

The Mitzvah of *Eiruv Tavshilin*

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It is well known that if Yom Tov occurs on a Friday, there is an obligation to establish an *eiruv tavshilin* prior to Yom Tov. This allows one to prepare food on Yom Tov that will be served on Shabbat. What is not as well known is the function and purpose of the *eiruv tavshilin* as well as the mechanism by which it operates. This article will explore these questions and provide modern-day practical applications.

Preparing non-Yom Tov food items on Yom Tov

And on the first day there shall be to you a holy convocation, and on the seventh day a holy convocation; no manner of work shall be done on them, save that which every man must eat, that only may be done by you.

Shemot 12:15

וביום הראשון מקרא ק' דש וביום השביעי
מקרא ק' דש יהיה לכם פל מלאכה ל' א'
יעשה בהם אך אשר יאכל לכל נפש הוא
לבדו יעשה לכם:
שמות יב:טו

The Torah permits *melacha* on Yom Tov for the purpose of *ochel nefesh* (food preparation). However, food preparation is only permitted if one intends to eat that food on Yom Tov. The Gemara cites a dispute between Rabbah and Rav Chisda whether one is culpable for baking on Yom Tov with intent to eat the food item after Yom Tov:

It was stated: [With regard to] one who bakes [food] on a Festival for [consumption on] a weekday, — R. Hisda said: He is flagellated; Rabbah said: He is not flagellated. 'R. Hisda said, He is flagellated': We do not say, Since if guests visited him it would be fit for him [on the Festival itself]. Rabbah said: He is not flagellated: we say, 'since' Said Rabbah to R. Hisda, According to you who maintain, We do not say, 'since', how may we bake on a Festival for the Sabbath? — On account of the eiruv of dishes, he answered him. And on account of an eiruv of dishes we permit a Biblical prohibition! — Said he to him, by Biblical law the requirements of the Sabbath may be prepared on a Festival, and it was only the Rabbis who forbade it, lest it be said, You may bake

איתמר האופה מיום טוב לחול רב
חסדא אמר לוקה רבה אמר אינו לוקה
רב חסדא אמר לוקה לא אמרינן
הואיל ומיקלעי ליה אורחים חזי ליה
רבה אמר אינו לוקה אמרינן הואיל
אמר ליה רבה לרב חסדא לדידך
דאמרת לא אמרינן הואיל היאך אופין
מיום טוב לשבת אמר ליה משום
עירובי תבשילין ומשום עירובי
תבשילין שרינן איסורא דאורייתא
אמר ליה מדאורייתא צורכי שבת
נעשין ביום טוב ורבנן הוא דגזרו ביה
גזירה שמא יאמרו אופין מיום טוב אף

on a Festival even for weekdays; but since the Rabbis necessitated an *eiruv* of dishes for it, he has a distinguishing feature.

Pesachim 46b (Soncino Translation)

לחול וכיון דאצרכוה רבנן עירובי
תבשילין אית ליה היכירא.

פסחים 46:

Rav Chisda is of the opinion that one is culpable. Rabbah disagrees and maintains that one is not culpable because there is always the possibility that guests may come and the food will in fact be served on Yom Tov. This principle is known as *ho'il* (based on the term *ho'il umikla'ei lei orchim*, translated as "since there is a possibility of guests arriving"). Rabbah attempts to prove the principle of *ho'il* from the concept of *eiruv tavshilin*. If there is a concept of *ho'il*, one can understand why it is permitted to prepare food on Yom Tov that is going to be eaten on Shabbat. The concept of *ho'il* permits all food preparation on a biblical level even if one intends to eat the food item after Yom Tov. The prohibition of preparing food on Yom Tov with intent to eat it after Yom Tov is rabbinic in nature. However, the rabbis permitted food preparation for Shabbat if one establishes an *eiruv tavshilin*. Rav Chisda responds that the reason why *eiruv tavshilin* works is because on a biblical level one may in fact prepare food on Yom Tov for the purpose of eating it on Shabbat. The biblical prohibition against preparing food for after Yom Tov only applies if one prepares food for an ordinary weekday.

While Rabbah's opinion does seem to be the lenient opinion, Tosafot ad loc., s.v. *Rabbah*, note that the principle of *ho'il* does not apply if there is no possibility of actually eating the food on Yom Tov. Therefore, any food that is prepared at the very end of Yom Tov is not subject to the leniencies of *ho'il*. R. Avraham Gombiner (1633-1683), *Magen Avraham* no. 527, suggests that according to Tosafot, it is prohibited to prepare food at the end of Yom Tov for the purpose of eating it on Shabbat even if one establishes an *eiruv tavshilin*. *Magen Avraham* further notes that many communities have the practice of accepting Shabbat early in this instance in order to avoid this problem.

If one understands that the permissibility of the *eiruv tavshilin* is based on the principle of *ho'il*, a contemporary issue arises. With the advent of electric lighting, one can question the applicability of *ho'il* in modern times to the mitzvah of lighting Shabbat candles when Yom Tov occurs on Friday. In previous generations, a candle that was lit at the end of Yom Tov served a Yom Tov purpose. Nowadays, if one lights a candle in a room that is well-lit, there is absolutely no purpose for it on Yom Tov, and *ho'il* may not be applicable. If so, what is the basis nowadays for lighting Shabbat candles on Yom Tov?

R. Ya'akov Betzalel Zolty (1920-1982), *Mishnat Ya'avetz* no. 37, notes that this question is not a new question; this question is addressed by *Maharach Ohr Zarua* (13th century) no. 32, in a slightly different context. As noted previously, many communities accept Shabbat early when Yom Tov occurs on Friday. As such, the Shabbat candles will be lit when it is still light outside. One can argue that at the time the Shabbat candles are lit, the candles serve no Yom Tov purpose. *Maharach Ohr Zarua* asks: if there is no Yom Tov purpose at the time of candle lighting, one cannot employ *ho'il*. Shouldn't it be biblically prohibited to light the Shabbat candles?

Maharach Ohr Zarua answers that if one accepts Shabbat early, it does not negate the fact that it is still Yom Tov. Therefore, the Shabbat meal in reality is considered a Shabbat/Yom Tov meal

and the candles do in fact serve a Yom Tov purpose. R. Zolty notes that the same logic can be applied to a room with electric lights. In general, the Shabbat candles that are lit in conjunction with the electric lights serve primarily to provide the Shabbat ambience. Based on the comments of *Maharach Ohr Zarua*, it is arguable that they provide a Yom Tov ambience as well in the waning moments of the Yom Tov.

The Mechanics and Purpose of the *Eiruv Tavshilin*

The Mishna records a dispute between Beit Shammai and Beit Hillel regarding the necessary components of an *eiruv tavshilin*:

Beit Shammai state that two dishes are required and Beit Hillel state one dish.

Beitzah 15b

בית שמאי אומרים שני תבשילין ובית הלל אומרים
תבשיל אחד.
ביצה טו:

Rabbeinu Tam (cited in *Tosafot Beitzah 17b s.v. Amar Rava*) opines that while the opinion of *Beit Hillel* is accepted as normative, an *eiruv* of a cooked item is only sufficient for one who intends to cook on Yom Tov (for Shabbat) but does not intend to bake. If one intends to bake on Yom Tov, a baked item is required in addition to the cooked item. Rambam, *Hilchot Yom Tov*, Chapter 6, makes no mention of any requirement to incorporate a baked item into the *eiruv tavshilin*. *Shulchan Aruch, Orach Chaim 527:2*, rules that ideally one should use a cooked item and a baked item for the *eiruv tavshilin*. However, if only a cooked item was used it is permissible to bake.

The Gemara records a dispute between Rava and Rav Ashi regarding the purpose of *eiruv tavshilin*:

What is the reason (for eiruv tavshilin)? Rava states (that its purpose is) so that one designates a nice food item for Shabbat and a nice food item for Yom Tov. Rav Ashi states (that its purpose is) so that people will say that it is prohibited to bake on Yom Tov for Shabbat, certainly one cannot bake on Yom Tov for a weekday.

Beitzah 15b

מאי טעמא אמר רבא כדי שיברור
מנה יפה לשבת ומנה יפה ליום
טוב רב אשי אמר כדי שיאמרו
אין אופין מיום טוב לשבת קל
וחומר מיום טוב לחול.
ביצה טו:

Rava is of the opinion that the purpose of *eiruv tavshilin* is to ensure that there is specific food that is set aside for Shabbat. The concern is that all of the food will be eaten on Yom Tov and the Shabbat meals will not be given the due honor that they deserve. Therefore, the rabbis instituted that one must prepare a Shabbat meal (or a portion of a Shabbat meal) prior to Yom Tov and by doing so, everyone will be cognizant of the importance of honoring the Shabbat with meals that are appropriate. Rav Ashi disagrees and maintains that the purpose of *eiruv tavshilin* is to serve as a reminder that it is normally prohibited to prepare food on Yom Tov that is intended for after Yom Tov. The rabbis instituted the *eiruv tavshilin* as the only means of doing so. [See *Ba'al HaMa'or, Pesachim 14b*, who connects the dispute between Rava and Rav Ashi to the dispute between Rabbah and Rav Chisda.]

Rabbeinu Asher (1250-1328), *Beitzah 2:1*, notes that there is an important practical difference between the opinion of Rava and the opinion of Rav Ashi. According to Rava, since the purpose

of *eiruv tavshilin* is to prepare properly for Shabbat, the *eiruv* must be established on Erev Yom Tov and may not be established prior to Erev Yom Tov. However, according to Rav Ashi, since the purpose of the *eiruv* is to provide a reminder, the *eiruv* may be established prior to Erev Yom Tov. Additionally, if on Sukkot, both the first days of Yom Tov and the last days require an *eiruv tavshilin*, one may establish one *eiruv* that will serve as the *eiruv* for the first and last days. *Shulchan Aruch* 527:14, rules that one should not establish an *eiruv tavshilin* prior to Erev Yom Tov *l'chatchilah* (*ab initio*). However, if this was done, it is permitted *b'dieved* (*ex post facto*).

Are Guests Required to Establish an *Eiruv Tavshilin*?

A guest staying at someone else's house or in a hotel generally does not prepare food on Yom Tov. Is he required to establish an *eiruv tavshilin*? There are two components to this question. First, while the guest does not intend to prepare any food, the guest is required to light Shabbat candles. Is an *eiruv tavshilin* required for the lighting of Shabbat candles? Second, may the guest rely on the *eiruv tavshilin* established by the host (or the hotel caterer)?

There is a dispute among the Rishonim as to whether an *eiruv tavshilin* is required for kindling a flame. *Tosafot*, *Beitzah* 22a, s.v. *UMadlikin*, note that if one does not specifically designate the *eiruv tavshilin* to permit the lighting of candles (*l'adlukei shraga*), it is prohibited to light the Shabbat candles. R. Yosef Karo, *Beit Yosef*, *Orach Chaim* 527, notes that Rambam, *Hilchot Yom Tov* 6:8, does not require *eiruv tavshilin* in order to light the Shabbat candles. R. Mordechai Karmy (1749-1825), *Ma'amar Mordechai* 527:18, rules that if one is in a situation where he does not need to prepare any food on Yom Tov for Shabbat, he should establish an *eiruv tavshilin* without a *beracha* and this will allow him to light Shabbat candles according to all opinions.

Regarding a guest at someone else's house, the Gemara, *Beitzah* 16b, states that Shmuel used to establish an *eiruv tavshilin* on behalf of the entire city. However, this *eiruv* was only effective for those who weren't able to establish their own *eiruv*. Those who intentionally relied on his *eiruv* were not included. According to Rabbeinu Asher, *Beitzah* 2:2, one can never forgo the obligation of establishing an *eiruv* and rely on the *eiruv* of another individual. This opinion is codified by *Shulchan Aruch*, *Orach Chaim* 527:7.

R. Avraham David of Butchatch, *Eishel Avraham* 527:7, questions the limitations of relying on someone else's *eiruv*. While it is clear that one household only establishes one *eiruv*, it is not as clear what the halachia is in a situation where one married couple stays at another married couple (such as parents, children, etc.) for the duration of Yom Tov. Is this couple required to establish their own *eiruv* or should they rely on the *eiruv* of their hosts? *Eishel Avraham* concludes that if the guests are eating together with the hosts they do not require their own *eiruv*. If a situation arises where the guests are eating separately from the hosts, then each group requires its own *eiruv*. Based on the various mitigating factors, R. Ovadia Yosef (b.1920), *Chazon Ovadia*, *Hilchot Yom Tov*, *Hilchot Eiruv Tavshilin* no.3, concludes that a married couple staying at the home of one of their parents is not required to establish their own *eiruv* if the purpose is only to be able to light candles. R. Simcha B. Rabinowitz, *Piskei Teshuvot* 527:17, presents the opinion of some Acharonim that if the couple has their own private quarters, they should establish their own *eiruv* without reciting a *beracha*.