

daf yomi summary

siyum masechet erubin 5781

We may have finished learning Mesechet Eiruv, but how do we build an Eruv today?

EDITION: 43

This edition of the Daf Yomi Summary sheet is dedicated in memory of the Tzadikim that sadly passed away during the learning of Masechet Eruvin. In particular, in memory of Rabbi Lord Jonathan Sacks זצ"ל, Rabbi David Feinstein זצ"ל, Yisrael ben Mordechai Horwitz ז"ל and Yehoshua ben Natan Goldstein ז"ל.

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A huge thank you to all the many writers who contributed to the Masechet Eruvin editions. A huge thanks also you to our fantastic editorial team.

Thanks to our highly esteemed writers for this special edition;

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into the dark days of winter, the feeling of joy and the warm glow of satisfaction of having completed another Masechet in Shas is what sustains us. לולא תורתך שעשוע אז אבדתי בעניי Had it not been for Your Torah as my delight, I would perished in my affliction (Tehillim 119:92).

For me, there is particular significance for this siyum on Daf Yomi Eruvin, since having established and had responsibility for an eruv in recent years, I was able to look at Masechet Eruvin through new eyes. I am delighted to respond to the approach from afar from an ex-congregant of Whitefield Shul and to contribute my reflections in this vein, to Masechet Eruvin in communal Eruv practice for this worthy publication.

But before we go to the Manchester, a word about Great Britain, which makes a surprise appearance in classical rabbinic sources in the discussion of Eruvin.

The Gemara (Eruvin 22b) suggests that due to hilly features in the topography of Eretz Yisrael, there ought to be no problem of Reshut Harabim, public domain, where carrying is prohibited d'Oraita by Torah law in the Land of Israel. Why? asks the Gemara. Is it because that area of the Holy Land is surrounded from one side by the Ladder of Tyre (Rosh Hanikra?) and by the slope of Gader (Golan Heights?) from the other? אילימא משום דמקיף לה

סולמא דצור מהך גיסא ומחנתא דגדר מהך גיסא (Eruvin 22a-b)

And here comes the UK follow-up to this sugya. Writing in Teshuvot Chacham Zvi 37, Rabbi Zvi Ashkenazi (Altona Germany 1694) suggests this: "Imagine a wall was made around the entire land of England . . . , and continues "before you express surprise about the land of England and Scotland".

הגע עצמך שעשו מחיצה סביב לכל ארץ אינגלטיריה וכו'. "עד שאתה תמה על ארץ אנגלטיריה ואיסכוסיה"

I reflect that in the last two decades there has been flowering of erubin in London and Manchester, whereas beforehand there were none. Jews resettled in Britain in the 1660's. Thirty years later the great halakhist, Chacham Zvi, who came to play a part in the London Jewish community, penned probably the earliest reference to the subject of Eruvin in the UK.

One of the most substantive halakhic topics affecting Eruvin is the

REFLECTIONS ON MASECHET ERUVIN AND THE WHITEFIELD ERUV

THANKS TO RABBI JONATHAN GUTTENTAG



Approaching the end of Masechet Eruvin, in these unusual days of Corona, I reflect on two terms that appear to share an etymological connection, but with a difference.

Masecha, facemask, is a structure of woven material designed to protect the wearer and others, by preventing transmission of unwanted particles through the fabric.

A Masechet is a tractate of Gemara, also consisting of material - spiritual and intellectual - words and ideas that are woven together. Unlike a masecha, the function of a Masechet is not to prevent, but rather to enable and to facilitate effective transmission of the hallowed ideas and precious teachings of Torah from teacher to student and from generation to generation.

In these challenging days of isolation and lockdown, and as we get

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question of what constitutes a reshut harabim, a public domain. The most fundamentally debated aspect of Eruvin is the view of Rashi - on which our erubin heavily rely - that to be a reshut harabim, an area must have 600,000 people. And when that is established one can make an eruv in a street without putting a gate across the street to close it off on Shabbat. Having traversed the whole of the Masechta, it is interesting to observe that this teaching is not located in Masechet Eruvin or anywhere in the Talmud at all. Rather it is to be found in the commentary of Rashi to Masechet Shabbat

How many people in Whitefield?



In setting out to create an eruv for Whitefield, it was necessary to firstly establish the population numbers of the proposed enclosed area - answer approximately 35,000. But even when one added the daily entrants to Whitefield on foot, bicycle, train and car, it was estimated that the number would no way exceed 100,000 per day - and so comfortably within the 600,000 limit of reshut HaRabbim d'oraita.

The use of Tzurat HaPetach

An eruv is characterised in the public mind by the construction of poles and wire forming a tzurat hapetach the shape, or form, of a doorway. In the opening Mishna we find If an alleyway is wider than 10 amot. ... if it has a tzurat hapetach, the shape of a doorway, then it is does not require to be reduced

מבוי ... הרחב מעשר אמות אם יש לו צורת הפתח אין צריך למעט (Eruvin 2a).

Tzurat Hapetach is a challenge to explain to the non-initiated. "Why should 'magic string' of poles and wire around an area permit you to carry things outside, Rabbi .. !?"

But the logic is straightforward. Walls of a building or an enclosure are not always solid, they generally contain doors and doorways. If a door happens to be absent from a doorway, that does not negate its status, it is still bona fide doorway, and the wall of which it is a part, is still an operationally effective and valid wall. And so likewise in regard to the laws of Shabbat erubin. A tzurat hapetach, a shape of a doorway, because it is a part of a longer section of continuous wall, is valid as a part of the overall length of the wall.

The perimeter of the Whitefield eruv was made up of pre-existing features: motorway fence, railway embankment and fence and the walls of houses and gardens of the housing estates on each of the respective sides of the eruv. But for the roadways in and out of the area we needed a tzurat hapetach at each location to form a virtual partition and 'close off' those roads.

We were fortunate, though, because we were able to use existing street furniture poles and lampposts - adopting them for eruv purposes, and thus reducing costs, while at the same time avoiding the need for planning permission and the public consultation, and likely public and political opposition that this can generate.

We were particular fortunate because those lighting columns in our

area we found to be situated, not at the curb by the road (where they might cast more light on to the road), but set back right to wall of the properties. (In jest, we conjectured why this might be. Maybe the borough engineers had a pessimistic view, and experience of the results of erratic driving, and the need to keep the poles away as far away as possible from the road...?)

But how close would the poles need to be to the walls?
Lavud is the operative principle - that within three tefachim handbreadths, the space is disregarded and the gap is considered as closed. Most of the lampposts we intended to use were indeed within this ten and half inches or so.

Those small number of lampposts which were more than three tefachim away from the wall, we designed a fill-in post to close the space to less than three tefachim. Planning permission was required for these three low fill in posts, but since they measured the minimum halachic height for a wall ten tefachim just over a metre, and sat behind an existing lamppost just next to the wall, they were unobtrusive and the planning application did not attract public attention or controversy.

When constructing a tzurat hapetach it must conform to the teaching of R Chisda (Eruvin 11b) that the wire must go over the top, and not emerge from the side, of the poles

אמר רב חסדא: צורת הפתח שעשאה מן הצד - לא עשה ולא כלום

Thus, as part of our conversation with the officers of the street lighting department of the Borough of Bury, we arranged for the manufacture and emplacement of special adaptors at the tops of the lampposts, from which the wire could run from one lamppost to the other.

With the Help of British Telecom

Another practicality of making a tzurat Hapetach also features on the same daf. The side posts do not need to reach all the way up to touch the cross bar. It is sufficient if they are carefully placed underneath the wires without touching

צריכין ליגע או אין צריכין ליגע? רב נחמן אמר: אין צריכין ליגע (Eruvin 11b).

For two of locations where we required to traverse roads by means of tzurat hapetach, we found existing poles belonging to British Telecom company

again positioned in just the right halachic sweet spot, within a few inches of the wall and thus lavud. But not only poles but also telephone wires running from the poles. The problem was, though, that those wires ran not from the top of, but



emerged from the side of, the pole. The BT phone company graciously agreed to install a lechi, a small side pole directly underneath the wire, in accordance with this halachic teaching that the poles extend upwards and do not need to touch and reach the overhead wire.

In the course of these arrangements, I once arrived home from summer holiday, and was momentarily surprised, and even worried, to find messages on my voicemail from the national head of the phone company BT, asking me to return the call.

I was worried, perhaps I had omitted to pay the recent phone bill..? I need not have worried, the national head of the phone company was calling from his head office two hundred miles away in London to personally ascertain and arrange for our eruv works on his company poles on the streets of Whitefield to take place.

Measuring a Tel HaMitlakeyt Slope Comes to the Rescue

There was one particular gap in the eruv's perimeter about which we were really concerned. Two houses backing onto open fields, whose owners were not willing to fence off their back garden to join up with the eruv line - even if we paid for the fencing. It turned out that the land behind their property had a natural feature which counted halachically as a wall

Tel Hamitlakeyt, a slope which rises at the ratio of ten tefachim in height within the horizontal floor space of four amot, a gradient of 1 in 4 or some 25%. the steep gradient of a ravine. But it wasn't a simple matter to establish that the measurement conformed to the halachic requirements - a slope which rises at the ratio of ten tefachim in height within the horizontal floor space of four amot, a gradient of 1 in 4 or some 25%.

And so, we called in a professional measuring company that charted and measured the gradient and how it meshed in with continuation of the eruv perimeter, the line of the garden fences.

Sechirat Reshut ... Renting from the Mayor and Police

Once the perimeter of the eruv was 'secured', ie, all the problematic gaps were closed, by walls that were at least ten tefachim high, or by the doorways of tzurat hapetach, two further acts were necessary in order to bring the eruv into operation

In order to secure the symbolic right of those participating to indeed make an eruv, even the streets and other dwellings in the area belonging to the general citizenry - to rent symbolically the domain from a representative of the non-Jewish civic authorities.

We conducted a ceremony of symbolic rental of the area with the



mayor and the local chief of police. For since they possess the theoretical right at least in certain instances to enter all properties, they are deemed bodies from whom one can rent the usage of the whole area and all its properties.

Eruv Chatzerot with boxes of Matzot.....

Finally, to incorporate all the separate private domains belonging to the Jewish residents of the area so that they would constitute one domain - Eruv commingling Chatzerot - of the separate domains.

And that was achieved by designating boxes of matzo which I had purchased - and then getting another member of the community to lift them up and acquire them on behalf of all of the members of the community, and then, Matzot in hand to recite the Bracha al mitzvat eruv.

To ensure that these Matzot were then left in a public place - accessible to all - in the shul. And customarily to perform this act once a year, generally on Erev Pesach.

HADRAN ALACH MASECHET ERUVIN

THANKS TO RABBI SHALOM ROSNER



The Gemara on the last daf of Eruvin discusses various halachot that may be different inside the Bet HaMikdash and outside the Bet HaMikdash. עשה דוחה אין שבות במיקדש sometimes and other halachot.

There's an interesting comment of the Gemara in Zzevachim דף צז and the Meshech Chochma explains the Gemara that says even though we usually have the principle of עשה דוחה לא תעשה, in the Bet HaMikdash we say אין עשה דוחה לא תעשה and the question is why?

עשה דוחה לא תעשה is a principle that every agrees to. Gemarot in Yevamos, in Shabbos.

The Meshech Chochma in Parshat וזאת הברכה explains that the Ramban tells us in Parshat Yisro that עשה דוחה לא תעשה is based on יראת השם and אהבת השם.

עשה דוחה לא תעשה is greater than מצוות עשה. יראת השם flow from אהבת השם. מצוות עשה flow from יראת השם. So אהבה is greater than יראה and that's why עשה דוחה לא תעשה.

But in the Beit HaMikdash מורא plays a primary role. אהבה is easy to have in the Beit Hamikdash. We see all the miracles, we see the amazing things that Hakadosh Baruch Hu gives us. We're inspired.

So מורא has to be central in the Beit HaMikdash, and that's why we say אין עשה דוחה לא תעשה שבמקדש. Maybe because there's מורא there's no need for shvusim, as the Gemara says אין שבות במקדש because we have that.

Either way the goal of our life is to focus both on אהבה and on יראה. As we get to Masechet Pesachim which has a lot of קודשים in it. After the first 3 perakim, the next perakim 4-9 are all about עניני קרבנות. So lets get ready for the Mikdash, lets get ready for all jews coming together. As we've spoke about in Chatzeirot, in this masechta, בע"ה we should be zocher to all be together in the chatzeirot with the בית המקדש. במהרה בימינו.

LUBAVITCH & ERUVIN

THANKS TO RABBI CHAIM BRUK BOZEMAN,
MONTANA

It was a privilege to have recently made a Siyum on Maseches Eiruv, as despite its Halachic complexity, the study itself was intellectually stimulating as I delved into Chochmoso Uretzono Shel Hakadosh Baruch Hu.

It is known that Rav Chaim Brisker has a close relationship with the Rebbe Rashab, Rav Sholom Dovber, the 5th Chabad Rebbe. In a letter to Rav Levi Yitzchak Schneerson, father of my mentor The Lubavitcher Rebbe Zatzal, the Rashab writes regarding receiving Semicha (rabbinic ordination) from Rav Chaim, "Certainly he will draw you close, for he truly fears G-d... if he generally bestows ordination, I am certain that he will extend it to you...".

When Rav Levi Yitzchak arrived at Rav Chaim to be Farherd (tested) for Semicha, Rav Chaim presented him with a practical Halachic question, involving both the Halachos of Shabbos and the Halachos of Sukkos. On Shabbos one cannot carry from a private home into a shared courtyard unless an Eruv Chatzeiros is enacted. On Sukkos one is required to eat in a sukkah built under the open sky. Several private householders had built a shared sukkah in a shared courtyard and had forgotten to enact an Eruv Chatzeiros to allow them to carry their food to the sukkah on Shabbos. What were they to do?

Without skipping a beat, Rav Levi Yitzchak responded that the Sukkah itself enacted an Eruv Chatzeiros. Since the private householders intended to eat their meals there, it automatically transformed the shared courtyard into a merged private space. Rav Chaim was impressed with the quickness, and depth, of the answer. It with this in mind that I'd like to address the Lubavitch approach to Eiruv.

There's a misconception out there that the Rebbe Zatzal was opposed to Eruv which is simply inaccurate and would be in total contradiction to the Talmudic discussions about the necessity to build an Eiruv and the many Rishonim who believe that it's actually a Mitzvah to build one. Indeed, when the Jews in New York City were trying to erect an Eiruv and it was supported strongly by Rav Henkin, while Rav Moshe strongly opposed it, the Rebbe wrote a letter to Rav Eisensdat that he indeed supported the Eruv in principle as long as it could be done correctly.

When an Eruv has already been erected, the Rebbe instructed Rav Gavriel Tzinner, the Baal Nitei Gavriel, may Hashem send him a Refuah Shleima, that it's our responsibility to ensure that the Eruv have the highest standards of Kashrus. The Rebbe told Rav Pinchas Weberman in Miami that the inspector of the Eiruv must be a Rov that is competent in the Halachos of Eiruv. Yet, when asked by various Frum communities whether to put up an Eiruv, the Rebbe was unsupportive. So, the Rebbe took the balanced approach of supporting it being done right when the moment demanded it, but also hoping it doesn't become commonplace.

Why?

From a Hashkafa standpoint, the Rebbe was seriously concerned that if an Eiruv becomes the norm - not just in courtyards and bungalow colonies, but - in bigger cities and towns we would be

faced with a sad reality where people will always assume the Eiruv is up and won't notice when an announcement is made that part of it has been damaged and therefore is unkosher. In addition, it would encourage people to carry and forget about the Issur of Hotzaah on Shabbos all together, which would create a new problem, where Jews will carry on Shabbos, wherever they are, as they never even knew that carrying wasn't allowed, having grown up or lived with an Eiruv for so long. So even when it was a necessity in a particular community, the Rebbe was adamant that the Eiruv be built in secret, so that it doesn't encourage new people to carry, and only serves to help remove the sinfulness of those carrying anyhow.

To understand why the Rebbe would take on the stricter opinion about a community Eiruv than many other Halachic authorities, we must shift from Hashkafa to Halacha and take a look at the Shita of the Alter Rebbe, author of Shulchan Aruch Harav and founder of Chabad Chassidim, who, like the Mishna Berurah, prefers that we avoid using communal Eruvin (see Shulchan Aruch HaRav 345:11 and 362:19 and Mishnah Berurah 345:23 and 362:59), but does not reject the use of community Eruvin by the broader Jewish community.

The Shulchan Aruch HaRav believed that there are two significant problems with the use of a communal Eruv. First, is that they are almost always composed of Tzuras HaPesach. Tzuras HaPesach is effective only in a Carmelis and not in a Reshus HaRabim. There are many who rely on the view in the Rishonim that with less than 600,000 people residing in area, it's not defined as a Reshus HaRabim. However, the Rif and Rambam do not subscribe to this opinion and consider it a Reshus HaRabim even with less people residing in the area. Therefore, the Shulchan Aruch HaRav urges a G-d fearing individual to avoid relying on the lenient opinion as the Tzuras HaPesach wouldn't help according to them.

Furthermore, the Rambam (Hilchos Shabbos 16:16) severely limits the usefulness of Tzuras HaPesach. He rules that they be relied upon only if there is a majority of Halachic wall (such as physical walls, steep hill or railings) for the enclosed area, only then may the Tzuras HaPesach fill in the missing pieces. The Shulchan Aruch HaRav prefers that we satisfy the opinion of Rambam. Not surprisingly, when Lubavitchers, and all those who adhere to Shulchan Aruch HaRav, create an Eiruv in their summer camps, bungalow colonies and backyards they make the Tzuras HaPesach not wider than ten Amos, which isn't very doable in larger areas, hence the Rebbe's opinion to be Machmir in building them all together. In addition the third Chabad Rebbe, the Tzemach Tzedek, who was of the greatest Poskim in the 19th century, has a list of opinions regarding Eruv, following in the shita of his grandfather the Shulchan Aruch HaRav, that make building a communal Eruv a daunting task in larger areas.

Naturally, the Rebbe wasn't alone in his strictness. Rav Yosef Dov Soloveitchik (the Rav) did not permit the construction of an Eiruv in Boston, Rav Aharon Kotler was opposed to the creation of citywide Eruvin in the United States, the Satmar Rebbe felt that community Eruvin was an impossibility in this country. So Lubavitchers aren't alone in their Chumra of not using community Eiruv. Rav Yaakov Landa of Bnei Brak, who was a Lubavitcher from the Alter Heim in Europe, advised that when needed, in order to enhance the joyous experience of Shabbos especially as it relates to young children one may use the Eruv, VeYesh Lahem Al Mah Sheyismochu.

I hope this help give a bit of context to the Lubavitch approach to Eruvin, next up Gebrukts on Pesach when we're done Pesachim.

HADRAN ALACH MASECHET ERUVIN - WOODSIDE PARK ERUV

THANKS TO NAOMI COHEN



L'ilui neshama Pesach Nachman ben Tzvi Hirsh (Peter Olswang)

I was responsible for building our suburban Eruv a few years ago, but it was only as I started to learn Masechet Eruvin that I understood what an Eruv actually represents:

Daf 3a - "קידרא דבי שותפי לא חמימא ולא קיריא"

"As people say: A pot belonging to partners is neither hot nor cold. When responsibility falls upon more than one person, each relies on the other, and ultimately the task is not completed."

An Eruv is the responsibility of all the people that live within it and wish to use it on Shabbat. This is contrasted with a Succah which is personal property. The people might be members of more than one shul or of none; but essentially the establishment of the Eruv brings them together as an entity. And the sole purpose of that entity is to be jointly responsible for the Eruv itself!

In 2013, I supervised the construction of the Woodside Park Eruv. Woodside Park is a small community in north London, around 5 miles/8 km from the main Jewish areas of Hendon, Golders Green and Edgware. Those areas built their eruvim in the early 2000s after many years of campaigning for permission from the local authority, Barnet Council.

Woodside park Eruv facts

- 55 poles (3.5m-6m high)
- 3 rustic timber gateways
- 8 lechi posts and panels
- 3 bat boxes
- ~200m fine fishing wire
- 10m steel cable
- 30m sailing rope
- ~800m fencing for allotments



Our team had already spent several years identifying a route that would use existing boundaries as much as possible - particularly the fencing alongside railway lines and highways. Planning permission was required from the local council, as they are effectively the landowners of the roads and sidewalks, and this was a slow frustrating process. It was also necessary to draft licence agreements with the council and the railway companies to accept long-term responsibility for the poles on their property, and to fundraise for some significant licence fees and legal costs as well as the actual construction. Unlike Israel and US, it's not feasible to use utility poles.

As voluntary project manager, I oversaw the contract and supervised the works, but my most important job was explaining the concept of an Eruv to non-Jewish landowners. We had to ask permission to measure their front garden walls, come on their land to inspect their rear garden boundaries and, on a couple of occasions, put up temporary or permanent fencing to fill in gaps. I generally

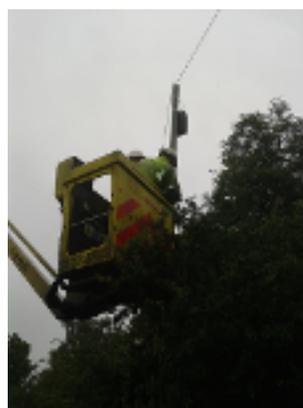
found their responses to be warm and positive. I hope that I would also be as accommodating for another faith's seemingly irrational requests!

I started learning Daf Yomi this January, encouraged by Rabbi Daniel Epstein. I found a daily podcast, Talking Talmud by Anne Gordon & Yardaena Osband, which discussed the most interesting point of each day's daf in accessible language and a friendly, encouraging style that encouraged me to open a Gemara and read it by myself for the first time.

It quickly became clear that Masechet Eruvin is not an instruction manual for building an Eruv! It dives right into tiny details without defining terms or even explaining the concepts. Particular case studies are discussed in huge detail, when it seems likely that they only existed to test us like a tricky exam question. As I often heard on Talking Talmud, the Rabbis seem to assume that you are completely familiar with the whole Gemara before starting the first daf.

These are some of the main concepts which were relevant to the construction of our Eruv:

Lavud was very useful during construction. For a standard tzurat hapesach of posts and wire, it was crucial to put the post close enough to the front garden wall. It was very convenient that my hand span is 22 cm, a bit less than 3 tefachim, so that was the unit of measurement for any gap that we wanted to check. It's about the smallest gap a child could fit through, so it seems reasonable that any gap this size in a wall wouldn't count if it couldn't become an access route for people. Similarly, you couldn't squeeze between a post and a wall if they are closer than 3 tefachim.



Gud aseik mechitza, which literally means extending the walls upwards, allows the Eruv boundary to 'jump' vertically from a bridge to the road below it (using a lechi). In one case, we had a problem where the stretch of pavement nearest to the house wall had utility cables and couldn't be dug up. How could we reach from the tzurat hapesach pole to the house to complete the road junction? Our inventive contractors fixed a 2m-long arm to the top of the 6m-high pole.

This carried the wire across the pavement to line up with the post next to the garden wall. We hung a weight from the end of the arm to confirm that the post was exactly underneath it. On this occasion, 3 tefachim wasn't good enough... every millimeter counted.

Another issue was the fencing of allotments (community gardens) as these were considered to be in the category of karmelit. Our suburban eruv covered an area of approximately 36 square kilometers and included 17 allotments and cemeteries! Luckily they were mostly fully fenced but there was one which had no effective boundary along much of its 2 km length.

I had to convince the allotment committee to allow us to install chicken wire or agricultural fencing, which they were concerned

would restrict the movement of wildlife into and out of the allotment. They agreed this but only on the condition that in some areas, we could build a 'living fence' out of branches. So, 30 members of the community spent a Sunday morning clearing vegetation and helping to make the hedge. During lockdown, I have often walked past it, and I love the fact that the Eruv gave us the opportunity to build something tangible and long-lasting as well as the relationship with our non-Jewish neighbours.



Another allotment needed fencing for a stretch of its boundary along a brook, so I got to know the head of the committee while we agreed the exact location for the fence.



I also met his brother who has beehives on the site, as he had to puff smoke over the bees to calm them the day before we installed the fence! I came back before Rosh Hashanah to buy some honey from the hives.

This is England so of course the welfare of animals took priority. The council were concerned that bats and birds might be damaged or even decapitated by the very fine fishing wire, so in a couple of locations we were required to use wire of 10 mm diameter. We tried a marine rope and a steel cable, but it inevitably sagged across a span of 30 meters, no matter how tight we tried to pull it. The Beth Din ruled that it was not halachically valid, as the sag was more than 3 tefachim (the limit using lavud), which was a significant problem. Once the planning inspector had visited, a line of fishing wire "appeared" above the sagging cable - this was installed as the effective eruv, and the cable underneath it would deter any flying wildlife from getting too close.

So, perhaps the practicalities of building an Eruv are not so different from learning the Gemara after all. We had to work hard to accommodate all the diverse opinions that were expressed by the different parties, and found ourselves experts on the minutiae of the law, which it was assumed we already knew. After all the ups and downs, licenses and permits, poles and wires, we succeeded in building a community project that binds everyone together to enjoy Shabbat.