.

9) Clarifying the Mishnah

A Baraisa states that the opinions of R' Yochanan ben Berokah and R' Shimon are almost the same. The Gemara explains why this is so.

A contradiction is noted and resolved concerning the quantity that the grocer takes for himself. ■

Distinctive INSIGHT

Minors and Eruvei Techumin

אמר רב אסי קטן בן שש יוצא בעירוב אמו

The Beis Yosef (Orach Chaim, end of §343) writes in the name of the Rashba and the Ran that one may deliberately feed a minor something that is prohibited by rabbinic decree – even if the child has reached the age of chinuch. However, the Rashba stipulates that his opinion should be taken as theoretical, not practical (להלכה ולא למעשה), and Rambam rules explicitly that a child may not be fed a rabbinically prohibited substance. Moreover, adds Rambam, it is forbidden to allow the child to habitually violate rabbinic prohibitions on Shabbos and Yom Tov (איסור שבות).

The Beis HaLevi (3:55) notes that our Gemara seems to contradict the position taken by the Rashba and the Ran: Here we see that a child – even one that is not yet at the age of chinuch – must be a part of an eruv techumin in order that it be permitted to bring him beyond the techum. But according to the Rashba and the Ran, since techum is a rabbinic prohibition, one should be permitted to remove the child beyond the techum even without his being a part of an eruv techumin, and even deliberately!

The Beis HaLevi resolves the apparent contradiction on the basis of Teshuvos HaRashba §92, in which the Rashba writes explicitly that the dispensation to deliberately feed a minor something that is prohibited by rabbinic decree is only effective where the food in question (or the rabbinically prohibited activity in question) meets a need of the child himself. But when the child has no need for the food or activity, it remains forbidden to engage him in that food or activity. Evidently, our Gemara involves a case whereby the extension of the techum is in the interests of the adult, not of the child. That is why the child must be a participant in the eruv techumin. ■

REVIEW and Remember

1. What does R' Yehudah mean when he uses the words במה and אימתי?
2. Who calls "Mother!" when they wake up in the middle of the night?
3. What is the consequence of the phenomena that young children prefer the company of their mother?
4. What is the dispute between R' Meir and R' Yehudah in the Mishnah?

HALACHAH Highlight

Making an eruv techumin for non-mitzvah purposes

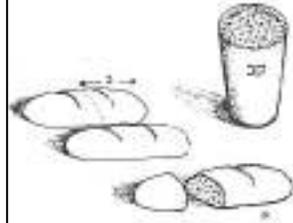
אין מערבין אלא לדבר מצוה

An eruv is made only for a mitzvah purpose

R' Yosef states that one may only make an eruv techumin in order to be able to perform a mitzvah. Shulchan Aruch¹ subscribes to this view and cites as examples of mitzvos that warrant an eruv techumin: Going to a mourner's house, a wedding celebration, to greet one's rebbi or a friend or something similar. Rema² adds that even if one has an interest in taking a leisurely walk on Yom Tov or Shabbos in an orchard he may make an eruv techumin since that is also considered to be a mitzvah. Mishnah Berurah³ cites a disagreement concerning the scope of this halachah. According to some authorities the restriction that an eruv techumin may only be done for a mitzvah is limited to where one will make his eruv by placing bread at the end of his techum. If one will physically stand at the end of the techum as Shabbos begins, he may establish that place as his residence even l'chatchila for some purpose other than a mitzvah. The reason is that establishing one's residence with his body is a stronger way to establish one's residence. The other opinion maintains that there is no distinction between establishing one's residence with one's body or with bread and in both cases it may only be done for the purpose of a mitzvah.

Shulchan Aruch concludes by citing Rambam that even

Daf DIAGRAM



ר' שמעון אומר שתי ידות לכבר משלש לקב

According to R' Shimon the amount of food necessary to make a valid eruv techumin is based upon the following calculation: One kav of flour should be used to make three loaves of bread. Each loaf contains enough bread for three meals, therefore, one should use the volume of two-thirds of one loaf, which is the equivalent of two meals. ■

though one should only establish an eruv techumin to fulfill a mitzvah, if one did make an eruv for some a non-mitzvah purpose it will still be effective and he will be permitted to use that to travel the additional distance that the eruv allows. Sha'ar HaTziyun⁴ seems to indicate that Rema disagrees with this ruling since Rema only writes that once an eruv techumin was made to fulfill a mitzvah it may even be used for non-mitzvah purposes. This implies that if one made an eruv techumin for a non-mitzvah purpose in the first place, it would not be valid. ■

1. שו"ע או"ח סי' תט"ו סעי' א'
2. רמ"א שם.
3. מ"ב שם סק"א.
4. שער הציון שם ס"ק י"א. ■

Distinctive INSIGHT

An Eruv is only for a Mitzvah purpose

אמר רב יוסף אין מערבין אלא לדבר מצוה

Rashi explains: "The sages did not allow a person to go beyond his domain, even with an eruv techumim, unless his purpose is to go to do a mitzvah."

There is a מחלוקת among the Rishonim in a case where a person originally arranged a legitimate eruv for the purpose of a mitzvah, i.e. to go to a wedding celebration. The question is whether this person can now use this eruv some time on Shabbos to go to a non-mitzvah activity. Perhaps an eruv be used only for mitzvah excursions.

The Tur (O.C. 415) writes that once an eruv is properly set up with mitzvah objectives, it can then be used even for an elective outing. This is also the ruling of Rema (415:1). However, הגהות אשרי notes that

the opinion of Rashi seems to be that not only does the set up of the eruv have to be for a mitzvah, but the usage of the eruv is only to be for mitzvah trips as well.

Rambam (Hilchos Eruv 6:6) rules that if an eruv is set up for a דבר רשות, it is acceptable nonetheless בדיעבד. The Magid Mishnah explains that this ruling of Rambam is in variance with Rashi, who holds that even בדיעבד, such an eruv would be unacceptable.

We now have two insights into Rashi's opinion in this matter. 1) If someone set up an eruv for the sake of a mitzvah, he may not use it for non-mitzvah purposes. 2) If the eruv was set up for non-mitzvah purposes, the eruv is invalid and it is disqualified, and it may not be used.

The basis for the view of Rashi is that he does not consider mitzvah as a factor in creating the eruv, but rather in how it is to be used. Therefore, even if it is set up properly, it does not mean that it may be used indiscriminately. The only movement

beyond one's domain that is permitted, even with an eruv, is for the sake of a mitzvah.

Those Rishonim who argue with Rashi hold that the rule of Rav Yosef which requires mitzvah objectives in the formation of an eruv. It should only be made if a person has legitimate mitzvah purposes in mind. Once it is set, an eruv could then be used even for דבר רשות.

The leniency of Rambam is explained in Or Zarua (Hilchos Eruvin, #186). It seems from 31a that the rule of Rav Yosef itself is not universally accepted. Rava explains a מחלוקת in a Baraisa between Rabanan and Rabbi Yehuda to be whether we require mitzvah intent in the formation of an eruv, and the majority opinion of Rabanan is that we do not need such intent. Rambam rules according to this explanation of Rava. Yet, in arranging an eruv, it would certainly be best to consider the mitzvah requirement of Rav Yosef לכתחילה. ■

