



## Eiruv Techum in a Tree

The third *perek* of *Eiruvin* deals with the laws of *eiruv techumin*. One is may not travel beyond the edge of the city further than two-thousand *amot*. We learnt, that for the sake of a *mitzvah*, one can move their *shevita* (dwelling place) in one direction (less than two thousand *amot* from their home). Doing so, would move the centre from where we calculate the two thousand *amot* limit to that location, thereby allowing the person to walk further in that direction. One way of doing this is to place an *eiruv techum* (some food) at that location during *bein hashmashot* prior to *Shabbat*.

The *Mishnah* (3:3) taught that if one placed their *eiruv* in a tree ten *tephachim* above the ground, the *eiruv* is not valid. The *Bartenura* explains that the tree is located in *reshut harabim* (public domain) - where he intends his *makom shevita* to be. The space of the tree is at last four-by-four *tephachim*, meaning that the *eiruv* is in a *reshut hayachid* (private domain). Since it would be prohibited from him to take his *eiruv* to the *makom shevita* during *bein hashmashot* the *eiruv* is not effective.

The *Mishnah* continues that it would be valid if the *eiruv* was placed in the tree below ten *tephachim*. Even though that location is defined as a *karmelit* and it would normally be prohibited on a rabbinic level to take the *eiruv*, the *Chachamim* did not apply such decrees (*shevutim*) during *bein hashmashot*. The *Tosfot Yom Tov* explains that this is true only for the sake of a *mitzvah*. Since however one can only make an *eiruv techum* for a *mitzvah* the logic stands.

The *Mishnah* then continues that if the *eiruv* was placed in a pit, at least ten *tephachim* deep and four wide, then the *eiruv* is likewise valid. In this case, the *Bartunera* explains that the pit is in a *karmelit*, e.g. an open field. That way, since the prohibition to transfer from a *karmelit* to a *reshut hayachid* is a *shevut* and *shevutim* are permitted during *bein hashmashot*, it explains why the *eiruv* is effective.

The *Tosfot Yom Tov* asks that the according to this understanding, the two cases are not similar. In the first case the tree is in *reshut harabim* while in the second case the pit is in a *karmalit*. The *Tosfot Chadashim* argues that the case involving the tree is also located in a *karmelit*. The reason why the *eiruv techum* is ineffective if it is above ten

*tephachim* is because it involves two *shevutim*: transferring from a *reshut hayachid* to a *karmelit* and using a tree.

The *Tosfot R' Akiva Eiger* however finds this explanation difficult. When the *Gemara* discussed this case, one understanding is that tree was in *reshut harabim*. According to that understanding, transferring from a location below ten *tephachim* would also involve two *shevutim*: transferring from a *karmelit* to *reshut harabim* and using a tree. Nevertheless, the *Gemara* did not reject this understanding based on those grounds.

The *Chidushei Mahariach* asks a further question. Why was the case of the pit necessary? If it was to teach that one can transfer from a *reshut hayachid* to a *karmelit* during *bein hashmashot*, we learn that that is true from the case where the *eruv* was placed in the tree below ten *tephachim* from the ground. In that case, one would be transferring from a *karmelit* to the *reshut harabim* and the *Mishnah* already taught that it is valid.

The *Chidushei Maharaich* explains that all the cases are indeed necessary. The end of the *Mishnah* records the debate where the *eiruv* was locked in cupboard. According to the *Tana Kama* (first opinion) only one *shevut* would need to be violated (cutting the rope) so the *eiruv* is valid. According to *R' Eliezer* carrying the knife for this purpose would be an additional *shevut* so the *eiruv* is not valid.

The *Chidushei Mahariach* explains that the case involving the pit (located in a *karmelit*) is required to teach that if accessing the *eiruv* involves one *shevut* then everyone agrees that the *eiruv* is valid. The case of the tree however involves an additional *shevut* of using a tree on *Shabbat*. That case is required since from the case where the *eiruv* was locked in the cupboard, it would be possible to understand that in principle the *Tana Kama* agrees that if it involved two *shevutim* then the *eiruv* would be invalid; the *Tana Kama* simple argues that the case only involves one. Therefore the case of the tree located in *reshut harabim*, where if it is below ten *tephachim* the *eiruv* is valid, is necessary. It teaches that the *Tana Kama* maintains that the *eiruv* is valid even when accessing the *eiruv* during *bein hashmashot* would involve two *shevutim*.

## Revision Questions

עירובין ב' ג' – ד' א'

- *R' Yehuda* explains that the maximum area that can be encompassed by this special partition is *beit sata'im*. The *Chachamim*, who disagree, argue that this restriction only applies to which areas? (ב' ג')
- Who holds that if a public thoroughfare passes through this special partition, that it disqualifies it? (ד' א')
- List the two opinions regarding which water-hole and its location suitable for this special partition. (ב' ד')
- What is the length of a square shaped property that is considered *beit sata'im*? (ב' ה')
- What is a *karpaf*? List the three opinions regarding what a (small) *karpaf* must contain in order that the partition enables one to carry within it. (ב' ה')
- *R' El'ay* said in the name of whom that even if a walled *karpaf* is the size of a *beit kur* one can carry inside it? (ב' ו')
- What are the two items with which one cannot make an *eiruv chatzeirot*? (א' ג')
- Which two other laws are mentioned in connection to these two items? (א' ג')
- Can a *nazir* make an *eiruv* with wine or an *Israel* with *trumah*? (א' ג')
- Can one make an *eiruv* with: (ב' ג')
  - *Demai*?
  - *Ma'aser sheni*?
- In what situation could one make a minor his *shaliach* to place an *eiruv techumim*? (ב' ג')
- Where in a tree is one allowed to place his *eiruv techumim*? (ג' ג')
- How deep into a pit can one place his *eiruv techumim*? (ג' ג')
- Explain the debate regarding one who locked their *eiruv* in a cupboard and lost the key, whether it is a valid *eiruv*. (ג' ג')
- Is the *eiruv techumim* valid if it rolled out of the city's *techum* on *erev Shabbat*? (ג' ד')
- What is the law if one lost his *eiruv* but is unclear when it was lost – include both opinions? (ד' ג')
- Can one place two *eiruvim* on a particular condition such that only one will be valid? (ה' ג')
- Explain the debate regarding placing two *eiruvim* for *Yom Tov* and *Shabbat* that immediately follows it. (ו' ג')
- Describe the *Chachamim's* solution to the previous question. (ו' ג')
- Is there a similar debate by the two days of *Rosh Hashanah*? (ז' ג')
- What are two cases debated regarding the two days of *Rosh Hashanah*? (ז' ח')
- What are the two opinions about how one should reference *Rosh Chodesh* on *Rosh Hashanah*? (ז' ט')
- If someone was forcibly taken outside the *techum*, how far can he walk? (ד' א')
- If that person was then forcibly returned inside his *techum*, how far can he walk? (ד' א')
- Explain the debate regarding one that was forcibly removed from his *techum* and placed in a walled-off area. (ד' א')

## Melbourne, Australia

### Sunday -Thursday

10 minutes before *Mincha*  
Mizrachi Shul  
Melbourne, Australia

### Friday & Shabbat

10 minutes before *Mincha*  
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## Efrat, Israel

*Shiur in English*

### Sunday -Thursday

Rabbi Mordechai Scharf  
9:00am  
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## Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
14 May י"ח אייר	15 May י"ט אייר	16 May כ' אייר	17 May כ"א אייר	18 May כ"ב אייר	19 May כ"ג אייר	20 May כ"ד אייר
Eruvin 4:2-3	Eruvin 4:4-5	Eruvin 4:6-7	Eruvin 4:8-9	Eruvin 4:10-11	Eruvin 5:1-2	Eruvin 5:3-4

