

NOTES

If there were two pomegranates before him – **היו – לְפָנָיו שְׁנֵי רְמוֹנִים**: Some commentaries explain that the question of retroactive designation is based on the general principle that one cannot acquire or transfer ownership of something that has not yet come into the world. In other words, one cannot perform a legally valid act that relates to an object or state of affairs not currently in existence. Consequently, there is a distinction between the case of pomegranates and the separation of *terumot* and tithes from the leather flask. With regard to pomegranates, one can tithe them whenever one wishes. Their case does not constitute bona fide retroactive designation at all, as everything is already in existence. In the latter case, however, one is either not currently able to separate the *teruma* and tithes, e.g., if he is not in the same vicinity as the produce, or he is not permitted to do so, e.g., if it is Shabbat, and therefore it is considered something that has yet to come into the world (*Ketzot HaHoshen*).

Perhaps the leather flask will burst – **שָׂמָא יִבְקַע הַנּוֹד**: Some commentaries explain that this detail is not mentioned earlier in the discussion, even though it is written explicitly, because the Sages thought at first that if it is not a Torah prohibition, then there is no reason to be worried about the leather flask bursting, which is a far-fetched concern. Consequently, they considered it reasonable to suggest that the basic concern is the prohibition of *tevel* (*Yad Shlomo*).

אָמַר לִיה אַבְיֵי: אֵלָּא מַעַתָּה, הֲיֵו לְפָנָיו שְׁנֵי רְמוֹנִים שֶׁל טָבֵל, וְאָמַר: אִם יֵרְדוּ גְשָׁמִים הַיּוֹם – יְהֵא זֶה תְרוּמָה עַל זֶה, וְאִם לֹא יֵרְדוּ גְשָׁמִים הַיּוֹם – יְהֵא זֶה תְרוּמָה עַל זֶה. הֲכֵי נִמְי, בֵּין יֵרְדוּ בֵּין לֹא יֵרְדוּ דְאִין בְּדַבְרֵיו בְּלוּם?

Abaye said to him: Do you really think that this ruling is correct? But if that is so, if there were two pomegranates that were *tevel* before him,^N and he said: If rain falls today, this pomegranate shall be *teruma* for that other pomegranate, and if rain does not fall today, that second pomegranate shall be *teruma* for this first one, so too, whether rain fell or did not fall, there is no significance to his statement because the remnants that are not *teruma* are not immediately recognizable.

וְכִי תֵימָא הֲכֵי נִמְי – וְהִתְנַן: תְרוּמַת הַכְּרִי הַזֶּה וּמַעֲשֵׂרוֹתָיו בְּתוֹכוֹ, וְתְרוּמַת מַעֲשֵׂר זֶה בְּתוֹכוֹ, רַבִּי שְׁמַעוֹן אוֹמֵר: קָרָא הַשֵּׁם!

And if you say that indeed, it is so, there is a difficulty. Didn't we learn in a mishna that if one says: The *teruma* of this pile of produce and its tithes shall be inside it, without specifying the location of the produce that he is designating for these purposes, and similarly, if one says about a pile of first-tithe produce: The *teruma* of this tithe shall be inside it, without specifying the location, Rabbi Shimon says: He has given it a name, i.e., the designation of the *teruma* and tithes take effect, even though it is impossible to distinguish between them and the permitted portion of the produce? Therefore, it is not necessary for the remnants of the act of separation to be recognizable.

שְׂאֵי הֵתָם דְאִיבָא סְבִיבֵי.

Rava refutes this argument: There, with regard to a pile of produce, it is different because there are recognizable remnants around it. He specified that the *teruma* should be inside the heap, which indicates that it is in the middle of the pile, and therefore the produce on the perimeter of the pile is certainly not *teruma*, and some of the remnants of the act of separation are recognizable.

וְאִי בְעֵית אֵימָא בְּדַקְתָּנִי טַעְמָא: אָמְרוּ לוֹ לְרַבִּי מֵאִיר: אִי אַתָּה מוֹדָה שְׂמָא יִבְקַע הַנּוֹד וְנִמְצָא זֶה שׁוֹתָה טְבָלִים לְמַפְרַע? אָמַר לְהֵן: לְכִשְׂיִבְקַע.

And if you wish, you can reconcile the difference between the case of separating *teruma* from wine and the other cases and say in accordance with the reason that was taught in the case of the wine: The Rabbis said to Rabbi Meir: Don't you concede that perhaps the leather flask will burst^N before he manages to separate the *teruma*, and retroactively this person would have been drinking *tevel*? Since he never ended up separating *teruma*, the wine remained *tevel* all along. Rabbi Meir said to them: When it bursts, I will consider the matter, but presently I am not concerned that the bottle might burst. Therefore, we see that these *tanna'im* do not disagree about the principle of retroactive designation but over the likelihood that the flask will burst.

וְלִמָּא דְסָלִיק אֲדַעְתִּין מַעֲקָרָא דְבְעֵינָן רֵאשִׁית שְׂשִׁירְיָה נִבְרִין, מֵאִי קָאֲמְרֵי לִיה?

The Gemara now asks: And according to what initially entered our minds, which is that we require *teruma* that is the first, whose remnants are recognizable what did the Rabbis say to Rabbi Meir about that? That is the objection they should have raised against him.

הֲכֵי קָאֲמְרֵי לִיה: לְדִידָן – בְעֵינָן רֵאשִׁית שְׂשִׁירְיָה נִבְרִין, לְדִידָךְ –

The Gemara answers: This is what they said to him: According to our own opinion, we require *teruma* that is the first, whose remnants are recognizable; according to your opinion,

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אִי אַתָּה מוֹדָה שְׂמָא יִבְקַע הַנּוֹד, וְנִמְצָא שׁוֹתָה טְבָלִים לְמַפְרַע? אָמַר לְהֵן: לְכִשְׂיִבְקַע.

don't you at least concede that we must be concerned that perhaps the leather flask will burst, and retroactively this person would have been drinking *tevel*? Rabbi Meir said to them: When it bursts,^N I will consider the matter, but now I am not concerned about this possibility.

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When it bursts – **לְכִשְׂיִבְקַע**: This is not a Torah prohibition because the obligation to separate *teruma* from this barrel is only by rabbinic decree. Therefore, this doubt resembles all other doubts relating to rabbinic decrees, and one may be lenient (*Yad Shlomo*).

עירוב – An *eiruv* on a Festival that is adjacent to Shabbat – **עירוב** – **ביום טוב הסמוך לשבת**: One may establish two *eiruv* on the eve of a Festival adjacent to Shabbat and stipulate that his *eiruv* should apply to one day or both, to one direction or two. The *halakha* is in accordance with the opinion of Rabbi Eliezer (Shulhan Arukh, Orach Hayyim 416:1).

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מוליכו... ונטלו – He brings it... and he takes it with him – Most commentaries agree that one is under no obligation to take the *eiruv* with him; this is merely good advice. If one is worried that his *eiruv* will be eaten over the course of the day, he should take it with him and bring it back the following day. However, in the Jerusalem Talmud it is indicated that one is obligated to take the *eiruv* and return it the next day because the *eiruv* cannot be established for both days at once (see Rashba).

חציו – חציו – Half the day to the north and half of it to the south – **לצפון וחציו לדרום**: Rabbeinu Yehonatan holds that the half to the north alludes to the night, according to the Gemara, because the sun is in the north during that time period. The half to the south is referring to the daylight hours. Therefore, the intention is that just as one cannot distinguish between the sanctities of the night and the day of a particular day, it is impossible to distinguish between the sanctities of two adjacent days.

מתני' רבי אליעזר אומר: יום טוב הסמוך לשבת, בין מלפניה ובין מלאחריה – מערב אדם שני עירובין, ואומר: עירובי בראשון למזרח, ובשני למערב. בראשון למערב ובשני למזרח, עירובי בראשון, ובשני בבני עירי, עירובי בשני, ובראשון בבני עירי.

MISHNA Rabbi Eliezer says: With regard to a Festival adjacent to Shabbat,¹ whether before it, on a Friday, or after it, on a Sunday, a person may establish two *eiruv* of Shabbat borders [*tehumim*] and say as follows: **My *eiruv* on the first day shall be to the east, and on the second day to the west.** Alternatively, one may say: **On the first day it shall be to the west and on the second day to the east.** Similarly, one may say: **My *eiruv* shall apply on the first day, but on the second day I shall be like the rest of the inhabitants of my town, or: My *eiruv* shall apply on the second day, but on the first day I shall be like the rest of the inhabitants of my town.**

וחכמים אומרים: או מערב לרוח אחת, או אינו מערב כל עיקר. או מערב לשני ימים, או אינו מערב כל עיקר.

And the Rabbis disagree and say that such a split is impossible. Rather, he either establishes an *eiruv* in one direction for both days, or he establishes no *eiruv* at all; either he establishes an *eiruv* for the two days, or he establishes no *eiruv* at all.

ביצד יעשה? מוליכו בראשון ומחשיך עליו, ונטלו ובא לו. בשני מחשיך עליו ואכלו ובא לו, ונמצא משתבר בהליכתו ומשתבר בעירובו.

What does one do to establish an *eiruv* that will be valid for both the Festival and Shabbat? He or his agent brings the *eiruv* to the location that he wishes to establish as his residence on the eve of the first day, and he stays there with it until nightfall, the time when the *eiruv* establishes that location as his residence for the Festival, and then he takes it with himⁿ and goes away, so that it will not become lost before the following evening, in which case he would not have an *eiruv* for the second day. On the eve of the second day, he takes it back to the same place as the day before, and he stays there with it until nightfall, thereby establishing his residence for Shabbat, and then he may eat the *eiruv* and go away, if he so desires. Consequently, he benefits in that he is permitted to walk in the direction that he desires, and he benefits in that he is permitted to eat his *eiruv*.

נאכל בראשון – עירובו לראשון ואין עירובו לשני.

However, if the *eiruv* was eaten on the first day, his *eiruv* is effective for the first day, and his *eiruv* is not effective for the second day.

אמר להן רבי אליעזר: מודים אתם לי שהן שתי קדושות.

Rabbi Eliezer said to them: If so, you agree with me that Shabbat and a Festival constitute two distinct sanctities, as if not, the *eiruv* that went into effect during the twilight period on the eve of the first day should have remained in effect for both days, even if it was eaten during the first day. This being the case, you should also agree with me that one can make two separate *eiruv* for the two days in two different directions.

גמ' לרוח אחת מאי נהו – לשני ימים, לשני ימים מאי נהו – לרוח אחת, היינו קמיינתא!

GEMARA The Gemara raises a difficulty with regard to the wording employed by the Rabbis: First, the Rabbis state that one may establish an *eiruv* in one direction. What does this mean? He must establish an *eiruv* in that direction for two days. Then they state that he may establish an *eiruv* for two days. What does this mean? He must establish an *eiruv* for the two days in one direction. If so, this is exactly the same as the first clause.

הכי קאמרי ליה רבנן לרבי אליעזר: אי אתה מודה שאין מערבין ליום אחד חציו לצפון וחציו לדרום? אמר להן: אבל בשם שאין מערבין ליום אחד חציו לדרום וחציו לצפון – כך אין מערבין לשני ימים, יום אחד למזרח ויום אחד למערב.

The Gemara explains: This is what the Rabbis said to Rabbi Eliezer: Don't you concede that in the case of one day, one may not establish an *eiruv* for half the day to the north and for half of it to the south?ⁿ Rabbi Eliezer said to them: Indeed, I agree. They then said to him: Just as one may not establish an *eiruv* for one day, half the day to the north and half the day to the south, so too, one may not establish an *eiruv* for two consecutive days of sanctity, one day to the east and one day to the west.

ורבי אליעזר: התי – קדושה אחת, התי שתי קדושות.

And how does Rabbi Eliezer respond? He holds as follows: There, one day constitutes one sanctity, and it is impossible to impossible to divide the day such that the *eiruv* applies to one direction for one half of the day and to another direction for the other half of the day. Here, where Shabbat and a Festival fall out on consecutive days, they are two separate sanctities, and therefore one can establish separate *eiruv* for the two days.

HALAKHA

If one established an *eiruv* with his feet on the first day – עירב ברגליו בראשון: If one established an *eiruv* by foot on a Festival adjacent to Shabbat, he may establish an *eiruv* by foot on the second day as well. However, if he made an *eiruv* with food and the food was eaten, he may not establish an *eiruv* the following day with different food, since it is prohibited to prepare from a Festival for Shabbat or vice versa. The *halakha* is in accordance with the opinion of Rabbi Yehuda HaNasi. However, if one established an *eiruv* for the first day with food, he may establish an *eiruv* for the second day on foot (*Shulhan Arukh, Orach Hayyim* 416:2).

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Due to preparation – משום הכנה: Why doesn't Rabbi Eliezer base his ruling on the prohibition to purchase a house on Shabbat, since one acquires a new domain through establishing an *eiruv*? The commentaries answer that it is possible to refute this claim by differentiating between various types of acquisitions. Establishing an *eiruv tehumin* is not considered to be a form of literal acquisition (Rashba).

אמר להן רבי אליעזר: אי אתם מודים שאם עירב ברגליו ביום ראשון – מערב ברגליו ביום שני, נאכל עירובו ביום ראשון – אין יוצא עליו ביום שני.

אמרו לו: אבל. הא לאיי שתי קדושות הן. ורבנן: ספוקי מספקא להו, והכא לחומרא והכא לחומרא.

אמרו לו לרבי אליעזר: אי אתה מודה שאין מערבין בתחילה מיום טוב לשבת? אמר להן: אבל. הא לאיי קדושה אחת היא.

ורבי אליעזר: התם משום הכנה.

תנו רבנן: עירב ברגליו ביום ראשון – מערב ברגליו ביום שני. נאכל עירובו ביום ראשון – אין יוצא עליו ביום שני, דברי רבי.

רבי יהודה אומר:

Rabbi Eliezer said to the Rabbis: Don't you concede that if one established an *eiruv* with his feet by actually going to the place where he desires to establish an *eiruv* on the eve of the first day^h and remaining there during the twilight period, as opposed to depositing food there beforehand, he nonetheless must establish another *eiruv* with his feet on the eve of the second day, and one *eiruv* does not suffice; similarly, if his *eiruv* was eaten on the first day, he may not rely on it and go out beyond the limit permitted to the rest of the inhabitants of his town on the second day?

The Rabbis said to him: Indeed, that is correct. Rabbi Eliezer then said to them: Then isn't it correct that they are two distinct sanctities, and therefore one should be permitted to establish two separate *eiruvim* for the two days? And how do the Rabbis respond? They are in doubt about this issue, and therefore their ruling here is stringent and prohibits establishing separate *eiruvim* for the two days in different directions, in case the two days are considered a single sanctity; and their ruling here is stringent and they require a separate *eiruv* for each day, in case the two days are considered distinct sanctities.

The Rabbis said to Rabbi Eliezer: Don't you concede that one may not establish an *eiruv* initially on a Festival for Shabbat, i.e., if a Festival occurs on a Friday and one forgot to establish an *eiruv* on the eve of the Festival, he may not establish an *eiruv* for Shabbat on the Festival itself? Rabbi Eliezer said to them: Indeed, that is correct. They said to him: Then isn't it correct that the two days constitute one sanctity?

The Gemara responds that Rabbi Eliezer holds that there, the *halakha* is so not because the two days constitute a single sanctity, but due to the prohibition of preparationⁿ on a Festival for Shabbat, which includes establishing an *eiruv*.

The Sages taught in a *baraita*: If one established an *eiruv* with his feet by going to the place he wished to establish as his residence on the eve of the first day and remaining there during the twilight period, he must nevertheless establish another *eiruv* with his feet on the eve of the second day. Similarly, if he had established an *eiruv* by depositing food in the place he wished to establish as his residence, and his *eiruv* was eaten on the first day, he may not rely on it and go out beyond the limit permitted to the rest of the inhabitants of the town on the second day. This is the statement of Rabbi Yehuda HaNasi.

Rabbi Yehuda says:

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הרי זה חמר גמל.

This person is in the position of both a donkey driver, who must prod the animal from behind, and a camel driver, who must lead the animal from the front, i.e., he is pulled in two opposing directions. Since we are unsure whether the two days constitute one sanctity or two, he must act stringently as though the *eiruv* established for the first day is both effective and not effective for the second day, i.e., he must restrict his Shabbat movement to those areas where he would be permitted to go in both cases.

רבן שמעון בן גמליאל ורבי ישמעאל בנו של רבי יוחנן בן ברוקה אומרים: עירב ברגליו בראשון – אין מערב ברגליו בשני, נאכל עירובו ביום ראשון – יוצא עליו בשני.

Rabban Shimon ben Gamliel and Rabbi Yishmael, son of Rabbi Yohanan ben Beroka, say: If he established an *eiruv* with his feet on the eve of the first day, he need not establish an *eiruv* with his feet on the eve of the second day, as his *eiruv* remains effective for the second day as well. Similarly, if he had made an *eiruv* by depositing food in the place where he wished to establish his residence, and his *eiruv* was eaten on the first day, he may still rely on it and go out beyond the limit permitted to the rest of the inhabitants of the town on the second day, as the two days constitute one sanctity; from the outset, the *eiruv* acquired his place of rest for both days.

Four Elders – אַרְבַּעַה זְקֵנִים: The source in which these four Elders expressed their opinion is not provided in the Babylonian Talmud. However, in the Jerusalem Talmud it is stated that the four Elders said that someone whose *eiruv* was eaten on the first day may not rely on it on the second day. Rav is referring to this ruling.

When Rav Huna passed away – כִּי נָח נִפְשִׁיהָ דְרַב הוּנָא: Due to a misunderstanding, relations between Rav Huna and Rav H̄isda were strained, and they did not see each other for many years. Therefore, it was only after Rav Huna passed away that Rav H̄isda came to the study hall to raise objections against Rav's statements (Rabbi Zvi Hirsch Chajes; Rabbi Elazar Landau).

HALAKHA

Two sanctities – שְׁתֵּי קְדוּשׁוֹת: A Festival and Shabbat are considered two distinct sanctities with regard to *eiruv* and other matters (*Shulḥan Arukh, Oraḥ Ḥayyim* 416:2).

An egg laid on a Festival – בִּיצָה שְׁנוּלָדָה בְּיוֹם טוֹב: If a Festival and Shabbat occur on consecutive days, an egg laid on one is prohibited on the other, due to the rabbinic prohibition against preparation (*Shulḥan Arukh, Oraḥ Ḥayyim* 503:1, 513:5).

אָמַר רַב: הֲלָכָה כְּאַרְבַּעַה זְקֵנִים הֲלָלוּ, וְאַלְיָבָא דְרַבִּי אֱלִיעֶזֶר דְּאָמַר: שְׁתֵּי קְדוּשׁוֹת הֵן. וְאֵלּוּ הֵן אַרְבַּעַה זְקֵנִים: רַבִּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל, וְרַבִּי יִשְׁמַעְאֵל בְּרַבִּי יוֹחָנָן בֶּן בְּרוּקָה, וְרַבִּי אֱלִיעֶזֶר בְּרַבִּי שְׁמַעוֹן, וְרַבִּי יוֹסֵי בֶר יְהוּדָה סְתִימָתָא. וְאַיְכָּא דְאָמְרֵי: חַד מִיַּמֵּיהּ רַבִּי אֱלִיעֶזֶר, וּמִפְּקֵי רַבִּי יוֹסֵי בֶר יְהוּדָה סְתִימָתָא.

Rav said: The *halakha* is in accordance with the opinion of these four Eldersⁿ and in accordance with the opinion of Rabbi Eliezer, who said: When Shabbat and a Festival occur on consecutive days, they constitute two distinct sanctities.^h And these are the four Elders: Rabban Shimon ben Gamliel; Rabbi Yishmael, son of Rabbi Yoḥanan ben Beroka; Rabbi Eliezer, son of Rabbi Shimon; and Rabbi Yosei bar Yehuda, the one whose opinions were often recorded as unattributed *mishnayot*. And there are those who say: One of them is Rabbi Elazar, and remove from the list Rabbi Yosei bar Yehuda, the one whose statements were often recorded as unattributed *mishnayot*.

וְהָא רַבִּין שְׁמַעוֹן בֶּן גַּמְלִיאֵל וְרַבִּי יִשְׁמַעְאֵל בְּרַבִּי יוֹחָנָן בֶּן בְּרוּקָה אִיפְכָּא שְׁמַעִינן לְהוּ! אִיפּוּדְךָ.

The Gemara raises a difficulty: Didn't we hear that Rabban Shimon ben Gamliel and Rabbi Yishmael, son of Rabbi Yoḥanan ben Beroka, maintain the opposite opinion in the *baraita* cited above, namely that the two days constitute a single sanctity? The Gemara answers: Reverse the attributions in the *baraita*.

אִי הָכִי הֵינֵנוּ רַבִּי! אִימָא: וְכֵן אָמַר רַבִּין שְׁמַעוֹן בֶּן גַּמְלִיאֵל וְכוּ'.

The Gemara asks: If so, this is exactly what Rabbi Yehuda HaNasi said. What is their dispute? The Gemara answers: Say that there is no disagreement between them, and the *baraita* should read as follows: And so too, Rabban Shimon ben Gamliel said that he agrees with what was stated above.

וְלִיחֻשׁוֹב נִמְי רַבִּי! רַבִּי תַנִּי לָהּ וְלָא סָבַר לָהּ.

The Gemara now asks: Let us also count Rabbi Yehuda HaNasi among these Elders, as he too holds that the two days are distinct sanctities. The Gemara answers: Rabbi Yehuda HaNasi taught this opinion, and he himself did not hold it to be correct. He transmitted a ruling that he received from his teachers, but his own opinion was otherwise.

רַבְּנָן נִמְי תַנּוּ לָהּ וְלָא סָבַרִי לָהּ! רַב גַּמְרָא גַּמְיָר לָהּ.

The Gemara raises a difficulty: If so, let us also say that the Rabbis, Rabban Shimon ben Gamliel, and Rabbi Yishmael also taught this law, and they themselves did not hold it to be correct. What proof is there that this represents their own opinions? The Gemara answers: Rav did not rely on the wording of these sources; rather, he learned by way of a definite tradition that these four Elders maintained this position.

כִּי נָח נִפְשִׁיהָ דְרַב הוּנָא, עָיִיל רַב חֲסָדָא לְמִירְמָא דְרַב אֲדוּרַב; מִי אָמַר רַב: הֲלָכָה כְּאַרְבַּעַה זְקֵנִים, וְאַלְיָבָא דְרַבִּי אֱלִיעֶזֶר דְּאָמַר שְׁתֵּי קְדוּשׁוֹת הֵן?

The Gemara relates that when Rav Huna, Rav's preeminent student, passed away,ⁿ Rav H̄isda entered the study hall to raise a contradiction between one statement of Rav and another statement of Rav: Did Rav actually say: The *halakha* is in accordance with the opinion of the four Elders and in accordance with the opinion of Rabbi Eliezer, who said that when Shabbat and a Festival fall out on consecutive days, they constitute two distinct sanctities?

וְהָא אִיתְמַר: שַׁבַּת וְיוֹם טוֹב, רַב אָמַר: נוֹלָדָה בְּזוּהָ – אֲסוּרָה בְּזוּהָ!

Wasn't it stated that with regard to a case where Shabbat and a Festival occur on consecutive days, Rav said: An egg that was laid on one is prohibited on the other,^h just as an egg that was laid on a Festival day is prohibited on that same day? This statement indicates that the two days constitute a single sanctity. How, then, can he say here that the *halakha* is in accordance with the opinion that they are two distinct sanctities?

אָמַר רַבְּה: הָתָם – מִשּׁוֹם הֲכַנְהּ.

Rabba said that a distinction may be drawn between the cases: There, the egg is prohibited on the second day not because the two days constitute a single sanctity but because of the prohibition against preparation, i.e., because it is prohibited to prepare things on a Festival for Shabbat or on Shabbat for a Festival.

דְּתַנְיָא: "וְהָיָה בַּיּוֹם הַשְּׁשִׁי וְהַכִּינּוּ" – חוֹל מְכִין לַשַּׁבָּת, וְחוֹל מְכִין לְיוֹם טוֹב, וְאִין יוֹם טוֹב מְכִין לַשַּׁבָּת, וְאִין שַׁבָּת מְכִינָה לְיוֹם טוֹב.

As it was taught in a *baraita*: The verse that states: "And it shall come to pass, on the sixth day, when they shall prepare that which they bring in" (Exodus 16:5), indicates as follows: On an ordinary weekday one may prepare what is needed for Shabbat, and similarly, on an ordinary weekday one may prepare what is needed for a Festival. However, on a Festival one may not prepare for Shabbat, and on Shabbat one may not prepare for a Festival. Therefore, an egg that was laid on a Festival is prohibited on Shabbat not because they constitute a single sanctity, but because it is prohibited to prepare on one sanctified day for another.

NOTES

A meal that is fit to be eaten while it is still day – סעודה יום: *Tosafot* ask: The *halakha* is that food that may be eaten by some people, such as *teruma*, which may be eaten only by a priest, may be used by anyone to establish an *eiruv*. In this case as well, the *eiruv* is fit to be eaten by people on the other side of the town, so why shouldn't it be considered fit to be eaten?

The Rashba answers that the fact that other people may eat the food is only taken into account when the reason the person establishing the *eiruv* cannot eat it is due to a limitation that stems from the food itself. However, if the person is unable to eat the food for a reason that pertains to himself, the fact that it can be eaten by other people is irrelevant.

Nonetheless, according to Rabbeinu Yehonatan and Rabbi Zerahya HaLevi's versions of the text, this phrase does not appear. Instead, Abaye asks: Isn't he preparing while it is still day?

An *eiruv* on the first and the second – עירוב בראשון ובימי: According to most commentaries, the question does not concern an *eiruv* established with bread but relates to an *eiruv* arranged by foot. According to this explanation, one who makes an *eiruv* with bread has no need to say anything more, for it was all said the day before, and the function of the bread is self-evident. Therefore, the question is only asked with regard to one who establishes an *eiruv* by foot. The *Me'iri* explains that, according to the Gemara's conclusion, one who makes an *eiruv* with bread must say so explicitly, and if he fails to do so, his *eiruv* is invalid. However, one may establish an *eiruv* by foot without saying anything.

Speech and silence – דיבור ושתיקה: Since speech itself is not considered an action, even if one were to say that he is establishing an *eiruv*, why should this be considered a prohibited form of preparation? The explanation given is that in this case, since the act is only completed by means of speech, greater importance is attached to his statement. Consequently, the speaker is regarded as someone who actually prepares on a Festival for Shabbat.

HALAKHA

At the end of one thousand – בסוף אלף: If one wishes to establish two *eiruvim* for two days in different directions, he may not separate them by more than the distance which would allow him to reach on the first day the *eiruv* he prepared for the second day (*Shulhan Arukh, Oraḥ Hayyim* 416:3).

He goes, and is silent, and sits there – דאזיל ושתיק ויחב: One who deposits an *eiruv* on a Festival for Shabbat should not go to the spot and declare that he is going to acquire a place of rest. Rather, he should sit there and remain silent. If he did speak, the *eiruv* is still valid (*Magen Avraham; Shulhan Arukh, Oraḥ Hayyim* 416:2).

BACKGROUND

Two thousand and one thousand – אלפים ואלף: If one lives at point A and established an *eiruv* at point B, he cannot walk to point C, where he had placed his second *eiruv*. However, if he placed one *eiruv* at point D, since the distance from there to point E totals two thousand cubits, he can reach that spot even if he established his residence at the site of his *eiruv*.

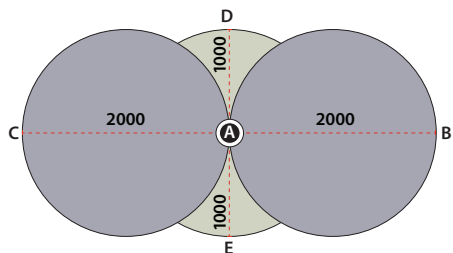


Diagram of different possibilities pertaining to establishment of a residence

אמר ליה אביי: אלא הא דתנן: כיצד הוא עושה – מוליכו בראשון, ומחשיך עליו, ונוטלו ובא לו. בשני מחשיך עליו, ואוכלו ובא לו. הא קא מכין מיום טוב לשבת!

אמר ליה רבא: מי סברת סוף היום קונה עירוב? תחלת היום קונה עירוב, ושבת מכינה לעצמה.

אלא מעתה יערבו בלגיון!

בעינן סעודה הראויה מבעוד יום, וליכא.

אלא הא דתנן, רבי אליעזר אומר: יום טוב הסמוך לשבת, בין מלפניה ובין מלאחריה – מערב אדם שני עירובין. הא בעינן סעודה הראויה מבעוד יום, וליכא!

מי סברת דמנח ליה בסוף אלפים אמה לכאן, ובסוף אלפים אמה לכאן? לא, דמנח ליה בסוף אלף אמה לכאן, ובסוף אלף אמה לכאן.

אלא הא דאמר רב יהודה: עירב ברגליו יום ראשון – מערב ברגליו יום שני, עירב בפת ביום ראשון – מערב בפת ביום שני, הא קא מכין מיום טוב לשבת!

אמר ליה: מי סברת דאזיל ואמר מידי דאזיל ושתיק ויחב.

Abaye said to him: But what about that which we learned in the mishna: What does he do if a Festival occurs on Friday, and he wishes to establish an *eiruv* that will be valid for the Festival and Shabbat? He or his agent takes the *eiruv* to the spot that he wishes to establish as his residence on the eve of the first day, and he stays there with it until nightfall, and then he takes it with him and goes away. On the eve of the second day, i.e., on Friday afternoon, he or his agent takes the *eiruv* back to the same place and stays there with it until nightfall, and then he may eat the *eiruv* and go away, if he so desires. Isn't he preparing on a Festival for Shabbat? According to Rabba, this should be considered a prohibited act of preparation.

Rabba said to him: Do you think that the *eiruv* acquires one's residence at the end of the day, i.e., at the last moment of Shabbat eve, which in this case is a Festival, so that this would involve prohibited preparation? The *eiruv* acquires his residence at the beginning of the day, i.e., at the first moment of Shabbat, which means that no preparations were made for Shabbat on the Festival, and on Shabbat one may prepare for Shabbat itself.

Abaye asked: But if that is so, one should be able to establish an *eiruv* with flasks of wine that were filled from a barrel of first-tithe that was still *tevel* with respect to *teruma* of the tithe, and with regard to which one said: Let this wine in the flask be *teruma* of the tithe for the wine in the barrel only after nightfall. If you say that an *eiruv* acquires one's residence at the beginning of the day, why was it determined that one may not establish an *eiruv* with such wine?

The Gemara answers: In that case the *eiruv* is not valid for a different reason: We require a meal that is fit to be eaten while it is still day, and there is none, as the wine in the flask remains *tevel* and therefore unfit for drinking until nightfall.

Abaye asked further: But what about that which we learned in a mishna: Rabbi Eliezer says: If a Festival is adjacent to Shabbat, whether before it or after it, a person may establish two *eiruvim*. Why are these *eiruvim* valid? Don't we require a meal that is fit to be eaten while it is still day,^N and there is none? Since one established his *eiruv* in one direction for the first day, he can only travel within a two-thousand-cubit radius of that location. Therefore, if he established his *eiruv* for the second day in the opposite direction, he cannot access that *eiruv* during the first day.

The Gemara responds: Do you think that we are dealing with a case where he placed one *eiruv* in the furthest possible spot at the end of two thousand cubits in this direction, and he placed the other *eiruv* in the furthest possible spot at the end of two thousand cubits in that direction, and he is therefore unable to go from one to the other on one day? No, the case is that he placed one *eiruv* at the end of one thousand cubits in this direction, and he placed the other *eiruv* at the end of one thousand cubits in that direction,^{HB} so that even after acquiring his residence on one side of the town by means of the first *eiruv*, he can still go to the spot where he left the other *eiruv* for the second day.

Abaye raised yet another difficulty: But what about that which Rav Yehuda said: If one established an *eiruv* with his feet for the first day, he may establish an *eiruv* with his feet for the second day; and if he established an *eiruv* with bread on the first day, he may establish an *eiruv* with bread on the second day?^N Isn't he preparing from a Festival to Shabbat?

Rabba said to him: Do you think that one must go and say something at the site of the *eiruv*, therefore performing an act of preparation? He goes, and is silent, and sits there,^{NH} and he automatically acquires his residence without having to say or do anything. This does not fall into the category of prohibited preparation.

לא – לא יאדם ללכת אל סוף שדהו: It is prohibited to walk in one's fields on Shabbat for the purpose of determining what they will require after Shabbat. This rule only applies when it is evident that this is one's intention (*Magen Avraham; Shulhan Arukh, Orah Hayyim 306:1*).

במאן – כרבני יוחנן בן נורי, דאמר: חפצי הפקר קונן שביתה?

Abaye asked: **In accordance with whose opinion do you say that nothing must be said when establishing an *eiruv tehumim*? It is in accordance with the opinion of Rabbi Yohanan ben Nuri, who said: A sleeping person acquires a Shabbat residence in the spot where he is sleeping. Even though he is comparable to ownerless property, **ownerless property itself acquires a Shabbat residence** and has its own Shabbat boundary, and there is no need for a person to establish a residence for it in a particular spot.**

אפילו תימא רבנן. עד כאן לא פליגי רבנן עליה דרבני יוחנן בן נורי – אלא בישן. דלא מיצי אמר. אבל בניעור, דאי בעי למימר מיצי אמר, אף על גב דלא אמר – במאן דאמר דמי.

Rabba replied: **Even if you say that my statement is in accordance with the opinion of the Rabbis, the Rabbis disagree with Rabbi Yohanan ben Nuri only with regard to a sleeping person, who cannot say anything, as he is asleep. Consequently, he cannot acquire a Shabbat residence. However, with regard to one who is awake, since if he wanted to speak he could speak, even though he did not say that he is acquiring his Shabbat residence, he is considered as one who did say that statement.**

אמר ליה רבה בר רב חנין לאביי: אי הוה שמיע ליה למר הא דתנא: לא יהלך אדם לסוף שדהו לידע מה היא צריכה, כיוצא בו

Rabba bar Rav Hanin said to Abaye: **If the Master, Rabba, had heard that which was taught in the following *baraita*: A person may not walk to the end of his field^h on Shabbat to determine what work and repair it requires, which will be done after Shabbat. Similarly,**

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לא יטייל אדם על פתח מדינה כדי שיכנס למרחץ מיד – הדר ביה.

a person may not stroll at the entrance to the city toward the end of Shabbat or a Festival in order to enter a bathhouseⁿ immediately upon the conclusion of Shabbat, then Rabba would have retracted his statement with regard to an *eiruv*. This *baraita* indicates that even walking on Shabbat for something one needs after Shabbat falls into the category of prohibited preparation.

ולא היא, שמע ליה ולא הדר ביה. התם – מוכחא מילתא, הכא – לאו מוכחא מילתא היא.

The Gemara rejects this argument: **And this is not correct. Rabba heard this *baraita* but did not retract his ruling, as a distinction can be drawn between the cases. There, in the *baraita* pertaining to one who walks to the end of his field, or one who strolls at the entrance to the city, it is clear to all observers that he is doing so in order to determine what work the field needs after Shabbat, or to enter the bathhouse immediately after Shabbat, respectively. Whereas here, with regard to an *eiruv*, it is not clear to others that one's actions are for the purpose of establishing an *eiruv*.**

אי צורבא מרבנן הוא – אמרין: שמעתא משכתיה, ואי עם הארץ הוא – אמרין: חמרא אירפס ליה.

The Gemara explains: **If he is a Torah scholar [tzurva merabbanan],^l we, the observers, would say: Perhaps his study pulled him, i.e., he was engrossed in his study and was not paying attention to where he was going. And if he is an ignoramus, we would say: Perhaps he lost his donkey and went to look for it. His actions give no indication that he is going to establish an *eiruv* for the following day, as establishing an *eiruv* does not require any recognizable action.**

גופא, אמר רב יהודה: עירב ברגליו ביום ראשון – מערב ברגליו בשני. עירב בפת ביום ראשון – מערב בפת ביום שני.

The Gemara now examines Rav Yehuda's statement **itself**, which was cited in the course of the previous discussion. **Rav Yehuda said: If one established an *eiruv* with his feet on the eve of the first day, he may establish an *eiruv* with his feet on the eve of the second day as well. If he established an *eiruv* with bread that he deposited in the place where he wishes to acquire his place of rest on the eve of the first day, he may establish an *eiruv* with bread on the eve of the second day as well.**

עירב בפת בראשון – מערב ברגליו בשני. עירב ברגליו בראשון – אין מערב בפת בשני, שאין מערבין בתחלה בפת.

If he established an *eiruv* with bread on the eve of the first day, and his *eiruv* was eaten, he may change and establish an *eiruv* with his feet on the eve of the second day. However, if he established an *eiruv* with his feet on the eve of the first day, he may not establish an *eiruv* with bread on the eve of the second day, as one may not initially establish an *eiruv* with bread on a Festival for the sake of Shabbat because it is prohibited to prepare on a Festival for Shabbat.

NOTES

פתח מדינה – פתח מרחץ: The question may be asked: In these circumstances, why can't the same argument, that onlookers might conclude that one went to look for his donkey or was engrossed in his studies, be made? The difference in the case of a bathhouse is that one will not simply walk toward it; he will wait at the entrance to the bathhouse. However, this is not the case with regard to one who is establishing his *eiruv*, since he does not stay there but returns immediately (Maharam of Lublin).

LANGUAGE

צורבא מרבנן – Torah scholar [zurva meirabbanan]: This refers to a Torah scholar, particularly a young scholar. Since ancient times, authorities have disagreed as to the linguistic source of this expression. Some relate the word *zurva* to *tzarevet*, which connotes something hot and scorching like fire. This describes a young scholar's manner in his Torah studies (Rav Hai Gaon). Other commentaries explain that it means vigor and strength, and they find support for this interpretation from other talmudic expressions. The word would therefore be similar to the Arabic root ضرب, *d'rb*, which also denotes vigor and strength (Ran; *Arukh*).