

3-Eruvin Introduction

The Techum for Shabbos is a space 4 amos square, plus 2000 amos.

If you are in a city, the Techum is the city boundaries square, plus 2000 amos. If isolated houses or ruins are within $70 \frac{2}{3}$ amos beyond the edge of a city, they are included.

Before we draw the straight lines, either square or rectangular, that define the boundary of the city, we measure 2000 amos more and from that boundary it is squared off.

Special methods of measuring hills or valleys are detailed.

מבוי

A 'mavoi' (alleyway).

If the entrance to a 'mavoi' (alleyway), which is defined by the korah (crossbeam) placed over it, is higher than 20 amos, one must decrease it, i.e., lower the koreh, so it is not more than 20 amos high, in order to be able to carry in that mavoi.

R Yehudah says - He does not need to lower it, even if it is higher, it is permitted.

The limit of the width is 10 amos. It is not usual for an entrance to be less than that measurement. If so, it would be viewed as a breach, rather than as an entrance way.

A 'mavoi' (alleyway).

מבוי

If the entrance to the mavoi is wider than 10 amos, he must decrease it, unless it is outlined by a crossbar and 2 posts, making it a doorway. Then, it can be wider and still be a valid mavoi.

Gemara:

The height of a 'sukkah's schach' has the same 20 amos limit.

- If higher, he must lower it.
- If it does not have 3 walls, he must construct the missing wall.
- If it is not 10 tefachim tall, it must be raised.
- If it admits more sunlight than it blocks, more schach must be added.

The Chachamim decided on the proper height of not more than 20 amos for the koreh from the Heichal. The entranceway to the Sanctuary was 20 amos high 10 amos wide.

R Yehudah derived his ruling from the height of the Antechamber leading to the Sanctuary which was higher than 20 amos.

A horizontal beam higher than 20 amos.

Tur Shulchan Aruch - A horizontal beam creates an eruv in a three sided region by marking the fourth side, if it is not placed higher than 20 amos from the ground.

R Yehudah - Allows the beam to be higher than 20 amos from the ground.

The height of 20 amos is chosen because at that height the horizontal beam will be noticed by people.

They will know they are at the end of the eruv and should not carry beyond it. If it is designed to catch a persons eye, i.e., it is colored or decorated, it could be higher than 20 amos and still serve as an eruv.

R Yehudah permits the 'korah' to be higher than 20 amos, because he feels that:

1. The eye notices an object even higher than 20 amos .
2. The placement of the beam seals the fourth side of the mavoi and there is no need for it to be seen.

The entrance way to the Heichal.

פֶּתַחַו שֶׁל הַיְכָל

This is important because the Mishnah (in Middos 3:7), calls each an entranceway. The purpose of a korah, a crossbar, is to transform an opening into an entranceway. The entranceway of the Tabernacle, ‘Ohel Moed’ is referred to as:

- Sanctuary
- Antechamber
- may refer to the holiest object, the Holy Ark
- may also refer to the Temple itself

R Yehudah may be referring to the height and width of the entranceway to Kings’ Palaces, i.e., Solomon and Achashveirosh. (2b3 B90)

Rav and the Chachomin are challenged:

If you claim the height of the korah is decided by reference to the entrance to the Heichal, the Heichal had a door frame, a ‘tsuras hapesach’, and was still only 10 amos wide. So this entranceway does not conform to the pattern exemplified by the entrance to the Sanctuary!

Rav-corrects R Yehudah by saying that even if there is a framed doorway, the entrance must be decreased to 10 amos, thereby amending our Mishnah.

דְּאָמְרֵי אֵינְשֵׁי לֹא חֲמִימָא וְלֹא קְרִיָּא

A pot in the charge of two cooks (partners) is neither hot nor cold.

Each relies on the other and the pot is not properly prepared.
“Too many cooks spoil the broth”.

R Moshe Chafetz - Where there are two many captains, the ship sinks.

Beraishis Rabba 60:3 - Between the midwife and the woman in travail, the baby is lost. This is illustrative of two persons who refuse to relinquish their imagined rights.

These examples suggests the futility of trying to reach a communal consensus.

מָבוּי שֶׁהוּא גְבוּהָ מֵעֶשְׂרִים אַמָּה יוֹתֵר מִפֶּתַחַו שֶׁל הַיֵּיכָל

A mavoi that is higher than 20 amos is greater than the entrance to the Heichal.

We have established that a korah (a crossbeam) must be no more than 20 amos high.

What is the size of an amah?

Sometimes an amah is referred to as 5 or 6 tefachim (a tefach is the width of 4 thumbs, also known as a handbreadth).

R Nachman says - We should use the measurement that will result in the greater stringency:

-Succah and mavo*i* - 5 tefachim

-Kilayim-6 tefachim: to keep prohibited mixtures of vines and grain or greens separated in a vineyard.

A Succah is valid if it can contain at least a person's head, the majority of his body and his table (7 x 7 tefachim).

There is a discussion regarding kilayim, the space needed to separate vines from greens or grain, size of the amah and size of the space between.

The space should be large enough to be considered an independent field.

Discussion is held regarding a loose tefach and a tight tefach (4a1).

בְּאֵן קוֹדֵם בֵּית קוֹל

Here it refers to a time before the heavenly voice came down.

Here it refers to a time before the heavenly voice came down, and we could follow either side.

The view of R Yehoshua is again stated (as it is in Bava Metzia 59a) that, “A heavenly voice intervened in the scholarly discussion and declared what the law was, according to one of the disputants.” (Eruvin 7a1)

R Yehoshua said, “The Torah teaches that the Torah is not in heaven but is here on earth. We must use our human talents to decipher it according to the rules laid out in the Torah given to us at Sinai”. It is God’s will that the Sages apply the laws of the Torah to the best of their human ability.

In Bava Metzia 59b, they argued about the legal status of a particular oven in regards to laws of ritual purity.

הָהוּא מְבוֹי עָקוּם דִּהְוּה בְּנֵהֲרֵדְעָא

There was a certain bent mavoï in the city of Nehardea.

Rav says - A mavoï that opens at both ends into a Reshus HaRabim, must have a tsuras hapesach at one end and a korah or lechi at the other.

Shmuel says - No, according to Beis Hillel, it must have a door at one end and a lechi or korah on the other.

Must the door be closed? No, but it must be capable of being closed, i.e., the sand must be moved away.

The people of Nehardea combined the stringency of Rav and Shmuel considering each section of a “ches” shaped mavoï, adding 2 sets of doors, rather than 1 location for a tsuras hapesach.

Rav would have required only a tsuras hapesach at each bend, and a leichi or korah at the ends.

Shmuel would have required only a leichi or korah at the ends and nothing at the bends.

The people of Nehardea put doors at each bend and a leichi and korah at each end. This violated a rule, “Don’t choose to follow the ruling of 2 Tannaiim or two Amaraïm. You might choose the more stringent of each view and be foolish or the more lenient of each view and be in error.

שָׂמָא אַתָּה מְחַסֵּר אֹת אַחַת אוּ מַיִתֵּר אֹת אַחַת
נִמְצְאָת מְחַרֵּיב אֶת כָּל הָעוֹלָם בּוֹלוֹ

R Yismael cautioned R Meir, a scribe, to be careful, “adding or deleting a letter could destroy the world”.

Rashi - Gives examples of heretical readings of the Torah, that could occur with the addition or subtraction of a letter.

Tosophos - Cites only examples of additions causing heretical statements.

Maharsha and Ramban - State that deleting a letter has an even greater danger.

The letters were employed by HaShem before Creation to create the world out of letters of black fire on white fire, and the loss of even a single letter tampers with this Divine energy. This could have serious ramifications for the entire universe.

אֱלֹהֵינוּ וְאֱלֹהֵי דְבָרֵי אֱלֹהִים חַיִּים

These statements and these statements are the words of the living God.

Eruvin - A 'Bas Kol' came down and announced the above and added, "However, the halachah is according to Beis Hillel".

If both are the words of the living God, why is only the opinion of Beis Hillel accepted?' Because they were kindly and modest and mentioned Beis Shammai decision before their own.

R Yehudah Loew – Arrogant self assertion blinds one to the truth. Patient humility allows one to see the other's logic and force of argument. Truth resides with the humble searcher after its meaning.

Unfortunately, this maxim is used by some to assert that their weakly based opinion has equal credence to other traditional views.

אָמַר רַבִּי אַבָּא אָמַר שְׁמוּאֵל

R Abba said - “In the name of Shmuel.”

For 3 years Beis Shmuel and Beis Hillel debated each other. Each one insisted that it's view was the correct one.

A heavenly voice went forth and declared, “These and those (i.e., both views) are the words of the living God, but the halachah in practice, follows Beis Hillel”.

How can both be the words of the living God, suggesting that both are correct? When Moses received the law on Sinai, 49 reasons for one interpretation and 49 reasons for an opposite interpretation were given to him. God leaves it up to the Torah Scholars of each generation to decide what is correct for their time and circumstances.

Why was Hillel's position chosen as the basis for halachah? Because they were easy and forbearing, they studied their opinion and others, and they mentioned Beis Shammi's opinion before their own.

This should teach us all to be humble.

3-Eruvin 13b2

line 39

B20

Weiss #750

שָׂכַל הַמִּשְׁפִּיל עֲצָמוֹ בָּרוּךְ הוּא מִגְבִּיהוּ

Whoever humbles himself, God raises him up.

Whoever holds himself in high esteem, God casts him down.

Zohar (111 108a), “Meritorious is he who humbles himself in this world; how exalted he will be in the next”.

R J Schneerson - The holy is always in a state of self-nullification and the unholy always in an egotistical state.

כָּל הַמְּחַזֵּר עַל הַגְּדוּלָּה גְּדוּלָּה בּוֹרַחַת מִמֶּנּוּ

He who seeks greatness, greatness flees from him.

He who seeks greatness, greatness flees from him, but he who flees from greatness, greatness follows him.

R Simcha Bunim was once asked by a man, “Why, since I have always run away from greatness, did it not follow me?” R Bunim answered, “Because you kept on looking over your shoulder.”

שָׂפָל הַמִּשְׁפִּיל עֵצְמוֹ בָּרוּךְ הוּא מִגְבִּיהוּ

(The Gemara teaches us)

Whoever lowers himself (is humble), God will raise him up

- | | |
|--|--|
| Whoever raises himself | - God will lower him. |
| Whoever searches for prominence, | - prominence flees from him. |
| Whoever flees from prominence, | - prominence searches for him. |
| Whoever forces time, | - time forces him. |
| i.e., is impatient with the slow
progress of his success, overexerts
and over extends himself. | - he will encounter setbacks and delays. |
| Whoever yields to time, | - time will eventually halt for him.
He will find a favorable time
and will succeed. |

3-Eruvin 13b2 line 33 A32
Elie Wiesel sages and Dreamers p15 7-175

שְׂנוּחִין וְעֹלָבִין הֵיוּ

They were easy and forbearing.

Why was Hillel's School chosen? - Is the law really only a matter of good manners and fairness? Couldn't Shammai be intolerant and unpleasant, but right and Hillel flexible and considerate yet, wrong?

Why did the celestial voice not speak up earlier and save the scholars three years of debate?

נוח לו לאדם שלא נברא יותר משנברא

Is it better for a person not to have been created, than to have been created?

Due to the fact that the allure of sin is so difficult to withstand, compared to the opportunity but difficulty to perform God's will. The Rabbis finally took a vote and decided that it is better not to have been born. We all realize that life has more burdens than joys, but for that reason alone, do we deny the desirability of life? Now that he has been created, let man examine his past deeds, so he can repent. Let him examine his future deeds, so he will know how to act in the future.

Is there nothing else to do?

How long should this self examination go on for? Forever?

Are we to live our lives with the terrible feeling that it was better never to have been born?

Is this a Jewish attitude?

אַרְבָּעָה דְּבָרִים פְּטָרוֹ בְּמַחֲנֵה

Soldiers are exempt from four things while in camp.

One of which is washing hands before a meal.

- This is mandated by Rabbinic decree.
- Soldiers are exempt even when being strict would not cause danger.
- Soldiers are exempt during battle or during preparation for military activity.

This applies to any camp where dwellers are deprived of usual amenities.

If assigned to an urban center:

- Soldiers should wash hands, if water is readily available in the camp.
- They should wash only if in camp with a group of 10 or more soldiers.

Are they obligated to travel any distance to get water? No.

R Raphael - Soldiers are exempt during military action and also during preparations for military activities. The exemption includes combat soldiers, as well as, border patrol and paramilitary units as well. However, if safety and availability of water are not in question, soldiers should wash.

אֲבָל מִיָּם אַחֲרוֹנִים חוֹבָה

We must wash our hands before reciting Bircas HaMazon.

In our day, says Tosofos, we do not need to wash our hands before we recite Bircas HaMazon after a meal, because we no longer use the salt of Sodom, which (if it entered our eyes) could cause blindness.

BT Berachos 53b - States the verse in Vayikra 11:44, “You are to sanctify yourselves”, means to wash before the meal. The statement, “and you should become holy”, refers to washing after a meal.

Tosophos merely gave a rationale for some who don't wash. However, Magen Avraham, Mishna Berura, Bier Hagra, Aruch HaShulchan and the Zohar all agree that one is obligated to wash before reciting the Bircas HaMazon.

דִּיּוֹ פִּרְצוּף פָּנִים הָיָה לוֹ לְאָדָם הָרִאשׁוֹן

The first man, Adam, was created with two facial figures.

This is regarding the occurrence of conjoined twins.

The first man, Adam, was created with two facial figures, the back one was later separated to form Eve, as it says in Psalms 139.5, “From the back and the front you have formed me.”

Man was created as a double figure: A male figure and a female figure joined back to back. The female figure was later removed to form Eve.

If God intended to separate Adam and Eve, why did he create them as one?

So that man would view his wife as one with him and they would consider each as an extension of each other.

Conjoined Twins-con't

דִּיּוּ פֶּרְצוּף פְּנִים הֵיָה לוֹ לְאָדָם הָרֵאשׁוֹן

A product of a single ovum that failed to divide fully into separate twins within the first 20 days after conception. 67 such births occur each year in the US. Only about 500 have survived their first year.

1. How do they occur?
2. How early in gestational life?
3. How many occur in US per year?
4. How many survive?
5. Are there Talmudic questions regarding them? (see next page)
6. Are they one person or two?
7. Can we sacrifice one to save the other? Would it be homicide?

- If one of the twins cannot survive – consider it designated for death and proceed.

“Give us one of your company to kill or we will kill you all”.

BT Terumot 8:10: Let them all be killed but give over no one to be killed.

However, if they designate a particular person, you may turn him over, if he has been guilty of causing the problem.

8. Two men jump from an airplane and the one whose parachute does not open grabs the leg of the other. Both will die. He is permitted to kick himself free of the one who is holding his leg. He may consider the other a pursuer. It is the same situation if there are two mountain climbers hanging by one rope. You may cut the other one off.
9. A premature twin that can't survive 30 days is called a Nefal. If it survives due to the use of artificial means, i.e., an incubator or he is dependent on his conjoined twins organs for 30 days, there is a debate, but most would say he is no longer a Nefal.

Part II

- 1a. If a man has 2 heads on which must he place the Tefillin? (Menachas37a)
- 2a. “A first born infant with two heads has been born to me, how much must I give to the Kohen?” -Usual cost of redemption was 5 selaim. He was advised to pay 10.
- 2b. Only the first head that opens the womb, ‘peter rechem’, requires redemption. In the case of twins, it is impossible for two heads to do so simultaneously. There may be some doubt with regard to which twin emerged first, but clearly only one is a first born. However, in the delivery of dicephalous twins, it is entirely possible for both heads to present simultaneously and therefore, each needs to be redeemed. It is considered to be two persons.
- 3a. A two headed child demanded a double portion of inheritance, claiming they are two persons. However, the case came before King Solomon. He covered one head and poured hot water on the other. Both heads screamed in pain. Solomon said, “Both heads have a common source and therefore, should be deemed one person”.

Part III

If a conjoined twin will not survive for 12 months, it is called a Treifah, Murder of a Treifah is not a capital offense.

Conjoined twins are both considered pursuers. The twin who is on the left, usually has control of the heart and if separated, the twin on the right will not survive more than a short time, i.e., 9 months. Therefore, we can judge the right twin to be a qualitatively greater pursuer than the left twin.

Rabbi Feinstein judged that we may eliminate the right twin to save the life of the left twin.

מְקַצֵּת שְׂבַחוֹ שֶׁל אָדָם אֹמְרִים בְּפָנָיו וְכוּלוֹ שְׁלֵא בְּפָנָיו

We may only speak partial praise in someone's presence. However, we may speak unreserved praise when he is not around.

Excessive praise suggests flattery, or an ulterior motive, i.e., to acquire something from him, and so it should be avoided.

יְהִי מְזוֹנוֹתַי מְרוֹרִין כְּזֵית וּמְסוּרִין בְּיָדְךָ
יְהִי מִתּוֹקִין כְּדָבֶשׁ וְתִלְוִין בְּיַד בֶּשָׂר וְדָם

May my food be as bitter as the olive but entrusted into Your hand, rather than sweet as honey, but dependent on the hands of flesh and blood.

When Noah sent a dove from the Ark, it returned with the olive branch in its mouth symbolically containing the above message.

R A.H. Leibowitz - It is humiliating to have to receive help from another person, even from such a wonderful person as Noah. We must be sensitive when engaged in charity and realize the other party is deeply embarrassed when asking for our help.

3-Eruvin19a2 line 28 A7
Weiss #454

פֹּשְׁעֵי יִשְׂרָאֵל שְׂמֵלֵי אֵין מִצֹּת כְּרֵמוֹן

The transgressors in Israel are full of good deeds like a pomegranate.

R A J Heschel - This can be interpreted as, even those who transgress have many fine qualities. Or it can be interpreted as, even those who appear to be full of good deeds can have bad traits that cause them to be transgressors.

R Avraham of Slonim - Good people who perform good deeds with good intentions warrant that they ascend to Heaven. Their occasional unintentional misdeeds stay before them (Ps 55:5), “And my sin is ever before me”, and it never rises to be recorded in Heaven on the negative side of the ledger.

שֶׁאֵפִילוֹ רִיקָנִין שֶׁבְּ מְלִיאֵין מִצְוֹת כְּרֵמוֹן

Even a deficient Jew is as filled with Mitzvos, as a pomegranate.

What is meant by this analogy?

If so, what does it imply regarding an observant Jew? Could he be “filled fuller than a pomegranate”?

The “many” Mitzvot referred to here, are the easy Mitzvot. They involve no expense and no effort and therefore, they provide little in terms of personal advancement or refinement of character. It is like being the last to come to the house of study or the shul. Yes, he’s there fulfilling the mitzvah, but without enthusiasm.

Just like a pomegranate, it’s fruit packs the shell. Yet it’s juice is lacking in quantity and substance.

שְׁלֹשָׁה פְּתָחִים יֵשׁ לְגֵיהֶנּוֹם

There are 3 entrances into Gehinnom.

One through the desert, one through the sea and one through the city of Jerusalem.

This teaches us that there is no way to escape your fate

The desert – Comprises 1/3 of all of the uninhabited areas of earth.

The sea – Water covers 1/3 of the surface of the earth.

Jerusalem – Represents the 1/3 of all of the inhabited areas on earth.

This shows that wherever a person sins, appropriate retribution is not far off.

These entrances also represent 3 routes by which people sin.

-Desert – The word ‘midbar’ is close to the word ‘dibur’, speech= ‘Lashon Horah’.

-Sea – This represents desire which is never satiated. Whatever a person has, he wants more, as it says (in Koheleth 1:7), “All waters flow to the sea and the sea is never filled” (This is Elie Wiesel’s autobiography title).

-Jerusalem- This is close to the word ‘Yiras Shamayim’, complete fear= fear of heaven. The lack of “Yiras Shamayim” permits sins to occur.

These are the three gates leading to Gehinnom.

3-Eruvin 21b2 line 25 A25
Meam Loez 17:32

מַעֲשֵׂה בְּרַבִּי עֲקִיבָא

An incident involving R Akiva.

Rabbi Akiva was in prison and used a portion of his meager water supply to ceremoniously wash his hands before eating. When asked why he used his water this way he responded, “I am prepared to die of thirst, rather than transgress the laws of washing”.

עַר שְׁבַת שְׁלֵמָה וְעָשָׂה לָהּ אֲזַנַּיִם

Proverbs of King Solomon are referred to as ‘aznaim laTorah’, handles to the Torah.

The laws enacted by King Solomon to safeguard Biblical law, enhance the observance of the law, just as handles facilitate the raising of a bucket.
(See Note 31)

לֹא יִתְחַר לְ שֹׂנְאָו”

He will not delay payment to him that hates him.

A wage earner must be paid for his work promptly after its completion, i.e., within 12 hrs.

The role of man in regards to the rewards for performing Mitzvot are as a wage earner, who must receive his reward when he finishes his work.

So when does he finish his work? Only when he departs from this world. It is not due before and so the reward for doing Mitzvot is always in heaven.

However, if the wage earner demands payment, the employer is obligated to pay him. God will not delay payment to those that hate him!!

Evil people demand payment immediately and are paid in this world.

Righteous people fulfill Mitzvot without expecting payment and are content to wait until the next world.

„מְבִטֵּילָא“

Bitul Reshus

There is another way to create an eruv chatzeiros. Before Shabbos, the members of a joint courtyard put food in a common location, signifying their common domain.

If there are non-Jews, there must be a rental arrangement.

On Shabbos, if one neighbor did not join in the eruvei chatzeiros, one of the Jewish residences of the enclosed area may nullify their rights in the common domain, in favor of one of the other residents. This resident now may carry and the one that was nullified, may not.

He can also bestow ownership in his loaf of bread to another by being zochei.

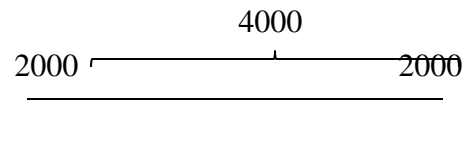
בְּכֹל מְעָרָבִין וּמִשְׁתַּתְּפִין

We make an eruv with all types of food 2000 amos from his place of dwelling on Shabbos.

Techum - Boundary to which a person may walk.

Makom Shevishah - Sabbath residence.

Eruvei techumin - A person can prepare a legal Sabbath residence up to 2000 amos away.



The eruv does not give him more than the 2000 amos limit. It merely shifts the point from which it is measured. What he gives in one direction is subtracted from the other direction.

Two ways to establish the eruv techumin:

1. Go there and spend Shabbos.
2. Symbolically live there by placing an amount of food at that location before Shabbos.

This new eruv must be accessible to the owner of the eruv and the food must be suitable, i.e., edible by him or at least by someone.

בְּכֹל מְעֻרָבִין וּמִשְׁתַּתְּפִין

We make an eruv with all types of food.

One can use anything as food, but not salt or water. A person is said to dwell where his food is kept. Since water and salt do not nourish, they are excluded. Foods may be used even if the owner of the eruv himself cannot eat those foods, i.e.,

1. Yisroel for terumah.
2. Wine for a Nazir (so long as it is suitable for someone).

Food suitable:

- A Yisroel may use terumah for his eruv food, because a Kohen or a Levi could eat it.
- A Nazir may use wine for his eruv food, because others are permitted to drink it.

Site Accessible:

- A Kohen may place his Shabbos residence in a 'bais hapras' (a field over a previous graveyard), where bones may be plowed up and scattered. Usually a Kohen may not enter, but this circumstance is an exception (30b).
- An eruv techumin may even be placed between the graves, because a Kohen may place a partition between himself and the graves. He can even be transported over the graves in a box. Since there is a way he could gain access to his eruv, it is a valid eruv for him.

בְּכֹל מְעַרְבֵין וּמְשַׁתְּפֵין חוּץ מִן הַמַּיִם וְהַמֶּלַח

Salt or water are not suitable for an eruv techumin because they are not considered a food.

Rashi - Although salt or water by itself cannot be used, together they make a dip. Thereby, they become a food and may make an eruv, since a dip is considered a food and part of the meal.

“Food” in regards to eruv is compared to food that may be purchased with maaser money.

Various foods are considered for their being appropriate for an eruv:

- Coriander – Which in some forms is harmful.
- Green grains eaten only in Babylonia.
- Unripe dates of a female palm tree were never eaten, and therefore, not a food.

Therefore, they were not considered valid for an eruv. (28b2)

Raw beets – Unhealthy to eat, therefore, not valid.

(29a1) How much food must be placed to make an eruv techum? Enough for two meals. How much is that? An uchla is 1/8 of a log (six eggs=1 log), spices, vegetables 1 log, 10 nuts, 5 peaches, 2 pomegranate, 1 esrog, a kav of apples, 2 revii's of wine, and any combination to make two meals. Olives, onions, vinegar, raw meat, raw eggs, salted meat and partially cooked meat could also be used for an eruv techumin.

הָוָה אֲזִיל וְנִתִּיב אֶפְיֹתָא דְרַב יְהוּדָה בַּר אַמִּי

R Zeira would sit at the entrance to the Yeshiva of R Yehudah bar Ami.

R Zeira would sit at the entrance to the Yeshiva of R Yehudah bar Ami and stand up to honor Torah Scholars and to receive a reward for doing so.

(Devarim 10:20) “You shall fear your God”. The ‘es’ is superfluous and is interpreted by R Akiva to include not only fear of God, but fear of Torah Scholars as well. Not because the fear is equivalent, but as a step toward achieving a full sense of awe for God.

The reward R Zeira sought from showing respect to Torah Scholars was in achieving a full fear of HaShem.

אָמַר אַבְיֵי אִמָּה לִּי אֵם

And Abaye said, “My mother said to me.”

He was an orphan, adopted by this woman and credits her with enabling him to become a Torah Scholar. This shows us the level of respect one should give to one’s adoptive mother.

(Kiddushin 31b)

Contrast this with the treatment of stepmother’s in fairy tales.

מֶלַח וּמַיִם הוּא דְּלֵא אִיקָרִי קִזּוּן

Salt and water are not called sustenance.

The Anshe Knesses HaGedolah composed 6 different blessings on food, bread, wine, fruit, vegetables and grains. The grains (mazonos) they included sustain the heart and satisfy hunger.

The five grains:

- wheat

- barley

- oats

- spelt

- rye

and add rice. (Mishnah Berurah)

אף בית הקברות

Even a cemetery.

An eruv may be placed for a Kohen in a cemetery. The Kohen can partition himself off from the tumah by going into the cemetery in an enclosed carriage, crate or closet. They constitute a separate ‘ohel’, tent, and the tumah does not penetrate to defile the Kohen inside.

Therefore, flying over a cemetery should certainly be no problem!!

R Yehudah agrees that a “moving tent” is still considered a tent.

Rebbi and the Chachamim do not agree that a moving tent is considered a tent.

וְנִתְּכֹוּן לְשַׁבּוֹת בְּעִיקְרוֹ

And he intended to establish his Shabbos residence at the base.

A person may carry on Shabbos in a 'reshus harabim', a public thoroughfare, as long as it is carried for a distance less than 4 amos. Each leg of the journey must be less than 6 feet. He must then stop. This action may be repeated again and again as needed. However, this permissible act of carrying less than 4 amos, poses a problem that a person may by error carry a full 4 amos. This method, therefore, has been intentionally concealed. (see 153b Shabbos)

Carrying in this manner is allowed only in an emergency, only if a person has no alternative and/or might lose a lot of money (Shulchan Aruch 266:7) (Mishneh Berura 16-18).

נִתְּגַלְגַּל חוּץ לַתְּחוּם

If the eruv rolled beyond the techum.

The 2000 amos limit on Shabbos is a Rabbinic stricture according to the Torah. We are permitted 12 mil = 24,000 amos. The law is, we measure a techum “by boring through the mountain”, i.e., as the crow flies. We do not measure the number of amos to go up and down a hill or around an obstruction, i.e., river, we measure as if the land were flat.

A question arose for a mohel, if measured as a crow flies, the bris is within the Techum. However if measured up and down the mountain, the bris would be too far. What to do?

In a case of doubt that concerns a rabbinic decree, we are lenient. However, any case in doubt which could be clarified, we must do so. Here, we could measure accurately. However, if it is too difficult, i.e., it is winter and snowing, it is not necessary to take extraordinary measures to clarify the question. Simply rely on the principle that in a case of uncertainty, the Rabbis permit leniency and be lenient.

בְּעֵינֵן סְעוּדָה הֶרְאוּהָ מִכְּעוֹד יוֹם וְלֵיכָא

We require that is suitable while it is still day.

The food which is designated for establishing an eruv station must be edible at the time it is put into position, even though it is activated later, when Shabbos begins (35a3 – see Mishnah).

מִתְּנָה אָדָם עַל עִירוֹבוֹ וְאוֹמֵר

A person may attach a condition to his eruv.

New Legal Principle:

Mishnah Berura: Retroactive designation, choice or alternative. This principle allows one to begin a legal process and make its validation conditional on events which have not yet occurred and whose outcome cannot now be predicted.

Example: A person fears that tax collectors will come for him on Shabbos, or a great sage will lecture but he does not know in which direction. He may prepare two eruvei techumin in order to facilitate his escape or to travel 4000 amos in either direction.

A person cannot have two valid erugin simultaneously, he must therefore, make each one conditional. The eruv whose condition is fulfilled will become valid retroactively, from twilight before Shabbos. The other will become null and void, leaving him with only one valid eruv. For example, he stipulates, “If the tax collectors come from the west, my eruv to the east should be valid, so I can flee from them to the east”, etc.

הַלּוּקָהּ יַיִן מִבֵּין הַכּוּתִים

One buys wine from Cuthites.

If one buys wine from Cuthites, one is obligated to separate maaser and terumah. In the circumstance that he has no other utensils into which to pour the wine, he makes a verbal designation of the various gifts he will leave at the bottom of the container after drinking the top portion. The remainder will be retroactively designated terumah and maaser.

Sfas Emes points out that we now have a container with a mixture of terumah (owed to the Kohen) and chullin, available for anyone, in the same container. It should all be prohibited for use by a non-Kohen.

Sfas Emes answers - It is really no problem at all. The remaining wine in the bottom did not become terumah until it was left over, that is, after the top wine was removed. So none of the wine was terumah until later, according to what he designated. Therefore, there is no problem of mixing the terumah with chullin, as had been questioned.

קוּנַה עֵירוּב

The beginning of the day of the Sabbath is when the eruv becomes effective.

Question: A person is standing near the international dateline. On the other side of the line, it is 24 hours ahead of where he is standing. Let's say it is late Friday afternoon, immediately before Shabbos, he can simply step over to where Shabbos is just ending and not observe Shabbos that week. Is it permissible to avoid Shabbos?

No, you are commanded to remember the Sabbath day.

Question: What if it is Friday and you are flying west? Your Friday is prolonged until it is dark outside, even though Shabbos already began at your point of origin.

Question: What if you are at a spot on the international dateline on Shabbos and step over into Sunday?

You must fulfill the full 25 hours plus, of Shabbos.

This principle is based on our Gemara, "The beginning of the day establishes one's residency for the entire day of Shabbos".

אֵלֵּא בְּיָשׁוּן

Except a person who is asleep.

There is an exception regarding a person who is asleep, because a person is not capable of making a declaration while he sleeps.

Ten men make a minyon. What happens if one man is busy davening, may the other nine say kedushah?

What happens if one is sleeping?

What happens if two are having a mundane conversation?

Do we still have a minyon for kedushah?

A person must be awake and capable of answering, even if he does not respond.

Therefore, a person who is asleep and is not capable of responding should not be included in a minyon.

A person who is awake may transact eruvei techumin, even if he does not articulate the proper formula. A person who is asleep may not transact eruvei techumin.

Therefore, a person who is traveling and is asleep when Shabbos began, cannot be said to have had intent to make this his Sabbath residence. Therefore, he can go 4 amos but not 2000.

Reb Yochanan ben Nur says - “He acquires residency automatically”.

חזי אָנא דְּבַתָּר גּוּפָא אָזיל

I see that it is proper that the body follow the head.

Leaders are role models.

A role model in a religious halachic movement must express that movement's commitments by his/her actions and behavior.

This is used as an argument against having openly gay or lesbian persons be acceptable as Rabbis or cantors. Their life style suggests that homosexuality is halachically acceptable. It is not. This position does not, however, invite or condone invasive investigations into the private lives of candidates for those positions.

הָיָה מֵהֵלֶךְ וְאִינוּ יוֹדְעֵי תְּחוּם שַׁבָּת

If someone was walking on Shabbos and does not know where the techum ends.

Approximation of Techum*:

1. If someone was walking on Shabbos and does not know where the techum ends, he may walk 2000 average sized steps in one direction. This is the measure of the Shabbos Techum beyond which, he may not walk.

Rashi - The distance of each step is approximately 1 amah.

A person's foot is considered $\frac{1}{2}$ an amah.



2. Use the stride of the average person as an approximation*.
3. Use the linear distance – i.e., as the crow flies, vs. the precise landscape method, up a hill and down a valley or slope of the land.
4. Others use a timed method, i.e., walk for 1 hour and stop. In reality the 2000 amos is usually traversed in 18 minutes.

* Estimation is only allowed for the sake of a Mitzvah. Otherwise, estimation is prohibited.

יש תְּחוּמֵין לְמַעַלָּה מֵעֶשְׂרֵה

Is there a Techum above 10 tefachim or not?

We know that the legal status of certain domains (Reshus HaRabim and karmelis) extend only to a height of 10 tefachim (see Shabbos 7a, 100a and Eruvin 4b & 32b).

Does this same limit apply to Techum law?

This is important because:

1. If a person was above 10 tefachim, he could travel unlimited distances not merely the 2000 amos allowed on Shabbos.
2. If a person started Shabbos above 10 tefachim and then entered the 10 tefachim space, he would only then, start his 2000 amos limit in which he may travel.

Example:

1. Near the end of the 2000 amos Techum, there is a high-post and walkway bridge for one to climb up onto. Can one walk a full 2000 amos on that bridge or does this violate one's Techum?
2. Is one able to hover in the air and move forward?
3. If one is on a ship that floats on water 10 tefachim above the bottom of the sea, is one able to travel great distances on Shabbos without violating the Techum?

יש תְּחוּמִין לְמַעַל מֵעֶשְׂרֵה

Is there a Techum above 10 tefachim or not?

If the Techum laws did apply above 10 tefachim, the Messiah and Eliyahu could never be expected to arrive on Shabbos or Yom Tov since they would have to travel from on high down to earth. Yet we see that Eliyahu does arrive on Shabbos whenever there is a bris on Shabbos. Therefore, there must be no law of Techum above 10 tefachim.

No, that can't be used as a proof. When Eliyahu departed this world his soul and spirit ascended via a fiery chariot (see Malachim 2 Chapter 3) when it joined the spirits of the angels, but his body stayed here on earth. When he arrives at a Bris, it is in his spiritual form, not subject to Mitzvah or Techum limitations. This is true because we have never seen Eliyahu in his bodily form at any Bris!

מִי שִׁיָּצָא בְּרֵשׁוֹת

One who goes out with permission.

There are exceptions to the limitation of traveling beyond your Techum on Shabbos.

You would be allowed:

- 1.To journey to Jerusalem to testify before Sanhedrin about sighting the new moon.
- 2.To save a life, i.e., deliver a baby (midwife), rescue others, i.e., from a fire, from an attacking Army, from bandits, or from drowning.
- 3.To save a Sefer Torah.

What is the rule in a situation where a person leaves his/her Techum on a mission of mercy and before he gets there, he receives information that his services are no longer needed?

- Is he then restricted to 4 amos?
- Does he get a new 2000 amos Techum? (As do the people he saved!)
- May he return to his original Techum, i.e., go back home?
- May he carry back his weapons, if he is not in danger?
- May he carry back his weapons, if he is in danger?
- When this exception is granted, is it still limited to the biblical limit of 12 mil (3 parsangs) or may the Rabbi's give a heter to violate a Biblical prohibition or only a Rabbinic one?

כָּל הַיּוֹצֵאִים לְהַצִּיל חוֹזְרִין לְמִקּוֹמָן

All who leave to rescue people may return to their places.

‘Hittiru sofan mishum tehillatan’, “We permit the end for the sake of the beginning”.

In order to encourage certain activities, the sages found it advisable to permit subsequent activities, even though they would ordinarily be not permitted.

This was to encourage people to embark on missions of mercy. Otherwise, they would be restricted to an area of 4 amos once they completed their tasks or learned that the task was no longer needed. The inconvenience upon completion of their mission might, otherwise, result in procrastination in embarking on a life saving mission.

Bleich 4:23

כָּל הַיּוֹצְאִים לְהַצִּיל חוֹזְרִין לְמִקּוֹמָן

All who go out to save, may return to their place.

For example, a doctor, ambulance driver, or midwife.

There is no question that a person may perform otherwise prohibited acts for the benefit of a dangerously ill patient.

He may do what is necessary for the patient.

However, he is not permitted to violate Shabbos for the benefit of the doctor.

Once the treatment has been completed, further restricted activities cannot be sanctioned.

Are there grounds for permitting them to return home on Shabbos?

Ordinarily a person can walk no more than 2000 cubits on Shabbos.

A mission of mercy, where your services proved to be unnecessary, one can walk 2000 cubits from that site. This new site is his Shabbos home. This is a leniency, otherwise he is only allowed to walk 4 amos.

Mishnah Rosh Hashonea 23b – He may return to his point of departure and is permitted to carry his weapons, if needed, for safety. The sages (BT Beizah 11b and Tosofot Eruvin 44b and RH 23b) all allow them to return to where they started. They “permit the end for the sake of the beginning”: ‘Hittiru sofan mishum tehillatan’, this is to encourage certain activities.

כָּל הַיּוֹצְאִים לְהַצִּיל חוֹזְרִין לְמִקוֹמָן

All who go out to save may return to their place.

The Rabbis can dispense with their restrictive 2000 amos limit, but they should not be able to permit infractions of Biblical law which allows 3 parsangs (which equals 12,000 cubits). If a person did travel more than 3 parsangs, he is limited to 4 amos and each act of moving more than 4 amos is a violation.

- It is not clear if permission for a non-Jew to drive them home would be permitted.
- Pikuach nefesh provides dispensation to carry weapons on the return trip out of concern for the safety of the travelers.
- May carry up to 2000 amos.
- May carry even farther, if the enemy has the upper hand, and even through a Reshus HaRabim.
- Based on the Ex 31:16, “You shall preserve the Shabbos”. Better to violate 1 Shabbos in order to observe many Sabbaths. The same rationale can be employed to explain the appropriateness of ‘hittiru sofan mishum tehillatan’, “permit the end for the sake of the beginning”.

כָּל הַיּוֹצְאִים לְהַצִּיל חוֹזְרִין לְמְקוֹמָן

All who go out to save, may return to their place.

R Moshe Feinstein permits even violation of biblical prohibitions in the course of the return journey.

Take into consideration:

The healer knew it would take a long time and that they would be away from their families. Such knowledge did not cause him to refuse the task, therefore, no dispensation need be given to him.

The healer whose task is short and expects to be back with his family, is to be granted the dispensation, because they may not do it in the future, which is a danger to their society.

Individuals who are motivated to earn a fee will not be deterred from doing these tasks and staying away from their families on Shabbos. However, the volunteer has no fee motivation and may not be willing to volunteer in the future. R M Feinstein uses a new principle: ‘Shelo lehakshilan leatid lavo’, “That he not be reluctant to go in the future”.

יוֹצֵאִין עֲלֵיהֶן בְּכֵלֵי זִיּוּן וּמַחְלָלִין עֲלֵיהֶן אֶת הַשַּׁבָּת

It is permissible, even on the Sabbath, to attack those who besiege Jewish cities where they threaten lives, even in the case of a border city. They are intent upon plunder and economic gain.

Rema - This is true even if they have not as yet come, but intend to come. A preemptive response is warranted even on Shabbos. Even if no overt hostile act has yet occurred, Shabbos may be violated to transport arms. However, actual warfare requires overt hostilities.

We may infer that such action does not require the consultation of the ‘Urim VeTumin’.

Bleich 2:226

Based on this passage, it is also considered justified to fight to free hostages on the Sabbath, since if the aggressors succeed, they will be emboldened to do more such acts and endanger life. The Entebbe affair is such an example.

וְכָגוֹן זֶה כּוֹפִין עַל מַדַּת סְדוֹם

We force people not to act like the people of Sodom.

A person's house has access to two alleys, one that he made with an eruv and the other, he did not. If his house retains access to the passageway that he has an eruv with other houses that enter that alleyway and does not have all owners of the alley joined as co-owners, they cannot form an eruv and can't carry there.

The Gemora tells us, “We force him to use the alley with which he has not made an eruv”. Why? His choice denies others a benefit that costs him nothing. That is a bad trait for which the people of Sodom were known. If people will benefit from someone else's possession and the owner will not suffer a loss we compel the owner to allow the others to benefit.

See Avos 5:10

עִירוּב מִשּׁוּם דִּירָה

An eruv is effective because it establishes residence.

Schmuel - A non-food item may be used which must be worth at least a perutah.

Rabbah – A residence is where he eats. It must include bread. It does not need to have a minimum value.

An ‘eruv chatzeiros’ permits individual households, that share a courtyard, to be considered as though they all shared the same home, so that carrying between the houses and the courtyard would not violate the laws of carrying on Shabbos.

What is the legal mechanism by which each householder becomes a virtual partner with all others? Is it kinyon (acquisition) or is it dirah (residence)?

Shmuel - Considers that placing his food in the agreed upon house is an act of acquisition of part of that house and the food must have a value of at least a perutah.

Rabbah - Considers it an expression of residency and it must consist of bread to signify that where a person eats, is considered his residence. There is no need for this food to have a minimal monetary value to serve this goal.

וְאָמַר שְׁבִיתָתִי תַּחְתָּיו

Eruv established by mere declaration.

A person who is a little less than 4000 amos from his home and won't make it home in time for Shabbos may say, "I designate a landmark", that he knows is within 2000 amos of his home "to be my Shabbos residence". He may travel less than 2000 amos to the landmark and less than 2000 amos to his house. A total of approximately 4000 amos after dark. He must designate a 4 amos spot or if he has said nothing, he loses even the 2000 amos around his current location.

The configuration of the techum of 2000 amos is a circular area with a diameter of 4000 amos.

A square with 4000 amos on each side is not appropriate.

The diagonal of a square is 1.4 times its side and adds 800 extra amos toward each corner.

By designating another site, he shows that he did not wish to establish a Shabbos residence where he is. If his designation was faulty, i.e., he said square rather than circle, he is restricted to the 4 amos of his present location!