

# Laws of Eruvin Chapter 7 (Auto Translated)

English

Auto Translated

## Shiur Overview

### Summary of Hilchot Eruvin Chapter 7 – Eruv Techumin with One's Feet

#### Introduction and Context

This chapter is the **shortest chapter** of Hilchot Eruv Techumin, and it deals with ways one can make an eruv techumin **without placing food** – through simply being there (beraglov) or even through thought alone.

**Foundation of eruv techumin:** From the Torah, one may not walk more than twelve mil; rabbinically, two thousand amot in every direction from where one "resides." The Sages said that "where he resides" doesn't only mean where his bed is, but where he decided on erev Shabbat that there is his shevitah. The normal way is through hanachat mazon (placing food for two meals). **In this chapter we learn two additional ways:** (1) he actually goes there beraglov, (2) he only thinks in his mind (machshavah alone).

**Distinction between "shavat bemakom ploni" and "eruv":** "Eruv" **always** means when the person is **not** actually there when Shabbat arrives – he creates a halachic shevitah in a place where he is not actually present. This is the distinction from simple "shavat bemakom ploni" (when someone is actually present in a place on erev Shabbat) to "eruv" where he creates a fictitious shevitah.

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#### Halachah 1 – Eruv Beraglov

**The Rambam's language: "One who went out on erev Shabbat outside the city and stood in a place within the techum or at its end and said 'shevitati bemakom zeh' and returned to his city and slept there – he may walk the next day to that place two thousand amot in every direction. And this is the essence of eruv techumin, to be me'arev beraglov."**

#### Explanation

A Jew goes out on erev Shabbat outside his city, stands in a place within (or at the end of) the techum, says "shevitati bemakom zeh," returns home, and sleeps at home. The next day (Shabbat) he can go to that place and from there two thousand amot in every direction. The Rambam calls this "the essence of eruv techumin – to be me'arev beraglov."

#### Novelties and Explanations

1. **"Within the techum or at its end" – why the addition?** "At its end" doesn't mean at the end of the city's techum simply, but **within the techum from where he can return**. Because if he lives a thousand amot into the city and he goes to the end of the techum (two thousand amot from the city boundary), he won't be able to return to his eruv on Shabbat – he won't be able to reach his eruv. The techum must be such that he can return from his place of shevitah.

2. **"And said shevitati bemakom zeh" – must one actually say it?** "And said" doesn't mean actual verbal utterance but a decision/machshavah. **Later in the chapter**

**it becomes clear that the utterance is not me'akev – the essence is the kavanah/decision.** "And said" is compared to the Ramban's interpretation of "vayomer Elokim" (Bereishit) – which doesn't mean actual speech but **ratzon/decision**.

3. **Comparison to the text of eruv with bread:** By a regular eruv techumin with food one says "bazei ha'eruv yehei mutar li lehalech" – one does **not** say "shevitati bemakom ploni." The mechanism works based on the Sages' enactment, without needing to specifically articulate the shevitah concept. But here, by eruv beraglov, he must say (or intend) "shevitati bemakom zeh" – because **without food one needs a clear, specific decision on a particular place**. A person thinks many thoughts; he must decide on **one** specific place.

4. **"A specific and identifiable place":** It's not enough that he walks somewhere outside the city on erev Shabbat. He must stand in a **specific, identifiable place** and decide there. "Bemakom zeh" – not "approximately here."

5. **"And this is the essence of eruv techumin" – the Gemara's language according to Rabbi Yehudah's opinion.** The Rambam rules like Rabbi Yehudah that eruv beraglov is **the essence**, not a leniency or bedieved. Eruv beraglov is the original, primary form of eruv techumin. The eruv with food is rather an addition/leniency (so that one shouldn't have to actually go).

6. **What does "le'arev" mean – etymology:** "Le'arev" can mean from the language "erev" (night/darkness) – he "makes darkness" beraglov, i.e., he acquires shevitah at the time of darkness through his feet. Alternatively: "le'arev" = to mix, he "mixes in" his shevitah into that place.

7. **[Digression: The foundation of eruv is "not reality":]** The secret of all eruvin is that it is **not** reality – it is a halachic fiction through kavanah. This also connects to tzurat hapetach (which is not a real mechitzah, but "learning" a mechitzah). The eruv beraglov is the purest expression of this principle – only kavanah/decision creates a halachic shevitah.

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#### Halachah 2 – To Make It Easy for the Wealthy Person

**The Rambam: "They only said to be me'arev by placing food for two meals... to make it easy for the wealthy person so he shouldn't have to go out, but rather he can ask his friend or his household member to place it for him."**

#### Explanation

The enactment of placing food for two meals was a leniency for the wealthy person – he shouldn't have to go himself, but rather he can ask a friend or household member to place it for him.

#### Novelties and Explanations

1. **What does "wealthy" mean?** (a) He has workers/servants whom he can send; (b) he has good friends

whom he can ask a favor; (c) or simply – any person who meets someone on the way can ask him "do me a favor and place it."

**2. One cannot be me'arev beraglov for another person:** A messenger's feet don't help for you. When one sends a messenger, he must take food/bread. This is the reason why the Rambam says "to make it easy for the wealthy person" – the wealthy person cannot send his servant to be me'arev beraglov for him, but he can send bread.

**3. "Moser shevutcha lechaveircha":** There is an aspect where one can transfer his shevitah to a friend, but this is only when the friend is also going to arrive at the place himself – he just doesn't know where exactly the place is, and the friend knows. This is "torat kavanah" – not agency on beraglov.

**4. "Me'arev adam al yedei beno uvito":** Only an infant goes out with his mother's eruv. Others – even household members – need a separate eruv, but it can be done as a messenger (zechus lo). A person who is "completely subordinate" to you – perhaps "yad po'el keyad ba'al habayit" – but simple agency beraglov doesn't work.

**5. Berachah on eruv beraglov (Pri Megadim):** The Pri Megadim says that when one is me'arev beraglov one doesn't make a berachah. The berachah is on the "trick" – the novelty of the Sages to use bread. Beraglov is the "essence" – this would have worked even without the Sages' enactment – therefore there is no berachah on it. The word "essence" means like "before eruv" – what would have been even without the Sages' enactment. (Other opinions hold that one does make a berachah.)

**6. Eruv beraglov – divrei mitzvah vs. divrei reshut:** Some opinions hold that when one is me'arev beraglov (not through bread), one may do it even for divrei reshut. The reasoning: because beraglov is "more authentic" – he actually goes there – it's not just a "trick" of the Sages, and therefore there is no condition of divrei mitzvah. But it remains difficult, because seemingly the decree of only divrei mitzvah is because the Sages didn't want to be lenient more than two thousand amot.

**7. What does eruv techumin technically do?** A person can normally walk two thousand amot in every direction. With eruv techumin the measure doesn't change – he can still only walk two thousand amot – but the starting point changes. However, he loses on the other side.

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### Halachah 3 – Eruv Through Intention Alone (Shevitah with Kavanah)

**The Rambam:** "And similarly if he intended to acquire his shevitah in a place known to him, such as a tree or house or fence whose location he recognizes... and there is between him and it this measure (two thousand amot or less)... and he began on the way and walked in order to reach that place and acquire shevitah there. Even though he didn't arrive and didn't stand there... or he changed his mind on his own from going... the next day he may walk to the place he intended... for since he decided in his heart to establish his shevitah there and began on the way, it is as if he stood there or was me'arev there beraglov with a valid eruv."

#### Explanation

If a person intended to acquire shevitah at a known place (tree, house, fence), and the place is within two thousand amot, and he began walking there (hechezik baderech), but he didn't arrive (he became tired, a friend called him back, or he himself decided not to go) – he can walk the next day to that place plus two thousand amot in every direction from there.

#### Novelties and Explanations

**1. "Hechezik baderech" – not just machshavah:** One must begin walking – not just sit with one's foot up and think. "Hechezik" means he showed a chazakah that he truly wants to arrive there.

**2. Why doesn't it say "amar"?** By eruv beraglov it says "amar shevitati bemakom ploni" – because he stands in one place and must declare where. Here, by kavanah with hechezik baderech, the word "amar" is missing – because he is already going in a certain direction, he already sees the tree/place, it's not necessary to declare.

**3. "A place known to him" – it must be a specific place:** He must know exactly where the place is – a specific tree, house, or fence. This is necessary so that one can determine for the next day where his shevitah is. By eruv beraglov, where he actually stands there, he says "where I am" – he doesn't need to know the name of the place. But here, where he didn't arrive, he must know exactly where the place is.

**4. The measure of two thousand amot – from where?** The place must be within two thousand amot from where he is "when it gets dark" (bein hashemashot), not necessarily from where he is now. If he is walking and at bein hashemashot he will be closer, he can be mechaber a farther place.

**5. The nature of eruv: da'at or ma'aseh?** All three types of eruvim (actual eruv, me'arev beraglov, mechaven baderech) are about **da'at**. When he is physically at the place, that is also da'at – his presence itself is also a form of da'at. Bread/food is not a "state" of da'at, but **another way** of da'at through bread.

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### Halachah 3 (continued) – Ani and Dachuk

**The Rambam:** An **ani** (poor person) who doesn't have money for food for the eruv, and also not for a messenger or transportation – for him the Sages were lenient that he can acquire shevitah beraglov or through machshavah. A **wealthy person** is told: send food. An **ani** doesn't have the option, therefore he receives the right to go beraglov.

**The law of dachuk:** A person who is **ba baderech** (traveling) on erev Shabbat, and he is afraid that it will get dark before he arrives – he is a "dachuk." The dachuk can be even a wealthy person, but he is in a time of pressure because he is on the way.

#### The Condition of "If He Runs with All His Strength"

**The Rambam's condition:** Acquisition of shevitah through machshavah works **only** when there is still enough time left in the day that he could **technically** arrive at the place **if he ran with all his strength** before Shabbat. This means: the machshavah doesn't work with "magic" – it must be a place where he could have **actually** arrived.

**Novelty:** This makes the power of machshavah **much smaller** than one might have thought. The machshavah is not

a special power, but a substitute for physically arriving – he must be able to arrive.

#### When Machshavah Doesn't Work – The Rambam's List

The Rambam brings four cases where machshavah does **not** work:

1. **Not enough time remained in the day** – there isn't enough time left to arrive even if he ran with all his strength.
2. **More than two thousand amot** – between his place and the place of shevithah is more than 2000 amot when Shabbat arrives.
3. **He didn't intend to a specific place** – he didn't have a specific place in mind.
4. **Not ani and not dachuk** – he is not financially limited and not in a time of pressure.

**Law:** In all these cases – **he didn't acquire shevithah in that place**, and he only gets **two thousand amot in every direction** from where he stands.

#### The Ra'avad's Dispute – A Stringency

**The Ra'avad argues:** If the person **intended** to acquire shevithah at a certain place (he said "shevitati bemakom ploni"), but he didn't arrive and there remained more than two thousand amot between him and that place – the Ra'avad says: **he did acquire shevithah there**. This means that he is now like one who **went outside the techum**, which according to the laws of Shabbat can only walk **four amot** (not 2000 amot!).

**The Rambam is lenient:** He says it didn't work, therefore he has 2000 amot from where he stands. **The Ra'avad is stringent:** He says it did work, but he is in the wrong place – worse!

#### Difficult Question on the Ra'avad

**What is the distinction** between:

- He cannot arrive because he cannot **run fast enough** (not enough time remained in the day) – there also the Ra'avad says it doesn't work?
- He cannot arrive because it is **more than two thousand amot** – there the Ra'avad says it does work (and he is stuck)?

In both cases he cannot actually arrive there! The distinction that is suggested: By "not enough time remained in the day" he cannot arrive **before Shabbat** (physical impossibility). By "more than two thousand amot" he can technically arrive **before Shabbat**, but **on Shabbat itself** he cannot go there because **the Torah doesn't allow him** (prohibition of techumin).

But the question remains: **What is the distinction?** After all, he cannot arrive there! Whether he cannot because he cannot run, or he cannot because it is forbidden – both times the machshavah should "expire"!

#### The Distinction Between Eruv with Bread and Eruv Beraglov/Machshavah

**Novelty:** By eruv with **food/messenger** – one can acquire shevithah **regardless of how far** he is. There is no condition that he must be able to arrive. The condition of "if he ran with all his strength" is **only** for machshavah/kavanah.

#### The Ra'avad's Position – A "Fancy Case"

According to the Ra'avad there can occur a situation where a person acquired shevithah at a place where he is **not physically** when Shabbat arrives, and he is **outside the**

**techum** of his own shevithah. This brings out a strange question: **How can there be a person who when Shabbat arrives, resides somewhere where he is not?**

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#### Halachah 4 – Acquiring Shevithah in a Reshut Hayachid

**The Rambam says: "One who stood while it was still day in a reshut hayachid and acquired shevithah there... he may walk through all of it and outside it two thousand amot in every direction."**

#### Explanation

Whoever stands on erev Shabbat in a reshut hayachid (or is on the way there) and acquires shevithah there, gets the entire reshut hayachid as his four amot, plus two thousand amot in every direction outside.

#### Novelties and Explanations

1. The principle of acquisition of shevithah works not only on a limited place, but also on an entire reshut hayachid – the entire city or reshut hayachid becomes like his four amot.
2. **A place not enclosed for dwelling:** If the reshut hayachid is a place not enclosed for dwelling (a mound, ravine, etc.), the law is: if it is a beit sa'atayim or less – he walks through all of it and outside it two thousand amot. But if it is **more than a beit sa'atayim** – he only gets four amot of it (like one who rests in a valley), because a karpel larger than a beit sa'atayim not enclosed for dwelling gets the status of karmelit regarding eruv techumin. He gets two thousand amot from his four amot, not from outside the beit sa'atayim.
3. **General rule:** All three types of eruv (actual eruv, me'arev beraglov, mechaven baderech) have the same rules of shevithah, techum, etc.

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#### Halachah 5 – A Specific Place: He Must Specify His Place of Shevithah

**The Rambam says: "But one who acquires his shevithah at a distance and didn't specify his place of shevithah, didn't acquire shevithah there."** Examples: "Shevitati in such-and-such field or in such-and-such valley" or "at a distance of a thousand amot or two thousand amot from my place" – **"he didn't acquire shevithah at a distance, and he only has two thousand amot in every direction from the place where he stands when it gets dark."**

#### Explanation

Whoever says only a general place or a distance without a specific place, didn't acquire shevithah there, and only gets two thousand amot from where he stands when Shabbat arrives.

#### Novelties and Explanations

1. **Why doesn't "a distance of two thousand amot" help?** Two thousand amot is a precise measurement – one can calculate exactly where that is! The answer: **"Specific" doesn't mean that one can calculate it, but that there is a place that one can see, a sign, a known place.** A person must know where he is going – not just a mathematical calculation, but a place that is recognizable. Even if he says the "exact" inch, it doesn't help – it must be a specific place that can be identified.
2. **Word analysis of "metzuyam":** "Metzuyam" can come from "siman" (a sign, from the language nisman) or from "siyum" (finished/bounded). The noun "metzuyam" means a

certain, special place — something that is marked and recognizable.

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### Halachah 5 (continued) – Under Such-and-Such Tree / Such-and-Such Rock

**The Rambam says:** "If he said shevitati under such-and-such tree or under such-and-such rock" — if under the tree/rock there is **eight amot or more**, "he didn't acquire shevitah", because "perhaps he acquired his shevitah in these four amot, perhaps in these four amot" — we don't know which four amot he meant. **Advice:** He should say "to rest at its base" (by the trunk), or "in the four amot to its north or south." If it is **less than eight amot** — he acquired, because it is already a specific place.

#### Novelties and Explanations

1. **Question on the measure of eight amot:** If it is eight amot, he should sit in the middle — then he sits within two amot of each side, and at least two of his four amot are in every possible four amot! The answer: **By the Rambam the problem is not a doubt which four amot — but that it is not a specific place at all.** This "perhaps in these four amot, perhaps in these four amot" is not a literal doubt-concern, but an explanation why it's not specific enough — he didn't acquire shevitah in any specific four amot.

2. **The Ra'avad disputes the entire foundation:** The Ra'avad understands that he **did acquire shevitah** in the field/tree, but because we don't know in which part, he must be stringent — he may not walk two thousand amot from any place in the field (i.e., he must calculate two thousand amot from the farthest corner). But the Rambam holds that it is not an acquisition of shevitah at all — he falls back to his place of standing.

3. **The foundation of the dispute between Rambam and Ra'avad:** The Ra'avad also knew that it says "a specific place," but he understands that this means he should **know for certain where he is** in order to calculate two thousand amot. But the Rambam holds that "a specific place" is an **essential matter** — the place of shevitah must be specific, and without this there is no shevitah at all. By the Ra'avad it is a practical doubt; by the Rambam it is a deficiency in the validity of acquisition of shevitah.

4. **Question on the Mishnah Berurah:** Why does the "Rambam Moreh" bring in the name of the Mishnah Berurah that one should be **stringent**? It is a **dispute of Rishonim** (Rambam against Ra'avad) in a **rabbinic law**, and the rule is "doubtful rabbinic law is lenient" and "the halachah follows the lenient opinion in eruv"! One should rule like the Ra'avad leniently.

5. **Whether "lenient in eruv" is more than just doubtful rabbinic law:** The rule "the halachah follows the lenient opinion in eruv" — is this an **extra leniency** specifically by eruv, or just a reflection that eruv is rabbinic? One reasoning: perhaps one needs this rule because one might think that eruv is from the Torah (techumin from the Torah), therefore it says explicitly that one is lenient. But it remains unclear.

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### Halachah 8 – Two People Walking on the Way, One Recognizes the Place

**The Rambam says:** "Two people who were walking on the way, and both want to acquire shevitah in a specific place, and one of them recognizes a tree or fence in the place they set for shevitah, and the second doesn't recognize — the one who doesn't recognize transfers his shevitah to the one who recognizes, that he should say I am acquiring shevitah in the place where my friend is acquiring, and the one who recognizes must intend to rest both himself and his friend in the place that he recognizes."

#### Explanation

When two people are walking on the way and both want to acquire shevitah in a specific place, but only one knows the place (he knows a tree or fence), the second can transfer his shevitah to the first — he says "I am acquiring shevitah where my friend is acquiring." The one who recognizes must have kavanah for both.

#### Novelties

It is compared to one who cannot pray himself and hears the chazarat hashatz — he "transfers his prayer" to the shaliach tzibbur. So too here, he is subordinate to the friend's establishment.

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### Halachah 8 (continued) – People of a Courtyard Who Sent Their Eruv

**The Rambam:** "People of a courtyard who sent their eruv with one of them" — and the messenger didn't arrive, "and the eruv returns and didn't go out."

#### Explanation

People of a courtyard collected food for an eruv and sent it with one person, but he didn't arrive at the place.

#### Novelties

1. **Question: Can the messenger himself acquire shevitah through mechazik baderech?** The messenger who walked with the bag of eruv, for **him** "mechazik baderech" should have helped — he was on the way, he had da'at to rest there. Therefore one should consider as if he was there at bein hashemashot with all the eruvim.

2. **Answer: Eruv beraglov doesn't work for another person.** The messenger's mechazik baderech only helps **for himself**, not for the people of the courtyard. Eruv with food (which he carries in the bag) works differently than eruv beraglov. The messenger himself doesn't need any bread at all — he is me'arev beraglov, he is there himself.

3. **The essential distinction:** The one who is there himself at the place doesn't need any bread at all, because he is me'arev beraglov, and this works even for a wealthy person (not only for an ani). All the doubts begin because one does need to have food there — because **he** is not there, or because he is making it for **another person**.

4. **Proof from Mordechai:** A similar thing is mentioned in the Mordechai, where the eruv wasn't placed, but the messenger himself did acquire shevitah because he was on the way with intention to rest there. But for the others it doesn't work.

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### Halachah 9 – What Does "Hechezik Baderech" Mean

**The Rambam:** "And this that we said that he needs to acquire his shevitah at a distance that he began on the

way – not that he went out and walked in the field, but even if he descended from the upper floor to mount the horses" – even if he only began going out from home, this is already called "walking on the way." **"And similarly anyone who acquires shevitah on foot in a place, doesn't need to say I am resting in such-and-such place, but since he decided in his heart"** – he already decided in his heart, **"behold he is walking on the way."** **"And needless to say one who goes out on his feet and stands in the place where he acquires shevitah"** – whoever is actually there, is obvious.

#### Explanation

"Hechezik baderech" doesn't mean that he must already be outside the city in the field. Even if he only began descending from his floor in order to go out, this is already "walking on the way." And whoever acquires shevitah beraglov doesn't need to say explicitly "I am resting in such-and-such place" – deciding in his heart is enough.

#### Novelties

1. **The Rambam says clearly that the Gemara is not literal** – one doesn't have to actually go out to the field; descending from the upper floor is already enough.

2. **Question: Must "hechezik baderech" specifically be returning to a friend?** The person doesn't have to say to a friend "I am now going out to acquire shevitah" – he can also decide it himself. It can also be returning on his own (he decides himself).

3. **Question about regret:** There is returning on his own – he can later decide "I don't want to." But until he returns, the hechezik baderech is in effect.

4. **Practical question:** When a person comes down from his floor and then decides "I don't want to go" (for example because it's too hot) – how do we know that he truly wanted? A person knows that he is not lying, one can say that he truly wanted, but he became discouraged in the last moments.

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#### Halachah 10 – Torah Scholars and Establishment of Place

**The Rambam: "Students who ate on Shabbat nights at meals with householders, and came and slept in the beit midrash – their walking is calculated from the beit midrash in all directions, not from the place of eating. For if they found their meal in the beit midrash, they would not go out to the meal."**

#### Explanation

Torah scholars who ate Shabbat meals at householders' homes (on "days"), but they slept in the beit midrash – their establishment of place for techumin is from the beit midrash, not from the place where they eat.

## Full Transcript

### Laws of Eruvin Chapter 7 – Eruv with One's Feet

#### Introduction: The Essence of Eruv Techumin

#### Speaker 1:

Good. We are learning Laws of Eruvin Chapter 7. Such an eruv is primarily made with bread, for the poor and the rich. We thank those who give bread to the poor and charity to guests,

#### Novelties and Explanations

1. **The picture of the halachah:** The householders didn't live in the city – they were farmers outside, where there was more abundance of food. The householders are described as "over vashav" – Rashi means benevolent Jews who gave food to people passing through.

2. **The novelty in the halachah – contradiction to the principle of eruv:** Seemingly there is a contradiction: the entire law of eruv is that "where you eat, there you are" – even when you are not really there. But here, by a Torah scholar who eats at dozens of householders, it says the opposite – his place is not where he eats, but where he sleeps/learns.

3. **Answer of Rav Sheshet – umdena demuchach:** Rav Sheshet (Gemara Eruvin) learns that here there is an umdena demuchach: the Torah scholar would have essentially wanted to remain in the beit midrash – he only goes out because he doesn't have food there. His da'at is not "on the bread" (on the food) – da'at on bread is only a rule for a householder. A Torah scholar – his da'at is "on the Torah." When he places an eruv, it is as if he says: if I could have lived there, I would have lived there. He just cannot – he doesn't have a bed, doesn't have food.

4. **Practical differences for other halachot:** The principle that a Torah scholar "resides" in the beit midrash can have practical differences for: Chanukah candles (where does he light), mezuzah, Shabbat lights. By Shabbat lights the rule is that one lights where one eats the meal – but here one would say that the Torah scholar's main place is the beit midrash.

5. **The picture – beit midrash outside the city:** The language "in all directions from the beit midrash" (two thousand amot in every direction) looks like the beit midrash is outside the city – perhaps such a "yeshiva campus" separate, with fields and vineyards around. But it is also explained that the beit midrash is in the city, but the meals (at the farmers) are outside, and the question is whether he can walk farther from that place.

6. **[Digression: Rabbi Meir Shapira's enactment]:** From this Rambam – that Torah scholars shouldn't have to go knocking on doors of householders – Rabbi Meir Shapira (founder of Yeshivat Chachmei Lublin) introduced that one should give Torah scholars a nice dining room (lunch room) and they should be given food in the yeshiva itself.

7. **Eruv chatzerot – a rabbi with students:** Also regarding eruv chatzerot there is a distinction: a rabbi whose students eat with him – there in the beit midrash is the essence, and "everyone is one family" – all are considered like one family, and one doesn't need an eruv.

and the wealthy who support the shiur. Everyone should merit to be wealthy and need to make a bread eruv, which we are now going to learn.

Yes? We are now going to learn the third chapter on this topic. The second, right? The third on eruv, right? Chapter 5. The seventh chapter of Laws of Eruv, and the second chapter on techumin, on Shabbat boundaries. Eruv techumin, the second.

There are three chapters about eruv techumin. Ah, yes? Okay, good.

So, this is the smallest chapter of Laws of Eruv Techumin, and it discusses a type of eruv that one makes without an eruv. A normal eruv that we have learned is that one places bread or sends someone to place – not bread, sorry, why am I saying bread? Some food, some foods, food for two meals, in a place, which then establishes residence there. We are going to learn that there are different ways one can make an eruv without sending bread there or placing bread there, but simply by being there, or going there, or even not going there but intending to go there.

### **The Difference Between Eruv Chatzeirot, Eruv Tavshilin, and Eruv Techumin**

We will say perhaps in my words, that we have learned eruv chatzeirot, afterwards we learned eruv tavshilin, and excuse me, eruv techumin. And we said that the connection between them is the concept called "bread establishes residence."

We will say it this way: The law of eruv techumin is that a person may not go out more than a limited distance from where he lives, biblically twelve mil, and rabbinically two thousand amot in every direction from where he lives. But the Sages said, what does "where he lives" mean? Where he lives is not only where his bed is, where he lives is the place where on erev Shabbat he thought that he lives there.

How does one make it so that he should live in another place? First they spoke about the concept of placing bread, where a person places his bread, that is where he considers his home to be, thus he will be able to go two thousand amot from there. Instead of normally being able to go only two thousand amot in every direction, he will be able to go from that place, not only from his dwelling where he lives in the city, but from that place he will be able to go from his dwelling there, and from there another two thousand amot. That was the first way how one makes another place formally, halachically, his dwelling, by being there during bein hashemashot, through his bread.

### **Three Ways of Establishing Residence**

In this section we will see that there are two more ways of being, of having the dwelling, not through the actual, through the accepted official dwelling, but having a place from which one wants to go two thousand amot in every direction. What are the two ways?

One is that one is simply there, one goes there erev Shabbat during bein hashemashot to a certain place, and one rests there. That is actual, with this he shows that he wants to be there, that during bein hashemashot he is there, besides his home where his family is, where his belongings are, he lives there now, he is there with his feet, that's what it's called.

#### **Speaker 2:**

Yes, but I think one doesn't go there erev Shabbat during bein hashemashot, any time he goes there erev Shabbat and he says that he establishes that he lives there.

#### **Speaker 1:**

He doesn't actually say, he must be there, if he must be there, the question doesn't even begin, that means resting in such-and-such place.

#### **Speaker 2:**

Yes, but the novelty is that his house still remains... his house never remains, in any case it's still a novelty that he can go

from his house there, and from there two thousand amot.

#### **Speaker 1:**

I don't understand why you keep saying that. There is never that his house remains nothing. His residence remains where his eruv is placed.

#### **Speaker 2:**

In any case, we see, it could be that he must be there, as you say, he must be there during bein hashemashot, it could be that he was on the way there, but that is called establishing with his feet.

#### **Speaker 1:**

And we have here another way of establishing, if a person thinks, he thinks that at that specific place I want to establish residence, he thinks about this on erev Shabbat, that too can be a way of eruv techumin. They can go from there two thousand amot in every direction.

### **Discussion: The Difference Between "Resting in Such-and-Such Place" and "Eruv"**

#### **Speaker 2:**

Yes, what are you saying there?

#### **Speaker 1:**

No, no. No, I'm saying, there is one who actually lives in a place, or "one who rested" we learned actually in Laws of Shabbat itself, when it's not Laws of Eruvin. One learned different ways how one rests. A normal person rests in his home, in the city. If he is outside the city, one learned in Laws of Shabbat that if he is in any place, he has two thousand amot from there, where he stopped on erev Shabbat, or if he acquired rights there, he could acquire rights to a place up to two thousand amot and so on. That is not eruv with his feet, that is plain resting in such-and-such place.

Eruv always means when he is not actually there when Shabbat comes in, or he is not actually resting there. But this itself there is a way that he can simply go there, so he decides, it always comes with some decision.

So eruv, you say that eruv originally is with bread, but it could be that... and all these eruvim have at least a concept that his intention, his decision, as if he is resting, is not the same place where he actually is. Actually he is... and it must be within two thousand amot, because if he is resting there, he may not go further than two thousand amot from there. But he is not actually resting in the place where his two thousand amot are centered, yes, as if one calculates from there.

And this can be done either by being there erev Shabbat, or the normal way that we learned earlier is when one places some food there, or there is a way that even he is not there, but he has in mind, because the essence is the intention. So we'll see, this is already a greater leniency, there are many boundaries to that greater leniency. Right?

#### **Speaker 2:**

Yes.

#### **Speaker 1:**

We're going to learn it, ah, section aleph, yes?

### **Law 1: Eruv with One's Feet – The Essence of Eruv Techumin**

#### **Speaker 1:**

Law 1. Yes. Should I read it? I can read it however you want.

**"One who went out on erev Shabbat outside the city,"** a Jew went out on erev Shabbat outside his city, yes, **"and stood in a place within the boundary,"** he stood in some place within the boundary, it must be within the boundary, **"or at its end,"** what do you understand why he says this?

**Speaker 2:**

Simply, as long as it's still within two thousand amot from the boundary of his city, right? One still cannot... he is actually from the boundary of where he is.

**Speaker 1:**

That is the truth, that's how I remembered that I learned in Eruvin, that even if he lives a thousand amot into the city and he goes to the end of the boundary, it won't help, because he couldn't go back, right? He couldn't reach his eruv. So therefore, what does at the end of the boundary mean? He means to say within the boundary from where he goes back to.

**Discussion: Must One Actually Say "My Residence is in This Place"?**

**"And says"...** no, he says **"my residence is in this place."** Soon we'll see that one doesn't necessarily have to say this, the essence is the intention. But I think that the... that's how I remember it's stated more strongly.

**Speaker 2:**

Yes, he didn't say... after the blessing he said "with this eruv," like an actual statement.

**Speaker 1:**

I saw last night further there, he brings below from the Shulchan Aruch, it's not stated anywhere clearly that if one doesn't say... for example by the eruv, by the eruv one doesn't even say "my residence." One only says "with this eruv it shall be permitted," right? One doesn't say how it works. Technically, the Rav asks, how does it work on the basis that my residence is in such-and-such place? One doesn't have to say it, right? When one makes an eruv one simply says "with this eruv it shall be permitted," and on the basis of our Sages and righteous ones who said that this is a residence in such-and-such place.

But here he must say "my residence is in such-and-such place." But I think, we'll see clearly later apparently that the statement is not indispensable, the essence is the intention. It could be that when one says the statement, one means to say that with this it's clear that he meant this. But I already know, the same thing by the eruv, I don't know why one must say that it's indispensable to say. I mean to say, one must know that it's an eruv. That's not... if one already knows that it's an eruv...

**Speaker 2:**

Yes, he brings here, if he said "this is an eruv," he didn't say "with this eruv" the whole formula, he says "this is an eruv," it's also good.

**Speaker 1:**

And I don't understand why it should be at all. One must make a blessing, that I understand, the Rambam says not the Raavad, that it's a mitzvah. But why must one say?

It could be that the saying here will mean that he must be very specific. Thinking thoughts a person has, he walks and thinks here, he thinks there, he must decide on a certain place. That is the way how he says it, "and says." Okay.

**The Place Must Be Specific and Identified**

And it must be a specific and identified place, it must be certain. It's not enough that he goes walking somewhere before Shabbat and he was far from the city. No, no, no.

**Speaker 2:**

He says "and said my residence is in this place," can't one mean that it's a signal that he must repeat. The Rambam means to bring out that he must go to a certain place and decide there. "And said" can mean that he is deciding.

**Speaker 1:**

Ah, yes, ah, true. "Said" I mean like "and God said," that the Almighty speaks with an angel, means that He is deciding. That's what the Ramban says.

**Speaker 2:**

Yes.

**Speaker 1:**

You must say so, that "said" has a meaning of thought or will. That's what it says in Ramban on Parashat Bereishit, "and God said" means He wanted.

And yes, what you say is true, that it must be in a specific place. One cannot say approximately, but that is between laws and the intention. "Said" means he says, I say "in this place." That is a... "and said," true, he speaks of a decision. Okay.

**The Law: He Returns Home and Can Go Two Thousand Amot from That Place**

In short, he did so, **"and returned to his city and slept there,"** he went back home. Then **"he may walk the next day to that place two thousand amot in every direction."** He basically has his residence there, he can go two thousand amot from the place where he said "my residence is in this place," wherever that is, and from there is his.

**"This is the Essence of Eruv Techumin" – This is the Essence, Not a Leniency**

The Rambam says, **"and this is the essence of eruv techumin."** This is language from the Gemara, according to the opinion of Rabbi Yehuda. The Rambam rules this way, that this is the essence of eruv techumin, **"to establish with one's feet."** That is, as if, you shouldn't say that this is a leniency, because there is an opinion, another opinion in the Gemara that holds the opposite, actually. As we also actually hold regarding when one doesn't go there. But regarding when one actually goes there with one's own feet, and he says "behold my residence is in such-and-such place," this is not some leniency that one can do it without bread, without... why do I keep saying bread? Without food. No, this is the essence of eruv techumin.

**The Explanation of "To Establish with One's Feet"**

That means "to establish with one's feet," he is establishing, that means he says that... there are those who want to say "to establish" is from the language... he says from the language of intention, he mixes, as if he makes his residence in that place. "To establish" is like "to darken" perhaps, to make night with his feet.

**Speaker 2:**

To make nightfall?

**Speaker 1:**

"That the place should acquire residence at the time of darkness." It becomes upon this place.

#### **The Secret of Eruv: It's Not Reality**

I think that the secret of an eruv is that it's not reality, that is the essence. It's through intention, through intention, perhaps that's why people call the eruv the symbolic doorway that one makes. According to my interpretation one can also understand this, it's not an actual partition. In learning it's a partition. Anyway, that is the essence.

#### **Speaker 2:**

And why doesn't one say "to establish in Laws of where do you stand"?

#### **Speaker 1:**

That is because when, what one says that

#### **Eruv Techumin: The Essence of Eruv with One's Feet, Food for Two Meals, and Holding on the Way**

#### **The Essence of Eruv Techumin – To Establish with One's Feet**

#### **Speaker 1:**

But regarding when one actually goes there with one's own feet and he says "my permission is in such-and-such place," this is not even a leniency that one can do it without bread, without... why should I say bread? Without food? No, this is the essence of eruv techumin, that means "to establish with one's feet." He is establishing, what does it mean? He says that... "to establish" comes from the language... he says from the language of intention, that he mixes, he makes his residence in that place. "To establish" is like making fit, to make night with his feet. Make nightfall? **"That the place should acquire residence at the time of darkness."** It becomes upon this place.

I think that the secret of an eruv is that it's not reality, that is the essence. Based on bread, based on intention. Perhaps that's why people call the eruv the symbolic doorway that one makes. According to my interpretation one can also understand it, it's also not an actual partition, it's in learning that it's a partition.

#### **To Make It Easy for the Wealthy – Food for Two Meals**

Anyway, that is the essence. **"They only said to establish by placing food for two meals"**, what one says that one must place food for two meals in the place where he rests, one must **"so that he doesn't go out and rest there,"** that means one doesn't have to go, one can only place food there, then they said only **"to make it easy for the wealthy so he doesn't go out."** **"Rather he should ask his friend or his household member and he will place it for him."**

That means, if one goes oneself, one can say "my residence is in such-and-such place," then one doesn't need to place bread at all. What is the leniency of placing bread at all, the trouble of placing food for two meals? This the Sages said for one who is wealthy.

#### **Discussion: What Does "Wealthy" Mean?**

#### **Speaker 2:**

What does wealthy mean? He can afford to ask another, he has someone who works for him, such a thing. That's why one calls him wealthy, right? One can simply ask a favor of a Jew, but go yourself... there isn't the word wealthy.

#### **Speaker 1:**

Or he is wealthy in good friends, that he can ask a favor.

#### **Speaker 2:**

Yes, he doesn't think of wealthy. No, also exactly that one passes through, you tell him "place and do me a favor."

#### **Speaker 1:**

I think you mean to say more, that a person shouldn't think that just as he can establish with his feet, his servant can establish for him with his feet. That's not a thing. You don't go yourself, your bread must go there.

#### **Speaker 2:**

Very good. Right, so that is certain. One cannot establish with one's feet for another person.

#### **Transferring Your Residence to Your Friend**

There is indeed such a thing, we'll see later, that "transferring your residence to your friend" there is such an aspect, but then it's only the intention, he will also go there, he doesn't know with the theory of intention. Because he will also arrive there, he just doesn't know where the place is. But such a condition, such he will the friend agrees to such a thing.

#### **Speaker 1:**

Yes, because he doesn't know where the place is.

#### **Speaker 2:**

But relying on that one has no sense.

#### **A Person Establishes Through His Son and Daughter**

In practice, one must think, for example we learned earlier, "a person establishes through his son and daughter," yes, people who are dependent on him, it indeed says that they don't need to make an extra eruv.

#### **Speaker 1:**

Ah, true, perhaps not. No, it must yes. Only an infant goes out with his mother's eruv. The other people is yes, only like an agent, it's a benefit for him.

#### **Speaker 2:**

So I don't know. No, I was just trying to think if it should be one who is actually nullified to you, perhaps then one can indeed establish with his feet and it will be good for a second person. But not an agent, that if it should be a "the right hand of a worker is like the hand of the homeowner" type of thing. But simply agency, simply that one's feet don't help for you, when you do for that one you need food. Right.

#### **Eruv with One's Feet – Matters of Mitzvah vs. Matters of Choice**

#### **Speaker 2:**

#### **Laws of Eruv Techumin: Acquiring Residence Through Intention - Conditions and Boundaries**

#### **The Nature of Eruv: Intention or Action?**

It's very interesting, but for example, they bring here from below that there are people who think that perhaps with eruv raglav one may do it even for divrei reshut (optional matters). We learned that it must be for a mitzvah - that is, when you use the leniency that you don't actually go there, you only send bread, food, then you must do it specifically in a place of mitzvah. If you actually go there, perhaps that means more, as the Rambam says, this is the essence (ikar), this is already more authentic. It's not completely authentic, because he's not truly there for Shabbat. But...

I find it difficult to say, because seemingly the idea that one should only go for matters of mitzvah, because the Sages were not lenient with the leniency that one should go more than two thousand cubits. The leniency of... one can do it through food.

#### **What Does Eruv Techumin Technically Do?**

I already know why the Mishnah Berurah brings such notes from others. He already held that this is only for him because the detail of food... You say the whole time that one can go more than two thousand cubits, it's only technical, one can always be able to, only the two thousand cubits changes. Normally he can only go two thousand cubits in every direction (lechol ruach). Now he will be able to go from his house to the place where he acquired residence (koneh shevitah), two thousand cubits. I am there two thousand cubits.

#### **Speaker 1:**

Yes, because he can't go the other way.

#### **Speaker 2:**

He doesn't have two houses, like, two places. He only has one house, because he can't go the other way. That's why we say it's a practical difference (nafka minah). But normally one cannot go four thousand in one direction. One can only go two. Always, if you walk... let's say I live here, and I walk out two thousand cubits, I can walk from there back all the way to two thousand cubits. Now I can go in one direction four thousand cubits.

#### **Speaker 1:**

Yes, I understand, because you're saying that the leniency is that he doesn't truly live there.

#### **Discussion: Ikar Eruv - What Does That Mean?**

#### **Speaker 2:**

But it seems, why we say that eruv regel is not exactly the same thing as being at a certain place (shovat bemakom ploni). Shovat bemakom ploni is not an eruv at all, it's a residence (shevitah). Eruv means I don't live there, but in practice I say that I live there because I said "let my residence be in such-and-such place" (yeha shevitati bemakom ploni).

But it seems, because we say "ikar eruv" - this is how I understand what you're bringing - that what we say "ikar eruv" means to say that this is an eruv. It's not simply that you say you live there. This is not a leniency. This is the proper way (lechatchilah). This is not a novelty (chiddush). This is a leniency in that, as you say earlier, how does a person live? If he lived there, he lives there. What does it mean where his tax return comes? It means where he lives.

#### **Blessing on Eruv Raglav**

It could be the interesting thing, it could be that the "ikar eruv" that you want to say... I think, he brings the Pri Megadim who says that when one is me'arev regel one doesn't make a blessing. It's interesting. He says that this is ikar eruv techumin. But it could be that the blessing is on the trick, is on the novelty of the Sages to use the bread (pat). That's how it seems. It's like this, "ikar" doesn't mean ikar eruv, it's ikar like "before eruv" (lifnei eruv). This would have worked in other words if the Sages had not instituted eruv techumin at all. This is what one would have said.

#### **Speaker 1:**

Okay, I hear.

#### **Speaker 2:**

The great breakthrough of the Sages was not when they said, I would say it this way, that in their prohibition of only going two thousand cubits, that a person can have more if he was residing (shovat) with his foot somewhere, he can go the other direction, that's a smaller detail. Not that was the novelty of the Sages on which there is a blessing. The blessing is on the things that one can send someone a package, that's a much greater novelty. The person sits comfortably, that's a greater novelty.

#### **Speaker 1:**

It's simple that one only makes a blessing for the wisdom of the Sages who introduced, I don't know. It's different altogether. He's told why he brings fruits and vegetables, it's not... It could be he does make a blessing.

#### **Speaker 2:**

Okay.

#### **Law 2: Hechezik Baderech - Eruv Through Intention**

#### **Speaker 2:**

And so, and so, yes. So that's eruv raglav, that one can certainly do. Now he comes to discover another thing which is an even greater leniency, which we've seen one cannot always do. And so, yes?

**"And so if he intended to acquire his residence in a place known to him."** Here we're going to talk, he makes an eruv with his intention. That he had in mind that he's going to establish his residence (kovea shevitah) in a place known to him (bemakom yadu'a etzlo), at a certain place. It must be a specific place (makom mesuyan). **"Such as a tree, or a house, or a fence, whose place he recognizes"**, he knows the place, and he has in mind that there is where he truly wants to be, where he wants Shabbat to be his residence.

**"And there is between him and it this measure"**, the place that he intended, must be, as with the previous two cases also, must be within the two thousand cubits or less (o pachot), two thousand cubits or less, only two thousand cubits and less from that, from where the person sits now, so that he can arrive there. And it's not said specifically from where he sits now, he says "when it gets dark" (keshe'chasheicha), yes? It could be he's in his house now. No, because he's going on the way, we'll see.

On the contrary, if he's going to be at nightfall a bit further, it could be he can already connect for that. But someone who is not in a house, but he's walking, can he go from where he's holding right now walking, can he think two thousand cubits, a certain tree. Say, if the tree is, let's say, three thousand cubits from him, but in ten minutes he'll arrive there, and it can still be before dark, so he'll still be able to go there at night, so it could be that's also good.

#### **Condition: Hechezik Baderech**

But here he adds more. **"But only if he took hold of the way and walked"** (hechezik baderech vehalach), not simply he sat with his feet up and thought of a place, he already started, that's what the word "hechezik" means, he started to take hold (machzik), that the taking hold (chazakah) is he already started to do, to show that he actually wants to arrive there. He already started taking hold of the way (machzik baderech), **"and walked in order to reach that place"** (vehalach kedei sheyagi'a le'oto makom), he started walking so that he should arrive there, **"and acquire residence there"**

(veyikneh bo shevitah). **"Even though he didn't arrive and didn't stand there"** (af al pi shelo high'a velo amid sham), he didn't arrive, he didn't stop, he didn't actually acquire residence with his feet (koneh shevitah beraglav).

But something happened, he became tired from the way, he started walking with such strength as he already started walking, but he couldn't continue. His friend called him back, "Come sleep at my place." **"Or he changed his mind from going"** (o shechazar bo me'atzmo milalechet), he decided that he's not going to go now to the certain place, he's going to spend the night somewhere else. He was in any case delayed, so he didn't arrive at the place where he intended to be on Friday evening at twilight (bein hashemashot). But he truly had in mind there, it can't be a trick, he truly had in mind to arrive there.

#### The Law for Tomorrow

So, **"tomorrow he may walk to the place he intended"** (lamachar yesh lo lehalech ad hamakom shenichaven lo), he can tomorrow go to the place where he had in mind, because it's within the two thousand cubits, and the place where he had in mind is like the place where he acquired residence, and he already has a place, he gets two thousand cubits in every direction (lechol ruach). Why? **"Since he decided in his heart to establish his residence there, and took hold of the way, it becomes as if he stood there or made an eruv there with his feet with a proper eruv"** (shekeivan shegamar belibo likvo'a sham shevitato, vehechezik baderech, na'aseh kemi she'amad sham o she'eirev sham beraglav be'eruv kasher).

#### Discussion: Why Is "Amar" Missing?

It could be that here the word "amar" (said) doesn't appear, because he started walking to a certain direction. Someone asks him, "Where are you going?" "Ah, to that tree." He has a certain place in his mind. Earlier, when he is me'arev beraglav, he says "amar," because he walks, the place where he stops, there is the... Here the word "amar" is not missing, because he's going to a certain direction. He sees the tree, he sees the place.

#### Speaker 1:

Yes, he walks as he walks to such places.

#### Speaker 2:

The pillar stopped, because there it doesn't have to be specifically at a tree or what. It must be a certain place, he doesn't have to know because he's already there, a certain place as he says. For the next day we need to know how it was.

#### Speaker 1:

Yes, I say, here there must be a certain tree, because he's not what is the intention and the world speaks. There he speaks he intends, "where am I" (eifoh she'ani), he doesn't have to know what the place is called.

### Eruv Techumin: Acquiring Residence Through Thought - Conditions and Boundaries

#### The Essence of Eruv: Intention or Action?

#### Speaker 1:

Here the utterance is not missing, because he's going to a certain direction. Both seem that it's not the utterance. He walks, as... he walks to such places. The "amar" stopped, because there it must be specifically at a tree or what.

#### Speaker 2:

Yes. It must be a certain place, he doesn't have to know, because he's already there. A certain place like what. But besides that for the next day one needs to know how it was, precisely.

#### Speaker 1:

Yes, I say, here there must be a certain tree, because he's not what is the intention in the world. There he intends perhaps now, he doesn't have to know what the place is, it's the sign.

#### Speaker 2:

Yes.

#### Speaker 1:

But the novelty that one can do so with intention which will be with effort, first has many limitations. My slope we have and... think a moment. One can think two ways. One can think that always eruv is the intention (da'at). It's only there are three ways to express the intention. Either through the bread there, yes bread. Or through raglav and saying. Or going on the way and thinking, but all three is ways of expressing the intention, or can one say that not?

#### Speaker 2:

Yes, I mean that's it. A whole section is that there is on the place.

#### Speaker 1:

Yes.

#### Speaker 2:

See, one clicks above that he's actually there, it's also there there. When he's there it's also there. I mean it's not that bread is instead of there. Bread is another way of there a bread.

#### Speaker 1:

Yes.

### The Rambam: Intending on the Way and the Conditions

#### Speaker 2:

And the Rambam says. Now he said that one can also do it through being me'arev beraglav, or through intending on the way (mechavad baderech). Intention through intending on the way. I just need to say it clearly, because it has perhaps from my being his, we said earlier that one can simply with intention one sits on the car. No, going on the way to a place and intending. The permission to do the eruv with intention only with the intention with being taking hold of the way (machzik baderech) and intention, is specifically.

### The Law of Poor and Pressed

A poor person, who wants to make an eruv but doesn't have money to leave over. I want to take make spend, doesn't have extra money, he has unfortunately a poor person. Or not for the eruv, or he can't spend money for a messenger to send or a car service. That means, one doesn't trouble him not to place an eruv, not with bread - sorry, not with food, why should I say bread? I need to do teshuvah - not with food, and also not with his feet (beraglav). That means, the Sages say, if you want to go you're exempt, don't say "poor thing, a poor person, he has to drag himself." If he's a wealthy person, one tells him, "You really don't have to drag yourself, send food." If he's a poor person, he doesn't have the option because he doesn't have extra food, one tells him, "Okay, you have the right to go with your feet (beraglav)."

### The Law of Pressed - One Who Was Coming on the Way

If he is pressed (bedochak), that means, a person who is in a time of pressure, such as **one who was coming on the way** (mi shehayah ba baderech), a person comes from the way, **and fears lest it get dark** (veyira shema techshach), and he won't be able to arrive to place his eruv. He can't arrive there.

#### The Condition: If He Runs With All His Strength

The person who is coming on the way (ba baderech) is only specifically in such a case **that there remains from the day enough to reach that place where he establishes his residence before it gets dark if he runs with all his strength** (sheyisha'er min hayom kedai lehagi'a le'oto makom shekove'a shevitato kodem shetechshach im ratz bechol kocho). This means: a person comes on Friday evening (erev Shabbat), and it's already almost Shabbat, he wants to quickly acquire residence. The Rambam says, that this acquiring residence with his thought is only if there is still enough time that he could, technically, if he should start running very fast, the fastest running he can, he can still arrive at the place on Friday evening before it becomes Shabbat, to the certain place that on that place he intends. Then it's simple that it's relevant, and with his intention we make it as if it happened. And it's only according to the truth, of course, because... but if he couldn't have arrived there, his thought doesn't help. The thought doesn't work with magic, it's only a place where he could have arrived.

#### Speaker 1:

Yes, it's a novelty. It also makes the thought much smaller than one thought. The thought is that he must be able to arrive.

#### When Thought Doesn't Work - The Cases

#### Speaker 2:

And also, as at that place where it gets dark in any case. That means, and if not, **but if he was not pressed and not poor** (aval im lo hayah dachuk velo ani), someone who is not pressed, he doesn't need to, it's not late afternoon that he's on the way, or he's not a poor person. A poor person can be even at home, you know that point? Pressed (dachuk) means even a wealthy person, he's on the way and he won't be able to arrive. I mean the words "at home" is not good, even at home he must start going to that direction, he doesn't have to arrive today.

**"Or there didn't remain from the day"** (o shelo nish'ar min hayom), or in a case when there didn't remain time from the day that he could run to arrive before it becomes Shabbat to the place where he's acquiring residence.

**"Or there was between the place he intended to rest in and the place where he stands"** (o shehayah bein hamakom shenichaven lishbot bo uvein hamakom she'omed bo), the place where he stands now and the place where he wants to acquire residence now is more than two thousand cubits.

**"Or he didn't intend to a specific place that he acquire residence in"** (o shelo nichaven lemakom mesuyan sheyikneh bo shevitah), he thought, but he didn't have a certain Shulchan Aruch, a certain house.

What about all these people? The Rambam says, all these people the law is **"behold he didn't acquire residence in that place"** (harei zeh lo kanah shevitah bemakom hahu), he didn't acquire residence, **"and he has only two thousand cubits in every direction in the place where he stands"**

(ve'ein lo ela alpayim amah lechol ruach bemakom she'omed bo), his boundary (techum) is there where he is, he gets two thousand cubits in every direction, he can't go more.

### The Ra'avad's Dispute: A Stringency

The Ra'avad said that it's even worse then. Because the Ra'avad argues that if he intended, he said "let my residence be in a place" (harei shevitati bemakom), intended to arrive at some certain place (makom ploni), but he didn't arrive, it remained that he's still outside two thousand cubits (chutz le'alpayim amah) from that place when it becomes night, the Ra'avad argues, he did acquire residence, he said he's going to acquire there. Now he's like someone who went out from his boundary (techum), which we learned in the laws of Shabbat that he can't go more than four cubits. The Rambam with what he said that it didn't work, was lenient with him, because now, where he is, he has two thousand cubits. The Ra'avad argues that it does work, but you're in the wrong case, he's talking about that he didn't arrive, he's further than two thousand cubits from it. The Ra'avad says, yes, but you're in the wrong place, therefore it's worse.

#### Question on the Ra'avad: What's the Difference?

#### Speaker 1:

It's difficult for the Ra'avad, why should the Ra'avad for example distinguish between more than two thousand cubits away, or more than if he runs with all his strength and he can't arrive? Why doesn't he see it as the same thing? If he can't arrive there if he runs with all his strength (im yaratz bechol kocho), we say that your thought was for nothing, because if it's going to be Shabbat you won't arrive there. And why when it's more than two thousand cubits can he also not arrive there? So it's simple that it's expired? Why does he say that it is acquired and it doesn't work?

#### Speaker 2:

It needs more intention (da'at) that it should expire. Perhaps in another way.

#### Speaker 1:

The Ra'avad speaks that it's not. The Ra'avad said the same thing on the case of there didn't remain from the day enough to arrive (lo nish'ar min hayom kedai sheyagi'a), or only on two thousand cubits away like the Ra'avad?

#### Speaker 2:

No, on this it says two thousand cubits, it's clear.

#### Speaker 1:

Why is two thousand cubits different than when he can't arrive there?

#### Speaker 2:

Because then he can't make any residence (shevitah) there.

### Eruv Techumin: Acquiring Shevita in a Reshut Hayachid and a Specific Place

#### Introduction: Eruv Techumin is D'Rabbanan

**Speaker 1:** There's a principle that eruv techumin is d'Rabbanan (rabbinic), so one should be lenient, right? Do you agree? It's not just me ruling this way; the Biur Halacha rules like the Ra'avad. I don't understand why, if it's a dispute, one must always rule leniently in rabbinic matters.

Anyway, what did we learn last night in chapter 6? In which case was it stated that then he only has his four amot? If he went out from his eruv?

**Speaker 2:** Or there it said "nitgalgel eruv chutz latchum" (the eruv rolled outside the boundary), for example, what is then the law?

**Speaker 1:** He doesn't have a valid eruv. A made eruv. In which case did we have that he cannot go out from his four amot?

**Speaker 2:** Last night, I don't remember.

**Speaker 1:** "Nitgalgel chutz latchum" - he doesn't have an eruv. He falls back to his original eruv, his original techum.

**Speaker 2:** I don't remember that there should be a way.

**Speaker 1:** We learned in Shabbat, one who goes out chutz latchum (outside the boundary) intentionally, whatever, all kinds of rules that exist there, then there is such a thing that he becomes stuck.

**Speaker 2:** Yes.

**Speaker 1:** We are here. Okay.

#### Law 4: Acquiring Shevita in a Reshut Hayachid

**Speaker 1:** Law 4, yes? So, what we said that one can acquire shevita in a place, this works not only in one place, but if he wants to acquire in a city or a reshut hayachid (private domain), the entire reshut hayachid becomes like anyone who is resting in that reshut hayachid, yes? Instead of thinking of a specific place, he can think of a large reshut hayachid, the entire place becomes his specific place, yes? Like anyone.

**"One who stood before the day in a reshut hayachid and acquired shevita there"**, he stood on erev Shabbat, or he went. He says clearly "b'dieved" (after the fact). He already said earlier also "b'dieved". When...

**Speaker 2:** Yes. B'dieved. Yes.

**Speaker 1:** On erev Shabbat it was stated in the first law. **"One who stood b'dieved on erev Shabbat at the time of twilight and acquired shevita there, or one who was coming on the road and intended at the time of twilight known to him"**. Or the second case, either he was already there on erev with his feet, he was in the reshut hayachid, or he is on the way to the reshut hayachid and he is as if holding on the way, and he thinks of the reshut hayachid known to him, **"and established his shevita there"** in his mind, **"behold he may walk through all of it"**, he can go in the entire reshut hayachid, **"and outside it"**. Besides that, the entire reshut hayachid becomes like his four amot, and he can still go outside the reshut hayachid another two thousand amot in every direction.

This is for anyone who is in the reshut hayachid. Just like... He says again, the previous law works not only on a limited techum Shabbat, on a limited eruv, but also on the larger one which is the reshut hayachid.

#### A Place Not Enclosed for Dwelling

**Speaker 1:** **"This reshut hayachid, a place not enclosed for dwelling, or a hill, or a valley"**. If the reshut hayachid is a place not enclosed for dwelling, it doesn't have partitions for dwelling, or it's a mountain or a valley, the law is thus: **"If it was a beit sa'atayim or less"**, and it's still called a reshut hayachid, **"he may walk through all of it and outside it two thousand amot in every direction"**, one still gets, and the entire beit sa'atayim becomes like his four amot, and he still gets two thousand amot.

**"And if it was more than a beit sa'atayim"**, what happens if it's more than a beit sa'atayim? It's the same law as one resting in a valley, a karpeif (enclosure) that is too large becomes a karmelit. It has a status of a karmelit approximately, although it's not regarding carrying out, but regarding eruv techumin it has the same law. **"He may only walk four amot"**.

**Speaker 2:** No, this is both the same laws, everyone agrees it turns out to be a reshut hayachid.

**Speaker 1:** Right, because the reshut hayachid is a place not enclosed for dwelling or a small place that is made for that. **"He may only walk four amot"**. He only gets in the beit sa'atayim he only gets four amot from it, and further from there, from the place where he is, two thousand amot in every direction. He doesn't have two thousand amot from outside the beit sa'atayim.

**"And likewise if he placed his eruv in a place not enclosed for dwelling"**. This law that you get the entire city is only when it's a city or when it's a large thing that has a status of reshut hayachid. But once you get a status of karmelit, it doesn't mean you get the entire place, but you become like a specific place.

**Speaker 2:** No, but so all three types of eruvim don't work.

**Speaker 1:** That's the point. It's specifically a specific place. I mean, it works that he acquires shevita there, but the place is not one large place.

**Speaker 2:** Yes, he must specify the place within four amot, the distance, if it hasn't reached the boundary.

**Speaker 1:** That means, normally, the next law. But the Rema says, in total, all three types of eruvim, whether this new eruv, whether through the way of intending, whether standing in place, all three types of eruvim have the same rules of... It's not a novelty, I mean to say, the same rules of shevita, of techum, of the rules.

#### Law 5: He Must Specify His Place of Shevita

**Speaker 1:** Now one can learn the details that were learned earlier, that he must say "a specific place." Now he's going to say, it's interesting, it wasn't so clear, but now it will be clear, that he must make a certain specification. The Rema, I don't mean the Rema, further.

What was said that if one is on the way to a certain place, one can already make an eruv in his thought on a specific place, is only when it's truly specified, one says which specific place.

**But one who acquires his shevita at a distance, and did not specify his place of shevita**, he didn't indicate that this and this certain place I want to be, **he did not acquire shevita there**, obviously, if one is specified, there can't be any more separation.

He gives an example, it's very precise, **except for one coming on the road, who says my shevita is in such-and-such field or in such-and-such valley**, in this field or in this valley, **or at a distance of one thousand amot or two thousand amot from this place of mine**, exactly two thousand amot from here, **behold he did not acquire shevita at a distance**, he didn't acquire shevita at a distance, because it wasn't a specific place, **and he only has two thousand amot in every direction from the place where he is standing when it gets dark**, he only gets two thousand amot from where he will be standing with his feet when Shabbat comes in, not from the place where he intended.

### Discussion: Why Doesn't "A Distance of Two Thousand" Help?

**Speaker 1:** It was interesting to me about this distance of two thousand, because a distance of two thousand is indeed, why isn't it a specific place in terms of the size?

**Speaker 2:** We can say, one can calculate precisely where it is.

**Speaker 1:** When there's something specific, it means that a person in the world knows. He must have, there is a place that looks like something. I agree, he sees a sign, and not that it's a doubt. It's more like, a person must have that he knows where he's going. You know where you're going, you say simply, even if he can calculate it, he can go back and say, it's not simply that one can, there's the "altitude" or "whatever" as it's called, every place one can, once one decides on a place with it in any way, one can find it. Here I say, even if he says the "exact" inch, it doesn't help. It must be a specific place, a place where we can see a certain specific place.

**Speaker 2:** The word specific, like the language of a specific place, is that like from the language of marked, like he makes a sign?

**Speaker 1:** Interesting. A specific place, usually means finished. Here we don't see the word completion, but the noun form. Specific means to point, "I don't know how you say it". Specific, yes, a specific place, yes, we also learn it, a certain. Specific, but I say, here you have the noun form, a sign, it's a certain, it's special.

### Under a Specific Tree — The Problem of Eight Amot

**Speaker 1:** The Rambam says further, what happens then? **He said my shevita is under a specific tree or under a specific rock**, he did say a specific place, this and this place. But not enough. Why? **But if there is shade under it**, if it's a tree that has a huge shadow, and under the rock there's also no specific place, because under the rock or under the tree is a large area, **eight amot or more**. We need to know where the four amot is. His four amot must be a specific place. But if he said under a specific tree, it's still not a specific place for the "exact" four amot. **Therefore he did not acquire shevita**. And not four amot, it must be less than eight at least. **For we don't know the place of his shevita, why? Perhaps he established his shevita in these four amot**, it's still not good, **perhaps in these other four amot he sat and acquired**, and we don't know in which.

**Therefore**, the Rambam concludes, but I want to understand, if it's eight amot, he can go in the middle, yes? Take the four from the middle, at least he sits on two of yours.

**Speaker 2:** He doesn't know where his shevita is. He said to a large place. Just like I can't say "in such-and-such valley." By the way, a valley is a large place.

**Speaker 1:** No, but I say his language is a bit different. He says "in these four amot and others he has acquisition." If he's in the middle, he's at least on two of the four. It doesn't help him.

**Speaker 2:** I mean perhaps it's larger than eight, not exactly eight.

**Speaker 1:** No, he says "eight amot or more." I say there are two, it divides into two whole amot, and not like you that it's only seven and a half amot. He says eight whole amot. He can only sit in four amot, he doesn't take up more than four amot.

**Speaker 2:** No, but if he places himself in the middle, he sits on two and on two. So two of them where he acquired shevita.

**Speaker 1:** No, by the Rambam the problem isn't that. The problem is that it's not a specific place, it's not a doubt.

**Speaker 2:** No, but the words "in these four amot and others" he doesn't mean literally his concern. He only means to say, granted you didn't acquire shevita in certain four amot. Perhaps there are two four amot here, I don't know which you meant.

**Speaker 1:** I say again my issue with the four in the middle. Let's see the Rambam. Let's work it out.

**Speaker 2:** Yes, work it out, a solution comes.

### The Solution: To Rest at Its Base

**Speaker 1:** Perhaps what is the solution? If it's a specific tree, he should say **"to rest at its base"**, if he's going to sit in the center of under the specific tree. Next to the trunk. The base means the root stock, just like the tree is in the center of the entire "under." Under the tree means I the entire area, in the center of under the specific tree, or by the base of the tree. **"Or in the four amot on its north side, or in the four amot on its south side"**, he says clearly by which side of the tree.

**"And if under it was less than eight amot"**, that is if it is eight amot. **But if he said a specific tree**, even if he didn't say exactly, but the entire area under the tree is less than eight amot, he's not concerned about what's under it, he did acquire, there isn't there a measure for two four amot, because he makes it a specific place. It's not only four amot, it's seven amot, that was already not part of his specific place.

### The Opinion of the Ra'avad

**Speaker 1:** The Ra'avad disagrees with the entire law. That is, in law 5 where it was stated that the Ra'avad said that the reason is because he doesn't have a specific place, he doesn't acquire shevita at all. And he only has two thousand amot from where he is.

The Ra'avad says, he doesn't understand. The Ra'avad says that no, he does acquire shevita in the field, but since we don't know in which part of the field he must be stringent, the entire field may not go two thousand amot from any place in the field, basically. So the Ra'avad understood not like we say that there's perhaps three in the—

### Dispute between Rambam and Raavad regarding a specific place, and the laws of being on the way

#### Law 7 (continued) – Dispute between Rambam and Raavad: Is "specific place" a principle or a doubt

The Raavad disagrees with the entire law. That is, in this law it begins, the Rambam said that if he doesn't have a specific place, he doesn't acquire shevita (resting place) at all, and he only has two thousand amos from where he is.

Says the Raavad, he doesn't understand. The Raavad says that no, he does acquire shevita in the field, but because we don't know in which part of the field, he must be stringent that from the entire field he may not go two thousand amos from any place in the field, basically.

So the Raavad understood not the way we say that it's a principle in the establishment that it must be a specific place. The Raavad understood that it's simply a doubt, and he must subtract the four amos from the two thousand amos in every direction. For example, if at the valley or at the field, they are larger, they are more rounded, he must calculate his two

thousand amos from any place in the valley. But not like the Rambam.

This is the dispute. The Raavad held that it's simply a doubt. Ah, the Rambam holds that it's not called a specific place, that means no shevitah. That is, the Raavad also knew that it says specific place, but the Raavad understood that this means he should know for certain where he is, so he can calculate two thousand amos. But the Rambam didn't hold that it's only from doubt, the Rambam held that it's a concept that a place of shevitah should be specific, and this is not specific.

**Question on the Mishnah Berurah: Why be stringent in a dispute of Rishonim regarding rabbinic law?**

Yes. Further. Is the... yes. By the way, I don't know why he holds to bring in the Mishnah Berurah that one should be stringent. I don't understand. If it's a dispute between the rabbis, one should say to be lenient and conduct oneself like the Raavad. I don't understand what you've accomplished at all by bringing the Mishnah Berurah. You already know who are the two great tzaddikim who speak about this matter, the Rambam and the Raavad. What have you now added?

No, I'm just saying the law. He holds to look, should one... the Rambam's ruling, how is it called? The Rambam teaches, brings, the practical law, and he holds to bring in the name of the Mishnah Berurah that one should be stringent. I don't understand why one should be stringent. There's a rule, a dispute of Rishonim regarding rabbinic law one should be lenient. The Rambam said to be lenient regarding eruv. Yes, that's a law, that a rabbinic doubt, no? Unless you want to say that one is correct, then it's not a doubt.

It could be that being lenient regarding eruv is only when the eruv is relevant, and there's the effort. But here, when the concern is whether the eruv was established at all, all rules. I don't see that the Mishnah Berurah held at all from the rule that the rabbis must be lenient in a dispute of poskim. Perhaps it's a question, perhaps it's a doubt, people have indeed learned clearly that even in a dispute of poskim there is the law.

It appeared that the law to be lenient regarding eruv is more than just the law because it's rabbinic. It's an extra law in eruv that regarding eruv one is lenient. Not clear. It sounded, yes, I don't know. Why should it be more than a normal rabbinic law? By every rabbinic law it should be so. The very statement, "to be lenient regarding eruv." Could be because one might think that perhaps eruv is biblical.

Why does it have to do with the question? Whether there's an eruv that helps for biblical matters. Perhaps there are questions where there's an obligation that one shouldn't go according to the other. I don't know.

**Law 8 – Two people walking on the way, one recognizes the place**

Anyway, another solution, a certain case of the topic that one must be specific about a place. Yes, section 8.

**"Or two who were walking on the way, and both want to acquire shevitah in a specific place, and one of them recognizes a tree or fence in the place they established for shevitah, and the second doesn't recognize, the one who doesn't recognize transfers his shevitah to the one who recognizes, that he should say I acquire shevitah in the place where my friend acquires, and the one who recognizes must intend to**

**rest both himself and his friend in the place that he recognizes."**

That is, he agrees that he is nullified to you, where you go I go. And the other says, "Okay, we're going to such-and-such place." Like one who cannot pray on his own and hears the chazaras hashatz, he transfers his prayer. Yes.

**Law 8 (continued) – People of a courtyard who sent their eruv: Can the messenger acquire shevitah through being on the way?**

Okay. **"People of a courtyard who sent their eruv with one of them"**. We learned earlier that people of a courtyard go together to make an eruv with food, but now we're going to talk about when they go together and it happens on the way. People of a courtyard go together. No, no, no, here we're not talking about people of a courtyard. Ah, ah, ah, ah. **"People of a courtyard who sent their eruv"**, excuse me. We learned that people of a courtyard collect together from each one food and send it with one person. And the person with the bag of the eruv however didn't arrive quickly enough, he was on the way and he started going, and **"and the eruv returned and didn't go out"**, it happened he didn't arrive with the eruv.

It turns out that his eruv returned, he needed a friend who got delayed. Yes, so to think that... One can think this way, that the person who went, for him shouldn't being on the way have helped. So perhaps it would already help with this as if, and they should look as if he was there erev Shabbos bein hashmashos at the place where he thought. Therefore he was there, and as if he was already with all the eruvs.

It doesn't work that way, because eruv with food doesn't work for... Yes, I say so, eruv with his feet doesn't work for the other.

Yes, I say so, if we should take literally the words of the sages, that we look as if he was there with his feet, he's there with his bag in his hands, yes? No, it doesn't work that way. Therefore he cannot rest at that place.

**Proof from Mordechai: Being on the way helps for the messenger himself**

There's a similar thing in the Mordechai, that their eruv wasn't placed down, and... yes, together with the eruv, yes, like... the sage, he did acquire eruv. Why? Because he was on the way, intended to rest there and was on the way. He did come, he was on the way, and he did intend to rest there and was on the way. Did he also have a portion in the basket, yes?

He tells you, there's no difference, because in practice he didn't have the intention to be on the way. But you see that being on the way helps for him. No, being on the way he certainly wanted to plan to bring there the basket. The question is whether he had intention to rest there. But I tell you, in general placing an eruv is also intention to rest, because eruv means I acquire shevitah there.

**Discussion: Does the bread or being on the way help?**

But I think, you mean to say this, let's say that the person also put his own bread in the bag, and he however didn't have in mind that he's now being on the way... there didn't happen a return of a friend, yes? And he arrived there. What would work for him, the bread or the... the truth is that that person doesn't need... the truth is that that person, seemingly, doesn't need at all to place. He doesn't need to place any eruv, he doesn't need to place any bread, because he goes with his feet. He's certainly poor, because he's the poor messenger.

No, I'll tell you what I think here, it could be it will become clearer later. But we learned, for example, if the eruv was lost, the bread was eaten. We talk in all places, when there was no being on the way, it didn't have... the other way it couldn't work for him. Again, the eruv was lost, and a messenger placed it, some slave, for example. But when a person goes... if he himself was there, on the contrary, he didn't even need to... he can still, because there was bread there. I mean, I think... okay, not important.

The one who himself was there in that place, doesn't need any bread at all. Why? Because he is on the way with his feet, he makes eruv with his feet. And this works even for a poor person, so he says, even for a rich person. So, on the contrary, the whole doubts and further begins... the doubts begin because one must have the food there, because he's not there, or because he made it for another.

### Law 9 – What does "being on the way" mean

So we turn further. **"And this that we said that one needs to acquire..."** Yes. He's going to tell us what he means "being on the way." So, we learned about "being on the way," that there's a way how one makes the eruv with thought, if one was already on the way, started going, and can't go further, one can have a thought for the place of his dwelling. But there's a condition, **"and this is that he was on the way"**.

The law that one needs to acquire his shevitah at a distance from the place that he was on the way, this is that when one acquires his shevitah at a distance from the place only with thought, if he already started walking on the way. What does this walking on the way mean? He says so, **not that he went out and walked in the field**. It doesn't mean that he already had to start going out of the city, he already had to be in the field. Field always means outside the city. **But even if he descended from the upper room to mount the horses**, even if he only started going out from the house, he started going out from the city, and he started going out, this is also called walking on the way, because he already started going to the place where he acquires shevitah.

**And so too anyone who acquires shevitah with his feet in a place, doesn't need to say I rest in such-and-such place, rather since he resolved in his heart**, he was already resolved, and he already started going there, **behold this is walking on the way as long as he acquires shevitah**, because he already started doing.

And the Rambam says clearly about... he says yes, **and needless to say one who goes out with his feet and stands in the place where he acquires his shevitah**, that one who was actually walking with his feet and was actually there, it's certain that he doesn't need to say, **since he resolved in his heart etc.**, because he's there.

The Rambam says clearly that the Gemara is not exact.

**Discussion: Must he say with his lips, or is resolving in his heart enough?**

I say, is this literally only returning to a friend, or can he say for himself, "I'm now going out to acquire shevitah, and I'm going to make a stop on the way"?

It's implied like the Rambam says, like you said, that he must say it with his lips. I would have said that one may not add at its time. He says such a walking on the way. But there is returning on its own. He can later decide, "Ah, I don't want

to." But it doesn't have to be specifically a friend, this we saw earlier.

I don't want to, that will help. He comes down from the attic, why not? The same thing, the question is only, how do we know that he wanted? Is he a liar? A person knows that he doesn't lie. Again, we'll say what, a hundred degrees? We'll say, truly he did want, but he remained despairing in the last moments. He started to go, tried to go, he sees that it's too hot. I don't know.

### Law 10 – The students

Okay, perhaps one more interesting detail, from where does the eruv count? Students, and further, students!

### Law 10: Torah scholars and establishing a place

**Students who go and eat on Friday nights in fields and vineyards at the homes of householders whose bread is available to wayfarers who come there, and come and sleep in the beis medrash - they walk two thousand amos in every direction from the beis medrash, not from the place of eating, for if they found their meal in the beis medrash they wouldn't go out to the field, and their mind doesn't rely on dwelling except on their beis medrash.**

The same thing, this is all just a statement, because one can get used to the violence. It's a liar, a person doesn't know himself.

Yes, again, we'll say what, a hundred degrees, we'll say truly wanted, but not to lay down now in the last moment. Started to go, tried to go, see how it's hot, we don't know, ah, I don't know.

### Picture of the law: Students who eat at householders

Okay, perhaps one more interesting detail of where the eruv counts, an interesting law. The students, further the students, Torah scholars, we already learned. Yes, **students who were eating on Friday nights at meals at householders**, one goes to eat there, one goes to the householders, it appears that they didn't live, interesting, you see, one goes to the meals, it appears the householders didn't live in the city, they lived at the farmers, because there was more abundance of food there. They went to the farmers to eat.

The householders were passers-by, or there's such a law of an inn, or Rabbi Yishmael's guest house, or people who gave for money. Perhaps yes, I don't know. No, just a simple passer-by, such language is in Rashi, he means such kindly Jews who on the way were for people who pass through, passers-by.

**And come and sleep in the beis medrash**, they come back and they sleep in the beis medrash, as we already learned that Torah scholars may sleep in the beis medrash. They don't need to sleep, they live there, they come to yeshiva, correct, the students. **Their walking is from the beis medrash in all directions from the beis medrash**, where is their place? What is their center where they are? Their place is from the beis medrash. **Not from the place of eating**, not from the place where they eat there, there where he is at the householder.

### The Rambam's explanation: Clear assessment

Because, says the Rambam so, **for if they found their meal in the beis medrash**, if they would have found the meal in the beis medrash, if someone would have brought, there would have been a meal there. If the world would have been the

world, says the Rambam, I mean that if the world would have been the world, one would have brought it into the beis medrash, they should be able to learn while eating, they shouldn't have to drag themselves, they shouldn't have any embarrassment. **They wouldn't go out to the meal**, but what, this is such a post-facto situation, and then is the joy of the dwelling, but in the beis medrash, their main place where they live, where they exist, is the beis medrash.

#### **The novelty: Contradiction to the rule of intention on bread**

This is a novelty, he brings here the Gemara in Eruvin, because seemingly there's a contradiction. The entire law of eruv says that where you eat, there you are, even if you're not truly there. Here you have a person who eats even at dozens of householders, you say no. Therefore one in the Gemara said, Rav Sheshes, that no, that one truly intends to rest here. The Torah scholar doesn't intend, he would have essentially wanted to remain in the beis medrash, but he doesn't have to eat so he goes there, but it's not his intention on bread. The intention on bread here is an exception, intention on bread is only for a householder. A Torah scholar, no, his intention is on Torah.

The point is that post-facto, he doesn't live here. A clear assessment, he says that there's a clear assessment that the assessment is that it would have been better for him to remain at home. He doesn't want to.

#### **Practical differences in law**

The law is only a law in Shabbos boundaries, or for example there should be some question where the person lives, where he should light his Chanukah candles, his own mezuzah, I don't know what. A Torah scholar lives in the beis medrash. I mean that from here Rabbi Meir Shapiro introduced that Torah scholars must be given a nice lunch room and they should be given to eat, not that they should go knocking on doors of householders, not be like the Rambam.

#### **Language of Rav Sheshes: Clear assessment in eruv**

He says so, he says the language of Rav Sheshes, whoever it was, said Rav Sheshes, that when a person places an eruv, it's as if he says a clear assessment, when he could have lived there, he would have lived there. He can't live there, he doesn't have a bed. One says, okay, but the main place is where he eats. But here it's the opposite, he wants to live even to eat there where he sleeps, he just can't.

#### **Discussion: Is the beis medrash in the city or outside?**

But it's interesting, it seems to me that the beis medrash is not in the city at all. Because he says that he can go from the beis

medrash two thousand amos in every direction. He says, we're talking here about a beis medrash that is outside the city, and he goes to the eruv meals. It could be that it was a field, I don't know, it was a beis medrash set apart, such a yeshiva campus, it also wasn't in the city. When he says that one establishes a place in the beis medrash, and he goes to the eruv meals. Perhaps it's the opposite, it could be the beis medrash is in the city, but the eruv meals are outside, and he wants to know that he can walk further from that, you understand? But no, why shouldn't one say, from the place of the city he has according to the law.

It seems to me here like something four... Again, beis medrash is in the city, no contradiction. Could be the question whether he can live further. The fields and vineyards are not in the city, certainly not. The fields and vineyards are certainly outside.

The entire matter with the beis hamedrash (study hall) is a bit interesting. Because I'm saying, the halacha (law) is not relevant. I'm saying that the picture of what he's talking about, it looks like he's talking about a beis hamedrash in such a village outside of a city, and the fields and vineyards around.

I'm not sure, because that's not the case. I already know regarding other halachos what this is, because this is regarding eruv that one talks about his kevius dirah (fixed residence), from where he lives. What other halacha has such a question? What do you say like by Chanukah lights? What do you say like by Shabbos lights? Shabbos lights, one has the seudah (meal). One has the seudah there where they learned. I mean, it wasn't a matter of Shabbos, it was a bright Shabbos. They learned like that. Yes. But... something...

#### **Comparison to Our Time**

No, I'm saying for example today, when you talk about such a question, you're talking about the dormitory with the beis hamedrash. It's all one area, it's not some question where he lives. It's all beis hamedrash. Yes.

If there is some nafka minah (practical difference), if it's really far. Then indeed, one should say that he lives in the beis hamedrash, he doesn't have where to sleep there, he needs to go sleep at home.

#### **Eruv Chatzeiros: Rebbe and Students**

Also in the matter of eruv chatzeiros (courtyard eruv) we had a distinction. A rebbe whose students eat by him, is there in the beis hamedrash, there is the main place. Here he says, everyone is like family. He says by eruv, he says that one needs an eruv, one cannot come into the horses.

He has no chapter his.