

daf yomi summary

parashat Toldot 5781

עירובין צה - קא

EDITION: 42

DON'T MISS AN OPPORTUNITY

THANKS

And Eisav said, "I am going to die, so of what use is the birthright to me ?" ...And thus did Eisav spurn the birthright. (Gen. 25:32)

Eisav came home after a long day in the field exhausted, and saw Yaakov cooking a stew. "Pour some of that red stuff down my throat for I am starving," Eisav said.

Yaakov replied, "First sell me your birthright."

Eisav said, "Look I am going to die, so of what use is the birthright to me?"

After he sold the birthright to Yaakov, the verse tells us that Eisav spurned the birthright. Rashi explains that when Eisav said he was going to die and that the birthright was of no use to him he was saying that the birthright would be the cause of his demise.

The birthright included responsibilities such as performing the service in the Holy Temple, which if not performed correctly was punishable by death. If so, why was Eisav considered to have treated the birthright with contempt by selling it?

Eisav seemed to be showing the importance of the birthright and the dignity in which the service must be conducted, that he wasn't worthy of the birthright!?

Rav Moshe Feinstein explains that Hashem gives us many opportunities which contain within them the possibility for greatness. By saying that Eisav spurned his birthright, the Torah is telling us not to miss out on these opportunities, rather, in spite of the perceived difficulty we should grab them with both hands.

Eisav had the opportunity to do the service of his birthright but he gave it up. It is the passing up of the opportunity, not reaching for greatness, that the Torah considers a disgrace.

tefillin in a very specific way on Shabbat. The Mishna distinguishes between tefillin that are old (defined as used) and new tefillin. These definitions provide the platform for different opinions about how to "rescue" the tefillin.

Rabbi Meir taught that one could carry new or old tefillin, while Rabbi Yehuda prohibited carrying new tefillin. With old tefillin, you can see they have been tied and used as tefillin, but with new tefillin there is a concern they may have been created just as amulets which are non-sacred items. Rabbi Yehuda was concerned about this, but Rabbi Meir was not. Rabbi Elazar adds the issue of tekhelet to the discussion. He states, if one finds strips of tekhelet in the marketplace, one may not use them for tzitzit because making tzitzit requires specific intent.

Yet, if one finds threads, they are fit. The Gemara disagrees and raises the bar even higher, stating that the threads must be spun, twisted and cut in a way that is suitable for tzitzit, and only then can it be assumed that they were created specifically for tzitzit and not for some other purpose. The Gemara states that people certainly do NOT exert themselves to fashion the fringes of a cloak to resemble tzitzit.

Aha! Rava exclaims that that this same idea is the source of the Tannaitic dispute about the Tefillin:

"מר סבר טרח איניש ומר סבר לא טרח איניש"

The Steinsaltz Koren Talmud interprets this line as: "Apparently, one sage, Rabbi Yehuda, holds that a person exerts himself to fashion an amulet that looks like phylacteries, and one sage, Rabbi Meir, holds that a person does not exert himself for this purpose, and therefore something that has the appearance of phylacteries can only be phylacteries."

The Tannaitic dispute is about whether or not people exert themselves to fashion difficult items such as tefillin and tekhelet if they are not going to use them for those specific ritual purposes. As someone who has studied the tekhelet dyeing process, and has watched the process of making kosher tefillin, I can understand Rabbi Meir's position.

It's an incredible amount of work. Rabbi Yehuda disagrees and says people would exert themselves and make special efforts even for non-ritual items like a beautiful cloak. By the way, this is not the only place that the Gemara uses the expression "a person exerts himself" or "a person does not exert himself".

THURSDAY 12 NOVEMBER
THANKS TO HADRAN

עירובין צה

After weeks of measuring courtyards and alleys, walls and trees, a discussion of tefillin and tekhelet caught my attention. Beginning with the Mishna on daf 95, the Rabbis are discussing how to rescue

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I found several examples in other tractates where the rabbis are trying to dissect and predict human behavior. For example, in Bava Metzia 21a:13, Rav Ukva bar Hama said that one does not exert himself to pick up just a few grains on the threshing floor, but rather leaves them and renounces ownership. Similarly, in Bava Batra 94a:8, the term is used when the rabbis discuss whether a person goes to the trouble to sift through all of the produce he purchased once impurities have exceeded the acceptable amount. I think this dispute is a very interesting insight into the rabbis' divergent views of human nature.

Are humans uniform, predictable creatures who are programmed to survive by doing only what is necessary? Or are humans capable of creating incredible things, whether it is art or music, a scientific theory, or a discovery that changes the world? Do they sometimes go way above and beyond for their families, friends and communities, fellow soldiers or perfect strangers?

We don't have to look far in Israel to find heroes such as Ro'i Klein ז"ל who made the ultimate sacrifice for the other soldiers in his unit. It might be that both of these inclinations exist in every individual, and in every society. We all have our comfort zones, and we choose when to exert ourselves and when to be satisfied with less.

Rabbi Meir is right that people often fall into habits or behaviors that seem to say we don't really want to work that hard. But we humans can surprise ourselves and others by making those extra efforts, large and small. Think about the satisfaction you get from putting a homemade decorated cake on the table, finishing a very hard assignment, learning a page of Talmud, biking up a huge hill or helping a person in need.

If we agree with Rabbi Yehuda that humans are capable of acting above and beyond, then we can be hopeful in our efforts to achieve that goal. P.S. anyone who is finishing or studying Eruvin has stepped out of their comfort zone and "exerted" themselves.

Kol Hakavod. Only a few more days!!!!

FRIDAY 13 NOVEMBER

THANKS DANIEL STRAUCHLER

עירובין צ

The daf continues offering different explanations as to why Rabban Gamliel says you can wear two pairs of tefillin found on Shabbat and the Tana Kama says you can only wear one. After offering multiple explanations, the Gemara finally reverts to the original question they were debating about whether Shabbat is zman tefillin or not, and then seeks the Tana who holds that Shabbat is indeed zman tefillin. The Gemara first suggests it is R' Akiva, as he explains a pasuk from "kadeish li" (a tefillin parsha) as not excluding tefillin on Shabbat but as referring specifically to tefillin on Pesach. This is, however, rejected as R' Akiva elsewhere explicitly excludes tefillin from Shabbat based on them both being an "ot".

The Gemara then quotes the braitā that Michal wore tefillin and Yonah's wife was oleh l'regel. Since the Chachamim did not object to Michal wearing tefillin, it implies that it is not a mitzvat aseh shehazman grama and therefore Shabbat is zman tefillin. This is rejected as the braitā could be like R' Yosi, who says women can do mitzvot that they are not obligated in like smicha on a korban.

The Gemara finally quotes a braitā where R' Meir and R'

Yehuda disagree about whether new tefillin can be worn in on Shabbat, but agree that women can wear them. They disagree elsewhere with R' Yosi and therefore would only allow women to wear tefillin if Shabbat is zman tefillin.

The Gemara then discusses a similar case of finding tekhelet in the marketplace, and says that strings of tekhelet may be assumed to be made for tzizit. The Gemara qualifies this further, saying they must be cut strings as noone would bother to make cut strings of tekhelet if they were not for tzizit. Rava objects to qualifying the case of strings as cut since it is the machloket of saving new tefillin that gives rise to the question of whether people will take the trouble to make an unusual item (where the concern is that it's a kemeya in shape of tefillin).

SHABBAT 14 NOVEMBER

THANKS TO JOSH SAMAD

עירובין צ

The Mishna on 97b talks of a case where someone was reading a sefer on top of a roof (in a reshut hayachid) and it slips from his hand and unravels towards the ground (in a reshut harabim). The Sefer referred to in the Mishna is a Sefer Kodesh which was written as a Megilla, similar to a Sefer Torah we have today. The Tanna Kamma rules that if it has not reached less than 10 tefachim of the ground he is able to roll the sefer up, thereby bringing it back up to the roof, but if the sefer had reached within 10 tefachim of the ground, it may not be rolled up but should be turned around so that its content is not outward facing.

The Gemara notes that in this case the wall of the house is slanted at an angle, and the sefer, which is dangling down from the roof, is resting on the slope of the wall. If it is within 10 tefachim of the ground and resting on the wall this is considered as being "nach" in the reshut harabim and therefore cannot be rolled up as that would be deemed as carrying between the reshut harabim and the reshut hayachid.

On the opposite extreme, Rabbi Shimon said that even if the sefer hit the floor of the reshut harabim, as long as the other end is still in the hand of the person on the roof it can be rolled back up. Since it has been held at all times this is not a traditional Akira and Hanacha, and therefore rolling it back up is "only" a Rabbinic violation. Rabbi Shimon's justification is the need to show kavod to the sefer and to avoid it dangling from a height for the entire Shabbat. Interestingly, the Tanna Kama is also concerned with the kavod of the sefer, and to this end, whilst he did not permit it to be rolled up, he nevertheless insisted that the sefer was turned to the wall so that it would not be publicly exposed.

SUNDAY 15 NOVEMBER

THANKS

עירובין צ

Adapted from Daf Digest and Artscroll. We learn from the Mishna on the bottom of daf 97b that it is prohibited to throw kissei kodesh, even during the week. It is for this reason that there is no worry that one will come to throw a Sefer Torah that fell in a reshut harabim into a karmelis.

Poskim use this Mishna (in part) to learn that one may not throw kissei kodesh or a Sefer Torah, and the severity of the disgrace caused

if they fall or are thrown. There is a minhag to fast if one drops their tefillin or a Sefer Torah, and the reason learned out is that by dropping them you cause a disgrace to them and for that reason you should fast.

The Maharil also learns from our Gemara that one may not place a Sefer on the same level as one is sitting. We see that in fact one can roll in the end of a Sefer (Torah) that fell from a threshold between a reshus harabim and a reshus hayachid. There are three explanations given as to why one can roll it in.

Rav Yehudah holds that this is the opinion of R' Shimon who holds that a gezeira miderabanan would be able to be overlooked for the sake of preserving kedusha of kisvei kodesh / Sefer Torah. Rabbah holds that we are dealing with a public threshold, and therefore, the disgrace that would be caused to the kisvei kodesh is so great that it would be allowed.

Both of these are rejected as they don't confirm with what we learn in the baraisa that if it rolls more than 4 amos away you cannot roll it in. The third opinion is that of Abaya, who holds that the threshold itself is considered a karmelis and therefore there is zero chance of a de'Oraysa being transgressed, even if the entire Sefer were to fall.

We are also not worried that he will go to carry it directly into the a reshus hayachid because a) the threshold is long enough that he will have pause for thought and remember where he is and not to carry it, and b) the Mishna holds like Ben Azai that even walking is the same as stopping, so every time he places his foot down it is as if the Sefer is resting, so it rests on the threshold and no de'Oraysa can be transgressed.

מטרה מוגדרת אחרת מעבר להוצאה: האכלה שריפה. אנחנו מחשיבים אותן גם כמלאכת הוצאה. תוספות מבארים אחרת: "מחשבתו משוי" ליה מקום - דוקא בכי האי גוונא דנהנה באותו מקום טפי במקום אחר כגון בפי כלב שיאכלנה ובפי הכבשן שתשרף שם... אבל זרק על המקלות או על שום דבר אפי' במתכוין לא אמרו מחשבתו משויא ליה מקום". לפי תוס', בכדי שמחשבה תיצור מציאות (מקום), על האדם לרצות שהחפץ הספציפי יגיע למקום מסויים ובכך מקום זה הופך להיות במחינה הלכתית שווה ערך לד' על ד'. אנו רואים כאן את כח מחשבות האדם ואת עצמתו. מחשבותינו יכולות ליצור מציאות, יש בהן להפוך מקום לא חשוב לחשוב מבחינה הלכתית (תוס') וכן להרחיב את גדר מלאכת הוצאה (רש"י). יהי רצון שנתברך במחשבות טובות ושבוראנו יצרפם למעשים.

MONDAY 17 NOVEMBER

THANKS DAVID GROSS

עירובין ק

On daf 100b, we are introduced vicariously to a famous machloket on the subject of מתכוון דבר שאינו מתכוון when considering whether one may walk on wet grass. Rabbi Yehuda holds that an action that has an unintended (but forbidden) consequence is nonetheless prohibited.

Rebbi Shimon disagrees and holds an unintended consequence is permitted. Rav Shimon Shkop in the שערי יושר explains that the defining feature of an unintended action is considered thus because it is not underpinned by any human endeavor. If a channel was ploughed in the grass with no human intervention, then that by itself is not sufficient to rise to the definition of a transgression. In other words, ploughing is only ploughing if the individual intended to dig a channel in a field. If dragging a bench across that same grass causes a channel, it is not considered ploughing but rather "moving a bench".

In parallel, we consider the concept of פסיק רישא - an inevitable consequence which limits the aforementioned permission of Rebi Shimon. What then is the cutoff point? What defines an inevitable consequence? And how do we approach רישא פסיק? The ט"ז holds that in such a situation that to benefit from an action would be permitted.

However, many other Acharonim disagree, perhaps most notably the שערי יושר, who bases his disagreement on another important concept - that when an outcome is finely balanced on a 50/50 basis, then that corresponds to מחצה על מחצה דמי אסור.

WEDNESDAY 18 NOVEMBER

THANKS TO DR YARDAENA OSBAND - TALKING TALMUD PODCAST

עירובין קא

The Daf records an exchange between Rebbi Yehoshua and a Min over the correct understanding of Micah 7:4:

מר ליה ההוא מינא לרבי יהושע בן חנניה: חדקאה! דכתיב בכו "טובם כחדק". אמר ליה: שטיא, שפיל לסיפיה דקרא, דכתיב: "ישר ממסוכה". ואלא מאי "טובם כחדק"? כשם שחדקים הללו מגינין על הפירצה, כך טובים שבנו מגינים עלינו. דבר אחר: "טובם כחדק", שמהדקין את אומות העולם לגיהנם, שנאמר: "קומי ודושי בת ציון

TUESDAY 16 NOVEMBER

THANKS TO RONEN GOLDSMITH

עירובין צט

מחשבתו משויא ליה מקום כאשר אדם זורק חפץ ברשות הרבים (יותר מארבע אמות) ואותו החפץ "נוחת" בפיו של כלב או לתוך כבשן אש הוא עובר על מלאכת הוצאה. הגמרא מקשה ואומרת: בשביל להתחייב על מלאכת הוצאה בשבת צריך שתהיה הנחה של החפץ על מקום שגודלו ארבע על ארבע טפחים לפחות. כאמור, פיו של כלב אינו גדול מספיק, ואילו קליטת החפץ באש אינה "הנחה" כלל. הגמרא מלמדת אותנו את הכלל: "מחשבה משויא לה מקום", מחשבת האדם הופכת את המקום, למקום חשוב של ארבעה על ארבעה טפחים. רש"י ותוספות חלוקים בטעם הדבר - איך המחשבה הופכת למציאות מחייבת. רש"י מפרש בקצרה: "מחשבתו - שהוא צריך לכך, משווא לה הוצאה חשובה". רש"י מתמקד בצורך של האדם בפעולת העקירה. הצורך של האדם, הופך את מלאכת ההוצאה למלאכה, גם במקרה שבו החפץ נוחת במקום לא חשוב (פי כלב או כבשן). הרמב"ן (בסוגיה בשבת) (ה) מחדד את דבריו: "אבל עיקר הדבר כך הוא כשאדם מחשב למלאכה ועושה אותה כגון זרק בפי הכלב שהוא מתכוין להאכילו והוא מאכילו אותה האכילה משויא פיו של כלב מקום, וכן שריפת פיו הכבשן לפי שהנחה זו חשובה לו לפי כונתו יותר ממקום אחר ודרך הנחה זו בכך, ומגו דהויא מלאכה לכך הויא מלאכה לענין שבת שזו מלאכת מחשבת". כאמור, זריקת אוכל לכלב אינה הוצאה אלא האכלת כלב. כמו כן שריפה אינה הוצאה אלא שריפה. כיוון שיש לפעולת ההוצאה הזו

כי קרנך אשים ברזל ופרסותיך אשים נחושה והדיקות עמים רבים וגו'”

With regard to bundles of thorns used to seal a breach, the Gemara cites a related incident: "A certain heretic once said to Rabbi Yehoshua ben Ḥanania: Man of thorns! For it says about you: 'The best of them is as a brier' (Micah 7:4), which indicates that even Israel's best are merely thorns. "He said to him: Fool, go down to the end of the verse: 'The most upright is worse than a thorn hedge', a derogatory expression meant as praise.

Rather, what is the meaning of 'the best of them is as a brier'? It means that just as these thorns protect a breach, so the best among us protect us. Alternatively: 'The best of them is as a brier' [ḥedek] means that they grind [mehaddekin] the nations of the world into Gehenna, as it is stated: 'Arise and thresh, O daughter of Zion, for I will make your horn iron, and I will make your hoofs brass, and you shall beat in pieces [vihadikot] many peoples; and you shall devote their gain to God, and their substance to the God of the whole earth" (Micah 4:13).

In the both the Talmud Bavli and Yerushalmi there are a series of stories where Rabbi Yehoshua interacted with non-Jews. These included the Emperor Hadrian (B. Hullian 59b), the Emperor's daughter and others. The Gemara in Chagiga 5b, after discussing one of these encounters, describes the following scene at Rabbi Yehoshua's deathbed:

כי קא ניחא נפשיה דרבי יהושע בן חנניה אמרו ליה רבנן מאי
תיהוי עלן מאפיקורוסין אמר להם (ירמיהו מט, ז) אבדה עצה מבנים
נסרחה חכמתם כיון שאבדה עצה מבנים נסרחה חכמתן של אומות
העולם.

The Gemara relates: "When Rabbi Yehoshua ben Ḥanania was dying, the Sages said to him: 'What will become of us, from the threat of the heretics, when there is no scholar like you who can refute them?' He said to them that the verse states: 'Is wisdom no more in Teiman? Has counsel perished from the prudent? Has their wisdom vanished?'" (Jeremiah 49:7).

He explained: Since counsel has perished from the prudent, from the Jewish people, the wisdom of the nations of the world has vanished as well, and there will be no superior scholars among them. Rebbe Yehoshua leads the Jewish people by defending its relationship with God and attacks from an increasingly Judeo-Christian world.

The Chachamim worry that once he leaves this world there will no longer be a rabbinic leader who defends the Jewish position in the world. Rebbe Yehoshua tries to reassure them that they will no longer need his defense because once his wisdom leaves this world the wisdom of non-Jews will also lessen.

This story in Eruvin is a good example where the learner can encounter a story on a daf but its real message and purpose can only be understood in the context of the many stories of Rabbi Yehoshua and people of different faiths.