



The Chatzer and Mavoi

The *chatzer* is a courtyard shared by many independent dwellings and the *mavoi* is the private alleyway onto which these shared courtyards open. Even though one would technically be allowed to carry in these areas, since they are shared domains there was a concern that people might confuse carrying from one's house to the shared *chatzer* and carrying from a private domain to the public one, thereby incorrectly permitting the latter. Consequently *Shlomo Hamelech* decreed that no carrying would be allowed into these areas without an *eiruv chatzeirot* (*eiruv* for short) and *shituf mavoi* (*shituf* for short) respectively.

The *Mishnah* (6:8) discusses whether the use of one of these mechanisms can cover the other. If all residents of each of the *chatzeirot* made *eiruv* independently and made a unified *eiruv*, it would not exempt them from making a *shituf* as well. The *Gemara* explains that even though only one may have sufficed, this *Mishnah* reflects the opinion of *R' Meir* who was concerned that the younger generation will not see the other performed and forget the law. Consequently he required both an *eiruv* and *shituf*.

If however for example only one of the members of a *chatzer* forgot to join in the *eiruv*, then the *shituf* can cover the lack of *eiruv*. The reason is that since an *eiruv* was performed (albeit incompletely), there is no longer a concern that it will be lost. Interestingly however, the *Mishnah* continues, that if both *eiruv* and *shituf* were performed, but one of the members forget to join in the *shituf* then the *shituf* is invalid, and each of the residents may only rely on their own *eiruv*. The question is, according to *R' Meir* why does the same logic not apply? Why can we not say that since both the *shituf* and *eiruv* were performed, there is no longer a concern that the law

will be forgotten, and that the combined *eiruv* will cover the lack of *shituf*?

The *Tosfot Yom Tov* answers that the case in our *Mishnah* is where each of the *chatzeirot* only opened to the *mavoi* and not also to the adjoining *chatzer*. Consequently each *chatzer* only performed an *eiruv* independently and there was no *eiruv* that combined them together. Since there was no mechanism to combine the *chatzeirot*, there was nothing that could have replaced the *shituf mavoi*.

R' Yehonatan explains that if only one person had forgotten to join in the *shituf* then indeed the law would be the same and the combined *eiruv* would fill the lack of proper *shituf*. The case in the *Mishnah* however is where an entire *chatzer* forgot to join in the *shituf*. The great number missing from the *shituf* presents a concern that the law of *shituf* may become forgotten if we allow the *eiruv* to take its place.

Both previous answers have modified our original assumptions about the case in the *Mishnah*. The *Tosfot Ha'Rid* however explains that a combined *eiruv chatzeirot* cannot cover a *shituf mavoi* – ever. The function of a house and a protected *chatzer* are similar, with the *keilim* of a house often spilling over into the *chatzer*. The *mavoi* however, being more open and public in nature, is not used in the same way. When an *eiruv chatzeirot* is performed, it combines the houses of the *chatzer*. The *chatzeirot* are simply *batel* to the houses and combined by default. The *mavoi* however, since it has a different utility, is not *batel* to the *chatzeirot* and a separate *shituf* is required to permit carrying in it.¹

Yisrael Yitzchak Bankier

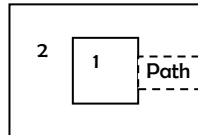
¹ From the answers of *Rabbeinu Yehonatan* and the *Tosfot Ha'Rid* perhaps we can see two different understandings in the workings of an *eiruv chatzeirot*. As we have seen explained in the *Tosfot Ha'Rid*, it appears that the *eiruv chatzeirot* combines domains. As the *Tosfot Ha'Rid* writes, it combines houses, making shared areas into a single one. Consequently while combining houses affects *chatzeirot*, it does not affect the *mavoi*. *R'*

Yehonatan however may understand that the *eiruv* combines the people. As the *Shulchan Aruch* writes, it makes it as if all the residents are eating in the one house and the *chatzer* thereby dedicated to that one house. With the residents combined, the *eiruv chatzeirot* can satisfy lack of *shituf* were it not for the concern that the law of *shituf* would be lost.

Revision Questions

עירובין ו' ב' - ז' ה'

- Explain the debate regarding how a *tzaduki* can affect an *eiruv chatzeirot*. (ב' ו')
- If one of the members of a *chatzer* forgot to join in the *eiruv chatzeirot* yet was *mevatel reshut* in the *chatzer*, where can each of the members of the *chatzer* transfer objects? (ג: ו')
- Regarding the previous question, what if he was not *mevatel reshut* but the rest of the residents were *mevatel reshut* in the *chatzer*? (ג: ו')
- Explain the debate regarding the latest time when one can *mevatel reshut*. (ד: ו')
- Explain the debate regarding a case where one was *mevatel reshut* yet inadvertently carried something into the *chatzer*. (ה: ו')
- In which case do *Beit Shammai* and *Beit Hillel* disagree regarding an *eiruv chatzeirot* for people living in the same building and when do they agree? (ו: ו')
- If two brothers live in different apartments in an apartment block, yet are still supported by their father, when do they need to each provide bread for the *eiruv chatzeirot* and when can one suffice for them both? (ז: ו')
- What is the law regarding a multiple courtyards that are open to a *mavoi* where: (ח: ו')
 - Each *chatzer* performed an *eiruv chatzeirot* but they did not perform a *shituf mavoi*?
 - They performed a *shituf mavoi* but not an *eiruv chatzeirot*?
 - They performed both, but one resident of a *chatzer* forgot to join the *eiruv*?
 - They performed both, but one resident forgot to join in the *shituf mavoi*?
- For two *chatzeirot* formed in the following manner, what is the law regarding a case where: (ט: ו')



- The residents of the internal *chatzer* made an *eiruv chatzeirot* while the others did not? (ט: ו')
- The residents of the outer *chatzer* made an *eiruv chatzeirot* while the others did not? (ט: ו')
- Both independently made their own *eiruv chatzeirot*? (ט: ו')
- One of the internal residents forgot to join the *eiruv chatzeirot*? (י: ו')
- One of the outer residents forgot to join the *eiruv chatzeirot*? (י: ו')
- All residents of both *chatzeirot* joined together and a resident from the outer *chatzer* forgot to join in? (י: ו')
- What are the dimensions of a window in the wall dividing two *chatzeirot* that enables both residents to join together in one *eiruv chatzeirot*? (יא: ו')
- What are the dimensions of a wall that divides two *chatzeirot*? (יב: ו')
- How large must a break in a wall dividing two *chatzeirot* be in order that both residents can join in an *eiruv chatzeirot*? (יב: ו')
- What is the depth of a ditch that divides two *chatzeirot*? (יג: ו')
- Can such a ditch be filled with straw and still divide the two *chatzeirot*? (יג: ו')
- What can one do to a ditch if they wish to join both *chatzeirot* in an *eiruv chatzeirot*? (יד: ו')
- What are the dimensions of a stack of produce that divides two *chatzeirot*? (יד: ו')

Local Shiurim

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10 minutes before *Mincha*

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Rabbi Mordechai Scharf

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Kollel Magen Avraham

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www.shemayisrael.com/mishna/

Rav Meir Pogrow

613.org/mishnah.html

Rabbi E. Kornfeld

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<http://www.dafyomi.co.il/calendars/myomi/myomi-thisweek.htm>

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
4 th September ה' אלול	5 th September ו' אלול	6 th September ז' אלול	7 th September ח' אלול	8 th September ט' אלול	9 th September י' אלול	10 th September יא' אלול
Eruvin 7:6-7	Eruvin 7:8-9	Eruvin 7:10-11	Eruvin 8:1-2	Eruvin 8:3-4	Eruvin 8:5-6	Eruvin 8:7-8

