

# daf yomi summary

## Rosh Hashana 5781

עירובין לב - לח

EDITION: 33

### THE POWER OF SHABBAT

THANKS TO RABBI DOVID HORWITZ

The Gemara in Eruvin 38 discusses how a person would make an Eruv Techumin in a situation where Yom Tov falls on Friday, followed by Shabbat.

There is a dispute between the Tanaim whether an eruv that is established on Thursday evening for the sake of Yom Tov would also be effective for Shabbat if the Eruv (bread) was consumed before Shabbat entered.

One opinion states that since Yom Tov and Shabbat are two distinct days, the bread would need to be in place over the course of both days. Another opinion suggests that we view the two days as if it were one long 48 hour day and therefore an eruv that was valid at the time when Yom Tov entered on Thursday evening would also serve as the eruv for Shabbat, even if the bread had been consumed by the time Friday evening came.

This debate about whether two days of Yom Tov are viewed as two distinct days or one long day is discussed with regard to the second day of Yom Tov in galut for those living in chutz la'aretz, and with regard to the nature of the two days of Rosh HaShana.

Nowadays, our months are fixed by a set calendar rather than the testimony of witnesses, and it is clear to the Sages that the first day of Yom Tov and Rosh HaShana is the day intended from the Torah's perspective, while the second day is the one added by rabbinic legislature.

The Gemara in Rosh HaShana says that although the Torah requires us to blow the Shofar even when Rosh HaShana falls on Shabbat, our Sages decreed not to blow the Shofar, for it may lead to an inadvertent desecration of Shabbat. This decree is perplexing if not astounding.

The Sages deny us the ability to fulfill the biblical mitzvah of blowing Shofar on this most important of all days, and they leave us to make do with the rabbinic mitzvah of Shofar on the second day! Why would the Sages deny us the ability to arouse Hashem's mercy on the one and only true day of Rosh HaShana because of a concern that some fool would come to carry the Shofar in the streets of a city

without an eruv?

Because of this, all of Klal Yisrael have to suffer the potential consequences of being judged without the mercy-arousing characteristics of the Shofar?

The Ben Ish Chai explains that deep down, we do not need the Shofar to come to our defense this year, for the Shabbat is a far more powerful advocate for Klal Yisrael!

The Sages understood the awesome power of Shabbat. Honor her and she will protect us! So although the coming year of 5781 will be ushered in without the call of the Shofar, we call upon the Shabbat Queen herself to see our suffering and to go before Hashem's mighty throne and advocate on our behalf that He should remove the plague that has ravaged so much of Klal Yisrael, and in its stead give us a sweet new year of health, happiness and true spiritual fulfillment!

THURSDAY 10 SEPTEMBER

THANKS TO HADRAN

עירובין לב

On Daf 32, Rav Nahman asserts that "אין חזקה שליח עושה שליחותו" (one cannot assume that an agent fulfills his agency) for Torah mitzvot." Rav Sheshet disagrees, contending that in fact one can assume that the agent fulfills their agency, for both Torah and rabbinic law.

As proof, Rav Sheshet brings the teaching that you can eat from crops immediately after the Omer sacrifice is offered by the Beit Din, even if you are not physically present for the offering. In other words, you can eat from the crops - because you can assume that the agent bringing the sacrifice fulfilled his agency.

Rav Nachman counters that this is true only in the case of a court: one can assume that a court will not be lazy about offering the Omer in a timely way, but an ordinary agent might be, and therefore cannot be relied upon. Rav Sheshet brings another proof: a woman after childbirth is required to bring a sacrifice. She puts money in the collection box (to pay for the sacrifice), goes to the mikve, and can then eat sacrificial food at nightfall.

Again, the woman is assuming that the agent (the Kohen) fulfilled his agency. But Rav Nahman counters that the assumption of loyal agency can be assumed only because the Kohen would definitely offer the sacrifice on behalf of the woman; we cannot assume that

ברכות (63)	Jan 5 2020
שבת (156)	Mar 8 2020
עירובין (104)	Aug 11 2020
פסחים (120)	Nov 23 2020
שקלים (21)	Mar 23 2021
יומא (87)	Apr 13 2021
סוכה (65)	Jul 9 2021
ביצה (39)	Sep 2 2021
ראש השנה (34)	Oct 11 2021
תענית (30)	Nov 14 2021
הגילה (31)	Dec 14 2021
חגיגה (28)	Jan 14 2022
מסכת פסח (28)	Feb 11 2022
מגילה (121)	Mar 9 2022
כתובות (111)	Jul 8 2022
נדרים (90)	Oct 27 2022
נזיר (65)	Jan 25 2023
סוטה (48)	Mar 31 2023
גיטין (89)	May 18 2023
קידושין (81)	Aug 15 2023
בבא קמא (118)	Nov 4 2023
בבא מציעא (118)	Mar 1 2024
בבא בתרא (175)	Jun 27 2024
סנהדרין (112)	Dec 19 2024
מכות (23)	Apr 10 2025
שבועות (48)	May 3 2025
עבודה זרה (75)	Jun 20 2025
חוריות (13)	Sep 3 2025
זבחים (119)	Sep 16 2025
תמורת (109)	Jan 13 2026
הזבחים (141)	May 2 2026
בבא מציעא (61)	Sep 20 2026
עירובין (33)	Nov 19 2026
תמורה (33)	Dec 26 2026
כריתות (27)	Jan 24 2027
הגילה (36)	Feb 20 2027
גיטין (72)	Mar 28
SHYUM HASHAS	Jun 7 2027

SHABBAT 12 SEPTEMBER

THANKS RAV JONNY SOLOMON -  
[HTTPS://RABBIJOHNNYSOLOMON.COM/](https://rabbijohnnysolomon.com/)

an ordinary agent would be similarly diligent. Rav Sheshet then brings a case in which a field owner permits someone to gather figs from his field. The Gemara explains that the gatherer must treat the figs as demai (literally dubious, refers to produce belonging to someone who cannot be trusted to have tithed correctly).

The Gemara qualifies that the figs should be considered demai only if the field owner is an am ha'aretz (one who is not careful or knowledgeable about Torah law). The Gemara brings the opinion of Rabbi Yehuda HaNasi: if the field owner is a haver (literally, a "friend" but in Talmudic parlance, a Torah Jew), one may assume that the owner tithed!

Rabbi Yehuda's opinion contradicts the understanding of Rabban Shimon ben Gamliel (Rabbi Yehuda's father), who claims that actually if the owner is a haver, the gatherer must tithe the figs, because a haver would never tithe produce that is not adjacent to his own field (שלא מן המוקף). Rabbi Yehuda stands by his opinion: a haver would prefer to tithe produce that is not adjacent to his own field over giving un-tithed food to an am ha'aretz.

The common thread in the discussions on Daf 32 seems to reflect a certain diligence, a mindfulness and rigor that one does not impose on oneself in everyday activities; this is why an agent with specific and special obligations can be trusted more than a regular, everyday agent.

But even more profoundly, this rigor is left by the wayside if it would mean causing someone else to sin; better to sacrifice your own rigor - the strict adherence to the principle of tithing only when the produce is near you - for the sake of ensuring that someone else does not sin.

FRIDAY 11 SEPTEMBER

THANKS

עירובין לג

Inspired by Rabbi Rosner and Artscroll. In understanding the Mishna on 32b, which discusses whether an eruv is valid when one places his eruv food in a tree above ten tefachim from the ground, we employ in the Gemara five conditions to understand the difference between one's eruv being above or below ten tefachim.

One of the conditions we discuss is the opinion of Rebbi, who says that it is ok to violate a din derabanan during Bein HaShmashot. The reason is that if his eruv was below ten tefachim, then during the twilight period the eruv is accessible to him, as the din derabanan against using trees is not in force, so he could climb the tree to be within his "Shabbat boundary", and using halachic extensions of his reshut he can reach for his eruv and take it.

The Chachamim disagree.

The question is, how do we understand this supposed "get out of jail card" from Rebbi for issurei derabanan during Bein HaShmashot? Rambam qualifies this as only being for a dvar mitzvah, and that it doesn't apply to all issurim. Raavad quoted by the Ritva says it is an even narrower definition in only applying to the concept of eruv techumim, where it is as if you had it in your possession, even though you don't, but because you could then it is considered the eruv is with you, so it is not a wide ranging heter.

We do indeed pasken like Rebbi, however we take on the

Rambam's qualification that it is only for a dvar mitzvah or a particularly pressing / unusual need that may come up during this period.

The Mishna in today's Daf (Eruvin 3:3, 34b) discusses the question of whether we may rely on an eruv (Chatzeirot) which cannot be accessed in the Bein HaShmashot period of Erev Shabbat because, for example, the eruv is locked in a box or building that cannot be opened.

As Rabbi Gil Student explains in his excellent essay on this topic (see <https://www.torahmusings.com/2020/01/private-eruv-and-emergency-keys/>), because - generally speaking - rabbinic prohibitions do not apply in the Bein HaShmashot period, the rule of thumb for such cases is that "if you cannot access the Eruv.. without violating a biblical prohibition, [then] you cannot carry within [the area which] that eruv [is intended for]... [Thus], if the [eruv] is...inside a [locked] wooden box, then you can carry because breaking the box is only rabbinically prohibited. But if the [eruv] is inside a [locked] house, you cannot carry because breaking down the wall [of the house] is biblically forbidden."

While Rabbi Student cites a number of examples of this problem, a fascinating example of such a case is found in the responsa of Rabbi Yechezkel Landau (Noda B'Yehuda Tinyana Orach Chaim No. 39), where a questioner asked Rabbi Landau about the status of an eruv that was locked in a shul by the local council as a tax penalty from the king. In his reply, R' Landau begins by discussing whether the (theoretical) breaking of the royal seal on the shul would constitute a biblical or rabbinic transgression.

However, he then proceeds to point out how dangerous it would be for someone to break the seal, while also adding that the seal could technically be removed if further tax payments were made. Given this, Rabbi Landau instructed the community to adopt a strict position and to make another eruv which they should place in the home of a community member.

Reflecting on this case, I am reminded of our current situation where, due to the danger of COVID-19, many shuls remain closed and inaccessible to the general public, and where, like the eruv in that case, there are certain resources which are currently under lock and key. What we learn from Rabbi Landau's response is that while certain spaces may not be accessible, we, as a community, have the capacity to adapt to challenging circumstances.

Ultimately, while there were many times in our history when shuls were locked in order to weaken or persecute or pressurise Jewish communities, the reason for the current closures and restrictions is in order to help protect the weak in our communities and society, and in order to reduce the strain on our already overstretched health services.

Though this period is so difficult and so frustrating for so many of us, we would do well to remember that we have gotten through so much in our history by recognising that while circumstances around us may change, our determination to serve G-d in whichever way we can has always remained a constant in our lives and in the lives of our

ancestors.

SUNDAY 13 SEPTEMBER  
THANKS TO BENNY LAST

## עירובין לה

The Mishna on Daf 35a says that if an eruv rolls away from where it was set as an Eruv Techumim, or if a wall fell on it, or if it was burnt, its status depends on when the problem occurred. If it happened before Shabbat begins, (ie before Bein HaShmashot, twilight) the eruv is invalid; if it happened once Shabbat began, (ie after Bein HaShmashot, twilight) it is valid.

One might ask, what happens if it occurred during Bein HaShmashot? Well, the Gemora touches on that subject on Amud Bet, but that's a whole other discussion. But asks the Mishna, what about a case of doubt: if we don't know when the change happened, is the eruv valid or not?

Rav Meir and Rav Yehuda both say, this is a case of "chamor, gamal", (donkey, camel), while Rav Yosi and Rav Shimon say it is valid, because in the case of an eruv, when in doubt, we consider it valid. What exactly are Rav Meir and Rav Yehuda saying, and why use the unusual phrase "chamor, gamal"?

The Gemora in Bava Metzia Daf 9 talks about people riding or leading animals, to determine which one has stronger claims to ownership. The Gemora quotes a Beraita, which tells us that a donkey is pushed from behind, while a camel is led from the front, and this stark difference led our rabbis to use this phrase when analyzing situations with contradictory outcomes.

So, Rashi explains on our Mishna that if one person has to lead a donkey and a camel simultaneously, he will constantly be forced to look both ways and will find it very difficult. Now we can begin to understand what Rav Meir and Rav Yehudah are saying. They are indeed saying the doubtful eruv is invalid, but they are adding more. Let's say you made this eruv 2,000 amot to the west, so that you can get to the next town for a shiur on Shabbat afternoon. But there is a downside to making this eruv: your allowable 2,000 amot is now in any direction from the new eruv, but from your current home you now cannot travel at all to the east.

That's if the eruv is valid. However, if the eruv is not valid, then you can travel to the east 2,000 amot, and you can travel to the west 2,000 amot, (as far as the eruv). Say Rav Meir and Rav Yehuda, in this case we have a doubt, we don't know if the eruv is valid or not because we don't know when it got ruined. Because of this doubt, we take the strict approach, which is that you can't walk at all to the east, and you can only go 2,000 amot to the west, ie from your home to the eruv. In other words, in a doubtful case where the possible outcomes are contradictory, we take the stricter ruling in both directions.

It is such a case that we metaphorically refer to as "chamor, gamal".

MONDAY 14 SEPTEMBER  
THANKS MIKE GORDON

## עירובין לו

Inspired by the Daf Yomi Digest of the Chicago Center The eruv food must be edible the day before

"בעינין סעודה הראויה מבעוד יום וליכא". Food which is designated to establish an eruv must be edible at the time it is put into its position before Shabbat begins. Nevertheless, the moment it becomes activated is later, when Shabbat is actually beginning.

If the food is not fit for consumption at the time it is placed, this would not be a valid eruv. For example, if terumah is used as the food for an eruv, and the terumah is tamei, and thus prohibited from eating, even if there is a doubt whether the terumah was tamei at the moment it was placed, it is not valid as an eruv. Another example is where a person placed tevel as an eruv, and he stated that the proper tithes should be valid at the moment that Shabbat is about to begin. In this case, the eruv is not valid.

Although the food is edible as Shabbat begins, nevertheless, at the moment it was put in its place it was not yet permitted to be eaten in its state of tevel. If the food itself is kosher, but the person placing it cannot access the food, this is also grounds for disqualifying the eruv. For example, if Yom Tov falls on Sunday, after Shabbat. The person set up two eruvin, one eruv for Shabbat on the east, and another eruv for Sunday on the west.

The eruv on the east prevents him from going to the eruv on the west during Shabbat. Therefore, even though as Yom Tov begins he could have gone to the eruv on the west, and he could have even eaten it, the eruv on the west is invalid. The moment the eruv is put into place is determined to be **מוי דועבב**, before Yom Tov begins, and at that moment, still on Shabbat, the eruv on the east prevents the person's ability to go to the eruv on the west.

TUESDAY 15 SEPTEMBER  
THANKS TO DAVID GROSS

## עירובין לז

There is a very wide-ranging sugya that appears on our Daf: the concept of **ברירה**. The definition of **ברירה** is such that an action is considered completed even if it is not immediately or even visibly apparent, but will subsequently be clarified in the future.

The case discussed on our Daf is when two food packages are "designated" for the eruv; one is placed in the east of the locale and one in the west.

The person designating the eruv makes a condition that if his teacher arrives from the east then that will be the eruv, and if his teacher arrives from the west, that will be his eruv. Both eruvin are already placed in the respective positions but it is unclear which of the eruvin will ultimately fulfil the designation in the future.

The underlying dispute here is whether a future-dependent condition may be attached to a certain mitzva. Rav Oshia says that it is the case for rabbinic mitzvot, but not for biblically mandated mitzvot. Others say that simple mitzvot are subject to **ברירה**, but not the more serious, complicated mitzvot.

For those who say that there is no **ברירה**, if one places the dispute in the form of a **תקירה** one can ask the question as follows: is it the case that if one were to make the aforementioned condition it would have no force, or does it simply create a doubt?

For example, if I declare that the two login of wine that I will tithe in the future will constitute **מעשר** and **תרומה**.

WEDNESDAY 16 SEPTEMBER

## עירובין לח

THANKS TO DR YARDAENA OSBAND - TALKING TALMUD  
PODCAST

This Daf discusses how to establish eruvin when Yom Tov and Shabbat are on consecutive days. The Gemara brings the following machloket taanim about using a person's feet or food to establish the eruv techumim:

תנו רבנן [תוספתא עירובין פ"ד מ"ב [ליברמן]]: 'עירב ברגליו  
ביום ראשון - מערב ברגליו ביום שני; נאכל עירובו ביום ראשון -  
אין יוצא עליו ביום שני [33], דברי רבי [גירסת התוספתא: דברי  
רבי מאיר]; רבי יהודה אומר:  
הרי זה חמר גמל [34]; רבן שמעון בן גמליאל ורבי ישמעאל בנו של  
רבי יוחנן בן ברוקה אומרים: עירב ברגליו בראשון - אין מערב  
ברגליו בשני [35]; נאכל עירובו ביום ראשון - יוצא עליו בשני.'

Rabbi Yehuda says that in this case the person is a "donkey camel".

This euphemism is used specifically throughout Masechet Eruvin (there is one example in the Talmud Yerushalmi in Masechet Terumot) to express that a person is being pulled in two different directions (a donkey goes in one direction and a camel goes in the opposite direction).

Therefore the halacha is difficult to determine, so the person must be more machmir. In this case, Rabbi Yehuda is of the opinion that one is not sure whether a consecutive Yom Tov and Shabbat share one kedusha or are two different kedushot.

The idea of a person being a "donkey camel" is that ultimately he is limited because we cannot determine which force is stronger.