The Gemara comments that the Sages thought to infer from here: For a woman in childbirth, yes, one builds a fire, due to her highly precarious state; for a sick person, no, one does not build a fire. Likewise, in the rainy season, when the danger of catching cold is ever present, yes, one builds a fire; in the summer, no, one may not.

The Gemara adds that which was stated: Rav Hiyya bar Arvin said that Shmuel said: With regard to one who let blood and caught cold, one builds a fire for him on Shabbat, even during the season of Tammuz, i.e., the summer. Clearly, Rav Yehuda’s ruling is limited neither to a woman in childbirth nor to the rainy season.

Ameimar said: This too was stated by the elders of Pumbedita, as it was stated that the amora’im disagreed with regard to which tree is presumed to be a tree designated for idolatry [asheira], even though no one actually saw it worshipped.

Rav said: It is any tree that idolatrous priests guard.

The Gemara returns to Rav Yehuda’s ruling that the barrel used for merging the alleyway must be raised a handbreadth from the ground. The Gemara raises an objection from a baraita: How does one merge an alleyway? One brings a barrel of wine, or oil, or dates, or dried figs, or any other type of produce for merging the alleyway.

If one contributed a barrel of his own, he must confer possession to all the other residents by means of another person who acquires it on their behalf. And if the barrel is theirs, he must at least inform them that he is merging the alleyway. And the one acquiring it on behalf of the others raises the barrel a minimal amount from the ground. Apparently, the barrel need not be raised a handbreadth. The Gemara answers: Here too, what is this minimal amount of which the tanna of the baraita spoke? This expression means a handbreadth, but no less.

It is stated that the amora’im disagreed with regard to the acquisition of a merging of alleyways. Rav said: It is not necessary to confer possession of the food used in merging the alleyway to all the residents of the alleyway; and Shmuel said: It is necessary to confer possession to them. They likewise disagreed with regard to a joining of Shabbat boundaries, but the opinions are reversed. Rav said: It is necessary to confer possession of the food to all those who wish to be included in the eiruv, and Shmuel said: It is not necessary to confer possession to them.

The Gemara raises a difficulty: Granted, according to the opinion of Shmuel, his reasoning is clear, as here, with regard to a merging of the alleyways, we learned in the mishna that he must confer possession, whereas there, with regard to a joining of Shabbat boundaries, we did not learn that this is the halakha. However, according to Rav, what is the reason that he differentiates between the cases in this manner?
The reason for this difference is that in the cases of an eiruv tavshilin, a joining of bounds to the hills known as the Ladder of Tyre before descending southward along the coast to Acre, and from there inland to Tiberias. This is a longer route to Eretz Yisrael.

And the incident came before Rabbi Hiyya for a ruling as to whether the eiruv is valid, and he ruled that it was not valid and prohibited her return. Rabbi Yishmael, son of Rabbi Yosei, said to him: Babylonian, are you so stringent with regard to an eiruv? This is what my father said: Any case where you have the ability to be lenient with regard to an eiruv, be lenient.

And a dilemma was raised before the Sages: Did the mother-in-law establish the eiruv for her daughter-in-law with the mother-in-law’s food, and Rabbi Hiyya prohibited it because she did not confer possession to her, i.e., she merely prepared the eiruv but did not confer possession of the food, and an eiruv of this kind is not effective? Or perhaps she established the eiruv for her with the daughter-in-law’s own food, but the eiruv was invalid because it was prepared without her knowledge?

One of the Sages, named Rabbi Ya’akov, said to them: It was personally explained to me by Rabbi Yoḥanan that the mother-in-law established the eiruv for her with the mother-in-law’s food, and Rabbi Hiyya prohibited it because she did not confer possession of the food to her.

Rabbi Zeira said to Rabbi Ya’akov, son of the daughter of Ya’akov: When you go there, to Eretz Yisrael, take a roundabout route, i.e., do not travel by the shortest path, and go to the Ladder of Tyre and raise this dilemma before Rav Ya’akov bar Idi.

Rav Ya’akov did so and raised a dilemma before him: With regard to that incident, did the mother-in-law establish the eiruv for her daughter-in-law from the mother-in-law’s food, and Rabbi Hiyya prohibited it because she did not confer possession of the food to her? Or perhaps she established the eiruv for her with the daughter-in-law’s own food, but the eiruv was invalid because it was prepared without her knowledge?

Rav Ya’akov bar Idi said to him: The mother-in-law established the eiruv for her with the mother-in-law’s food, and Rabbi Hiyya prohibited it because she did not confer possession of the food to her. Like his master and uncle, Rabbi Hiyya, Rav also maintains that possession of the food must be conferred upon those who wish to be included in a joining of Shabbat boundaries.

Rav Nahman said: We hold based on tradition that with regard to all of them, joining of Shabbat boundaries, joining of courtyards, and merging of alleyways, it is necessary to confer possession. After issuing this statement, Rav Nahman raised a dilemma concerning an issue that was not sufficiently clear to him: With regard to a joining of cooked foods, it is necessary to confer possession.
The Gemara

The neighbors said to him: Rent your domain to us so that we may carry on Shabbat. However, he would not rent it to them. They came before Rabbi Zeira and asked him: What is the halakha if we seek to rent the domain from his wife without her husband’s knowledge?

Rabbi Zeira said to them: Reish Lakish said as follows: A man’s wife may establish an eiruv without his knowledge. A certain gentle superintendent [tursina] lived in Rabbi Zeira’s neighborhood. The neighbors said to him: Rent your domain to us so that we may carry on Shabbat. However, he would not rent it to them. They came before Rabbi Zeira and asked him: What is the halakha if we seek to rent the domain from his wife without her husband’s knowledge?

The Gemara raises a similar incident: A certain superintendent lived in the neighborhood of Rav Yehuda bar Oshaya. The neighbors said to him: Rent your domain to us so that we may establish an eiruv and carry on Shabbat, but he would not rent it to them. They came before Rav Yehuda bar Oshaya and said to him: What is the halakha if we seek to rent it from his wife? He did not have a ready answer at hand. They subsequently came before Rav Mattana, and he too did not have an answer at hand. They came before Rav Yehuda, who said to them that Shmuel said as follows: A man’s wife may establish an eiruv without his knowledge, and the same applies to renting out his property.

Rav Yosef said to him: Didn’t Shmuel say, with regard to a joining of Shabbat boundaries, that it is not necessary to confer possession, and Rav Nahman nonetheless said that it is necessary to confer possession? Perhaps here too Rav Nahman did not accept Shmuel’s ruling.

Rav Yosef said: What is his dilemma? Did he not hear that which Rav Nahman bar Rav Adda said that Shmuel said: With regard to a joining of cooked foods, it is necessary to confer possession? Abaye said to Rav Yosef: It is obvious that he did not hear that ruling, as had he heard it, why would he have raised this dilemma?

Abaye replied: How can you compare the two cases? Granted, there, with regard to a merging of alleyways and a joining of Shabbat boundaries, Rav and Shmuel disagree, and Rav Nahman teaches us that the halakha is in accordance with the stringency of this master and the stringency of that master, i.e., his ruling is based on both opinions. However, here, with regard to a joining of cooked foods, if it is so, if he actually heard Shmuel’s ruling, is there anyone who disputes it? If one of his teachers issued an uncontested ruling, it is presumably an established halakha.

A man’s wife may establish an eiruv without his knowledge. However, in general, the Sages applied the verse: “And the foot walks in darkness” (Ecclesiastes 2:14) to one who acts in accordance with the stringencies of both sides of a debate. However, that principle does not apply to this case, as Rav and Shmuel provide different and not necessarily contradictory reasons. In this case, it is possible to accept both opinions (Ritva).

In this case he would prohibit – apparently, the Rambam interprets the phrase: in this case he would prohibit, as referring to a situation where he states that he does not wish to participate in the eiruv. In that case, it is prohibited for his wife to establish an eiruv for him without his knowledge. The phrase: in that case he would not prohibit, refers to a situation where he did not indicate his preference.

Superintendent [tursina] – תורסינה: The source and meaning of this word are unclear. Some authorities maintain that it refers to the person who guards the clothes in the royal chambers. Other linguists explain that it derives from the Persian tirzan, or tabarozan, meaning military men, archers, or swordsmen. It possibly refers to a military appointment.
One... who was accustomed to join in a merging of alleyways – it is different.

From the side (mitzad) it is different – אָמַר רַבִּי אַפְרָא דֶּרֶךְ.[1] This phrase is unclear, and the commentaries sought to explain it. Some commentaries rely on variant readings of the text that omit the phrase. The Vilna Gaon and the author of the Noda Bi-huda read: in the court (the abbreviation of bevret dir, bet, bet, dakev) it is different, i.e., there is a difference between neighbors cohering each other of their own accord, and the coercion of a court order.

Other authorities maintain that the phrase: from the side is different, is referring to carrying from the side. In other words, if the alleyway had a side post or a cross beam, the full prohibition of carrying would not be in effect, as it would be considered carrying from the side, i.e., in an unusual manner. It is therefore necessary to coerce each person to contribute to the adjustment of the alleyway (Mekom Shmuel).

Alternatively, the word mitzad may be derived from metzada, a fortress (see 1 Chronicles 11:7). As the alleyway has partitions and is closed off like a fortress, one is forced to erect a side post or a cross beam as well (Rabbi A.Z. Margaliyot).

Yet other commentaries explain that the phrase: from the side is referring to the adjustment of a merging of alleyways, which is not part of the alleyway itself, and therefore one is not compelled to participate. The same cannot be said with regard to the adjustment of a side post or a cross beam, which does affect the alleyway itself (Sefer Yehoshua: Responsa Meir Netiv).

The Gemara adds: So too, it is reasonable that this is the correct interpretation, as if you do not say this, there is a contradiction between this ruling of Shmuel and another ruling of Shmuel. As Shmuel said: With regard to one of the residents of an alleyway who was accustomed to join in a merging of alleyways with the other residents of the alleyway, but one Shabbat he did not join in a merging of alleyways with them, the other residents of the alleyway may enter his house and take his contribution to their merging of alleyways from him even against his will.

The Gemara infers: If he was accustomed to join in their merging of the alleyway, yes, they may enter his house to collect his contribution, but if he was not accustomed to do so, no, they may not do so. Clearly, it is not possible in all cases to compel a person to participate in a merging of alleyways against his will. The Gemara concludes: Indeed, conclude from it that it is so.

The Gemara suggests: Let us say that the following baraita supports him. The residents of an alleyway may compel anyone who lives in the alleyway to erect a side post[2] and a cross beam for the alleyway. This teaching indicates that with regard to these Shabbat enactments, a person’s wishes are not taken into account; rather, others may act on his behalf even against his will.

HALAKHA

One... who was accustomed to join in a merging of alleyways – With regard to a resident of an alleyway who is accustomed to participating in merging the alleyway with the other residents of his alleyway, but who does not impose restrictions upon them, or one who does impose restrictions but is accustomed to participate, and yet he now desires to participate in this merging, the other residents may collect his contribution from him even against his will (Shulhan Arukh, Orah Hayyim 367:1).

Compel to erect a side post – כלל שאך באפס[3]: All residents of an alleyway may be forced to erect a side post and a cross beam for the alleyway (Shulhan Arukh, Hoshen Mishpat 162:1).

The Gemara answers: It is different there, as there are no partitions. That alley is breached, and it is therefore fitting to compel its residents to establish some sort of partition, if only for the sake of protection. However, if there are partitions, one is not obligated to join in a merging of alleyways.

Another version of this explanation: From the side it is different[4], i.e., the preparation of an eiruv does not involve an adjustment to the alleyway itself, but rather it is a side issue. Consequently, an individual cannot be forced to participate in its preparation (Meir Netiv).

It is stated that the amora‘im disputed this issue. Rav Haiyya bar Ashi said: One may build a side post from the wood of an asheira. Although it is prohibited to benefit from the tree and it must be burned, setting up a side post is a mitzva, and mitzva were not given for benefit, i.e., the fulfillment of a mitzva is not in itself considered a benefit. And Rabbi Shimon ben Lakish said: One may build a cross beam from the wood of an asheira.

The Gemara clarifies their opinions: With regard to the one who said that one may build a cross beam from the wood of an asheira, Rabbi Shimon ben Lakish, all the more so he would permit a side post to be prepared from an asheira. And the one who said that one may build a side post from an asheira, Rav Haiyya bar Ashi, spoke only of a side post; but as for a cross beam, no, he did not permit one to build it from an asheira. The reason is that an asheira must be burned, and it is therefore as though its size has already been crushed. Consequently, a cross beam, which must be at least a handbreadth in size, may not be prepared from an asheira. With regard to a side post, by contrast, a minimal width suffices, which means that even wood from an asheira is fit, despite the fact that it is viewed as burned.

MISHNA

If the food in the barrel for the merging of the alleyway diminished and was less than the requisite measure, one may add a little of his own and confer possession to the others, and he need not inform them of his addition. However, if new residents were added to the residents of the alleyway, he may add food on behalf of those residents and confer possession to them, and he must inform the new residents of their inclusion in the merging of alleyways.

NOTES

From the side [mitzad] it is different – אָמַר רַבִּי אַפְרָא דֶּרֶךְ: This phrase is unclear, and the commentaries sought to explain it. Some commentators rely on variant readings of the text that omit the phrase. The Vilna Gaon and the author of the Noda Bi-huda read: in the court (the abbreviation of bevret dir, bet, bet, dakev) it is different, i.e., there is a difference between neighbors cohering each other of their own accord, and the coercion of a court order.

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What is the measure of food required for a merging of the alleyways? When the residents of the alley are numerous, food for two meals is sufficient for all of them; when they are few, less than a certain number, a dried fig-bulk for each and every one of them is enough.\

Rabbi Yosei said: In what case is this statement said? It is said with regard to the beginning of an eiruv, when it is initially established. However, with regard to the remnants of an eiruv, e.g., if the eiruv decreased in size on Shabbat, it remains valid if even any amount remains.\

And in general they said that it is necessary to join the courtyards, even though a merging of the alleyways was already in place, only so that the halachic category of eiruv will not be forgotten by the children, i.e., so that the next generation should be aware that an eiruv can be established for a courtyard, for otherwise they would be entirely unaware of this halachic category.

**GEMARA** The mishna stated: If the food in the barrel for the merging of the alleyway diminished and was less than the requisite measure, one may add to it without informing the others. The Gemara poses a question: With what case are we dealing here? If you say that he added the same type of food that had initially been used for the merging of the alleyway, why specify this particular case where the food decreased in measure? Even if the food was entirely finished, he should likewise not be obligated to inform them.

Rather, perhaps it is referring to two types of food, i.e., one added a different kind of food that had not been used beforehand. If so, even if it only decreased in measure, no, he should also not be permitted to add to the merging of the alleyway without informing them. As it was taught in a baraita: If the food of a merging of the alleyway was entirely finished, and he added the same type of food to it, he need not inform the other residents; however, if the amount he added was from two types of food, i.e., if the added food was different from the original, he must inform them. The Gemara assumes that the same halakha is in effect even if the food of the merging of the alleyway only decreased in measure.

The Gemara answers: If you wish, say that the mishna is referring to a case where his addition was from the same kind of food, and if you wish, say instead that it was from two kinds. The Gemara clarifies the previous statement: If you wish, say that it is referring to a case where his addition was from the same kind of food, and what is the meaning of decreased? It means that the food entirely crumbled away, so that nothing at all remained.

And if you wish, say instead that the mishna is referring to a case where his addition was from two kinds of food, for if the eiruv was entirely finished, the halakha is different. That is to say, the halakha of the baraita that he must inform the others is in effect only if the food was entirely finished, but if any of it remains there is no need to inform them of his addition, and he may confer possession of even a different kind of food.

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**HALAKHA**

The measure of an eiruv at the beginning – שִׁיעוּר בִּשְׁיָרֵי עֵירוּב. What is the initial amount of food required for an eiruv? If there are numerous residents participating, there must be enough food for two meals for all of them. If there were few participants, the amount of a dried fig-bulk for each of them is sufficient (Shulhan Arukh, Orach Hayyim 367:4).

The measure of the remnants of an eiruv – שִׁיעוּר בִּרְבֵּפִילָה. With regard to food of an eiruv that decreased to less than the required amount after Shabbat began, if any part of it remains, it is a valid eiruv; even for another Shabbat. However, the consensus among the later commentaries is that one should not rely on an eiruv of this kind (Bereshit Rabbah; Shulhan Arukh, Orach Hayyim 367:4).

To join the courtyards – אֵימָא מִמִּין אֶחָד. In places where everyone participates in the merging of an alleyway, they should nonetheless establish an eiruv for their courtyards, so that the halakha of eiruv will not be forgotten by their children (Shulhan Arukh, Orach Hayyim 367:1).

If an eiruv decreased – מְזוֹן שְׁתֵּי סְעוּדוֹת לְכוּלָּם. When the food of an eiruv is reduced to less than the required amount, the following rules apply: if one adds the same type of food to it, he is not obligated to inform the other residents. If he added a different type of food, he must inform the other participants if the food was entirely finished. However, if the food only decreased in amount, he is not required to inform them. These halakhot apply only if he prepared the eiruv from their food. However, if he transferred possession of his own food to them, he need not inform them in any of these cases (Rashi; Shulhan Arukh, Orach Hayyim 368:2).
If residents were added – Ḥalakha. If a person included more residents in an eiruv of courtyards, he is required to inform them, even if he prepared the eiruv from his own food (Magen Avraham), especially if they have the option of participating in an eiruv in a different place (Shulḥan Arukh, Ḥazĥaronim 368:2).

Numerous and few – Ḥalakha. With regard to the food of an eiruv, numerous means eighteen people or more, in accordance with the opinion of Shmuel (Shutḥan Arukh, Ḥazĥaronim 368:3).

With a loaf but not with a broken piece – Ḥalakha. An eiruv must be prepared from a whole loaf of bread, even a small one. A broken piece may not be used, even if it is large. The Rema explains that each person provides a small amount of flour with which they bake a single loaf, in accordance with the Raʿavad and the Maggid Mishne. This is the prevalent custom.

According to the Rosh and the Magen Avraham, if one person transfers possession of the eiruv to all the rest, he may even use a broken piece (Shulḥan Arukh Ḥazĥaronim 366:6a).

Eighteen and no more – Ḥalakha. This question is surprising, as it is well known that whenever the Sages established a measure as a particular number they mean from that number upwards. However, in this context it perhaps they permitted using food for two meals in merging alleysways only if there are eighteen people participating, which would be slightly less than a dried fig-bulk per person. However, if there were more than eighteen people, perhaps a larger amount would be required. Consequently, the question is appropriate (Rashba).

The Gemara answers: It was nonetheless necessary, lest you say that this ruling, i.e., that he must inform them, applies only to a courtyard that is situated between two alleys, in which case the residents of the courtyard may join in a merging of alleysways with whichever alleyway they prefer. Consequently, he must inform them with which alleyway he prepared the merging, in case they preferred to join the other alleyway. However, with regard to a courtyard that opens into only one alleyway, the merging of the alleyway only benefits them and does not harm them in any way, and you might therefore say no, that even the tanna of the mishna concedes that it is not necessary to inform them. Rav Hisda therefore teaches us that the tanna of the mishna maintains that he must inform them in all cases, contrary to the opinion of Rabbi Yehuda.

The mishna continues: What is the measure of food required for a merging of the alleysways? It then specifies different amounts when the residents of the alley are numerous and when they are few. The Gemara asks: How many are numerous, and how many are considered few? The Gemara registers surprise: Eighteen and no more? The Gemara answers: Say: From eighteen upward.

The Gemara asks: And what is the significance of the number eighteen that he cited? Why this figure in particular? The Gemara answers that Rav Yitzḥak, son of Rav Yehuda, said: It was explained to me personally by my father, Rav Yehuda: Any case where, if one were to divide the food of two meals between them and it does not amount to the measure of a dried fig for each and every one of them, these are the very ones the tanna termed numerous, and in this case food for two meals suffices for all of them. And if not, these are the very ones the tanna termed few, which means food in the measure of a dried fig is required for each of them.

And Rav Yehuda incidentally teaches us that food for two meals consists of a measure equal to eighteen dried figs. Consequently, if there were numerous residents in the alley, then eighteen dried figs, which is food sufficient for two meals, is enough for them.

Mishna One may join courtyards and merge alleysways with all types of food, except for water and salt, as they are not considered foods. This is the statement of Rabbi Eliezer. Rabbi Yehoshua says that a different limitation applies: A whole loaf may be used for an eiruv. With regard to a baked product even the size of a se’er, if it consists of pieces, one may not join courtyards with it. However, with regard to a loaf, even one the size of an issar, if it is whole, one may join courtyards with it."