



## Rolling Eruv Techum

In the third *perek* we learn that one is limited regarding how far they can travel outside their city on *Shabbat*. The limit, the *techum*, is two-thousand *amot*. When there is a need for the purpose of a *mitzvah*, one can move their *makom shevitah* (dwelling place) such that they can travel two thousand *amot* from that location in any direction. One can do so by placing an *eruv techum* to one side of the city. Doing so will enable them to walk further in that direction but less in the other. Importantly however, one must be within two-thousand *amot* of the *eruv techum* at onset of *Shabbat*.

The *Mishnah* (3:4) teaches that if the *eruv techum* rolled away prior to *Shabbat*, such that it is now further than two thousand *amot* away, the *eruv techum* does not work.

It is important to understand that an *eruv techum* takes effect at *bein ha'shmashot* (between sunset and nightfall). Furthermore, we learnt in the previous *Mishnah* that if the *eruv techum* is placed in a location, such that it cannot be accessed from the *makom shevita* during *bein hashmashot* then the *eruv techum* does not work. During *bein hashashot* however, the *Chachamim* did not apply *shevutim* (rabbinic prohibitions). Consequently, it is only a biblical prohibition that would present a problem.

Based on the above, one might ask as follows. Walking beyond two-thousand *amot* (but less than twelve *mil*) is a rabbinic prohibition. That being the case, since *shevutim* do not apply at the critical time, then the *eruv techum* in our *Mishnah* should work.

The *Tosfot Yom Tov* cites the answer of the *Tosfot*, who explain that if the *eruv techum* worked, then it would mean the person would be standing outside his *techum*. The law in

that case is that he would only be allowed to walk four *amot* – an undesirable result. Consequently, the *Chachamim* built into the law of *eruv techumim* that one must be within two thousand *amot* of it. In other words, it is not the prohibition of reaching the *techum* that prevents the *eruv techum* in this case, but rather a law in *eruv techum* itself.<sup>1</sup>

The *Ritva* (*Eiruvin* 351) however writes that if one would not be able to reach their *techum* “*beheter gemur*” – in a completely permissible way – then the *eruv techum* would not work. What does “*heter gemur*” mean, considering that *shevutim* are permitted during *bein hashmashot*.

The *Beit Meir* (368:8, s.v. *omnam*) explains that whether a *shevut* prevents the *eruv techum* from working depends on the *shevut*. If we are dealing with a rabbinic prohibition that is not related to the *issur techum*, then we can say that *shevutim* do not apply during *bein hashmashot* and the *eruv techum* works. The previous *Mishnah* is one such example. The case is where one placed the *eruv techum* in a tree, less than ten *tephachim* from the ground with the intention that the *makom shevitah* will be at the base of the tree. The location in the tree is a *carmelit* and the *makom shevitah* is in the *reshut ha'rabim*. Transferring between those location is rabbinically prohibited. Since however that prohibition does not relate to *eruvim techumim*, it would not ruin the *eruv techum*. If however the rabbinic prohibition relates directly to the prohibition of *techumim*, for which the *eruv techum* is trying to permit, then it would clearly present a problem. In other words, for the *eruv techum* to work, the *Ritva* requires that it is completed permitted with respect to all the law of *techumim*, to access the *eruv techum*.

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<sup>1</sup> The *Beit Meir*, cited later in this article, finds the *Tosfot* difficult. Since during *bein hashmashot* one would be able to access the *eruv*, then why could one not move the *eruv techum* back to the location of the originally

intended *makom shevittah*. This would be comparable to the previous *Mishnah* where one could move the *eruv techum* that was in tree (less than ten *tephachim* from the ground) to the *makov shevitah* at the base of the tree.

**Revision Questions**

עירובין א' ז' – ג' ד'

- Explain the debate regarding whether one can use an animal as a *lechi*? (א' ז')
- What other two debates are listed in the same *Mishnah* regarding the status of animals? (א' ז')
- What are the two criteria listed in the *Mishnah* regarding an ad-hoc fence constructed by travellers enabling the fenced area to be considered a private domain? (ח' א')
- What is the maximum size of a breach in a fence the does not render the entire partition invalid? (ח' א')
- How can one construct a valid partition using rope strung in a horizontal manner? (ט' א')
- How can one construct a valid partition using reeds placed in a vertical manner? (י' א')
- What restriction does *R' Yehuda* place on the solution to the previous question? (י' א')
- Which *Tana* does not agree with the reed or rope solutions? (י' א')
- Which four things were permitted to an army camp? (י' א')
- Describe the type of partition that was specifically permitted to be used by water-holes – include both opinions. (א' ב')
- What are the dimensions (height, width and thickness) of the planks of wood used for this partition? (א' ב')
- How close can this partition be placed to the water-hole? (ב' ב')
- *R' Yehuda* explains that the maximum area that can be encompassed by this special partition is *beit sata'im*. The *Chachamim*, who disagree, argue that this restriction only applies to which areas? (ג' א')
- Who holds that if a public thoroughfare passes through this special partition, that it disqualifies it? (ד' ב')
- List the two opinions regarding which water-hole and its location suitable for this special partition. (ד' ב')
- What is the length of a square shaped property that is considered *beit sata'im*? (ה' ב')
- What is a *karpaf*? List the three opinions regarding what a (small) *karpaf* must contain in order that the partition enables one to carry within it. (ה' ב')
- *R' El'ay* said in the name of whom that even if a walled *karpaf* is the size of a *beit kur* one can carry inside it? (ו' ב')
- What are the two items with which one cannot make an *eiruv chatzeirot*? (ז' א')
- Which two other laws are mentioned in connection to these two items? (ז' א')
- Can a *nazir* make an *eiruv* with wine or an *Israel* with *trumah*? (ז' א')
- Can one make an *eiruv* with: (ז' ב')
  - *Demai*?
  - *Ma'aser sheni*?
- In what situation could one make a minor his *shaliach* to place an *eiruv techumim*? (ז' ב')
- Where in a tree is one allowed to place his *eiruv techumim*? (ז' ג')
- How deep into a pit can one place his *eiruv techumim*? (ז' ג')
- Explain the debate regarding one who locked their *eiruv* in a cupboard and lost the key, whether it is a valid *eiruv*. (ז' ג')
- Is the *eiruv techumim* valid if it rolled out of the city's *techum* on *erev Shabbat*? (ז' ד')
- What is the law if one lost his *eiruv* but is unclear when it was lost – include both opinions? (ז' ד')

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
5 February ה' ט"ד שבט	6 February ט"ו שבט	7 February ט"ז שבט	8 February י"ח שבט	9 February י"ח שבט	10 February י"ט שבט	11 February כ' שבט
Eruvin 3:5-6	Eruvin 3:7-8	Eruvin 3:9-4:1	Eruvin 4:2-3	Eruvin 4:4-5	Eruvin 4:6-7	Eruvin 4:8-9

