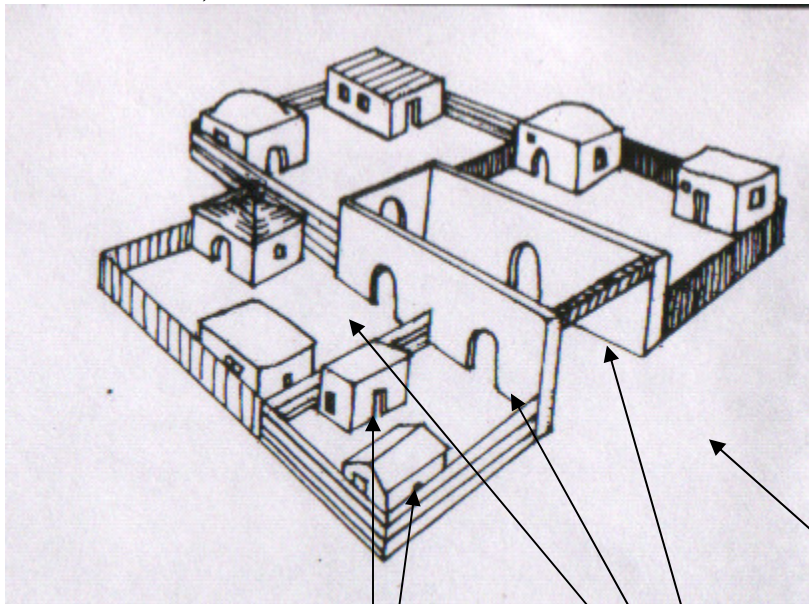


Introduction to ג'סכת עירובין

Premises:

- 1) **מדאורייתא**, you are allowed to carry in any properly fenced-in privately owned area (**רשות היחיד**).
- 2) **חכמים**, out of concern lest people confuse commonly owned private areas – such as common courtyards and private streets – with the public domain, forbade carrying in any residential commonly owned private area – or from one private area to another (**רשות היחיד לרשות היחיד**) without first appointing the property to the ownership of one of the residents through the vehicle of an **עירוב**.



- 3) Here is a sketch of a typical urban setting in the near east during Mishnaic times. The **רשות הרבים** is on the perimeter of the sketch. A cul-de-sac (**מבוי שאינו מפולש**) comes off of the public area and it opens onto several courtyards (**חצרות**), each of which contains several private homes (**בתים**).
- 4) In order for the members of the courtyard to carry from house to house and within the courtyard, they must create an **עירוב חצרות**. For the members of one courtyard to be able to carry to another, they must unify the ownership of the cul-de-sac through **שיתופי מבואות**.
- 5) The first 2 chapters of **עירובין**, as well as several later chapters, focus on the proper setting, method and demography for **עירובי חצרות ושיתופי מבואות**. The other major topic of the **מסכת עירובי תחומין** (hence the plural "עירובין") will be introduced when we first encounter the major **סוגיות**.

3.1.1

2a (משנה א) → 3a (אית ליה קלא)

note #1: the 2nd מקדש had a vestibule (אולם) in front with an outside doorway of 20x40 אמות, exactly twice the size, in both height and width, of the doorway to the (היכל) מקדש.

note #2: the משכן had a courtyard (חצר) which was surrounded by curtains. The width of the חצר was 50 אמות and the curtains were 15 אמות – the west side had 2 curtains on each side, leaving an opening of 20 אמות, referred to as פתח שער החצר.

note #3: the inside of either the היכל or אולם had painted boards atop the entrance – these were called אמלתראות. Even if we assume them to be in the אולם, it should be patterned after the היכל

1.	וְסִמָּךְ יָדוּ עַל רֹאשׁ קַרְבָּנוֹ וְשִׁחֲטוּ פֶתַח אֹהֶל מוֹעֵד וְרָקוּ בְּנֵי אֹהֶלן הַפְּהִינִים אֶת הַדָּם עַל הַמִּזְבֵּחַ סָבִיב. וְיִקְרָא גַב
2.	וְנִסְעוּ הַקְּהָתִים נֹשְׂאֵי הַמִּקְדָּשׁ וְהִקִּימוּ אֶת הַמִּשְׁכָּן עַד בָּאֵם: בַּמִּדְבָּר י, כֹּא
3.	וְנִתְּתִי מִשְׁכְּנֵי בְּתוֹכְכֶם וְלֹא תִגְעַל נַפְשֵׁי אֲתָכֶם: וְיִקְרָא כו, יֵא
4.	וְעָשׂוּ לִי מִקְדָּשׁ וְשִׁכְנָתִי בְּתוֹכְכֶם: שְׁמוֹת כה, ח
5.	אֲרֹךְ הַחֲצֵר מֵאָה בְּאֵמָה וְרֹחַב חֲמִשִּׁים בְּחֲמִשִּׁים וְקַמָּה חֲמֵשׁ אַמּוֹת שֵׁשׁ מִשְׁזָר וְאֲדָנִיָּהֶם נֹחֶשֶׁת: שְׁמוֹת כז, יח
6.	וְחֲמֵשׁ עֶשְׂרֵה אַמָּה קַלְעִים לַפֶּתַח עֲמֻדָּיהֶם שְׁלֹשָׁה וְאֲדָנִיָּהֶם שְׁלֹשָׁה: שְׁמוֹת כז, יד
7.	וְלַכֶּתֵף הַשְּׁנִית מִזָּה וּמִזָּה לְשַׁעַר הַחֲצֵר קַלְעִים חֲמֵשׁ עֶשְׂרֵה אַמָּה עֲמֻדָּיהֶם שְׁלֹשָׁה וְאֲדָנִיָּהֶם שְׁלֹשָׁה: שְׁמוֹת לח, טו
8.	לְמַעַן יִדְעוּ דֹרֹתֵיכֶם כִּי בַסֻּכּוֹת הוֹשַׁבְתִּי אֶת בְּנֵי יִשְׂרָאֵל בְּהוֹצִיאִי אוֹתָם מֵאֶרֶץ מִצְרַיִם אֲנִי ה' אֱלֹהֵיכֶם: וְיִקְרָא כג, מג

- I. משנה א: proper size of a מבוּי that may be enclosed (if too high or wide, he should diminish it – ימעט)
 - a. Height: until 20 אמות
 - i. Dissent: ר' יהודה allows for more
 - b. Opening: up to 10 אמות
 - c. If there is צורת הפתח: no need to diminish it to within 10 אמות
- II. Analysis of משנה א
 - a. טעם (as opposed to פסול as per סוכה) OR because הלכות סוכה דאורייתא/דרבנן: premise: inferred from v. 1; premise – משכן::מקדש – (vv. 2-4)
 - b. ר' ב' assessment of the dispute יהודה/חכמים:
 - i. Per: מדות ד"א – the opening of the היכל was 20 אמות high – and the opening of the אולם was 40 high
 1. Per: פתח is 20 high → היכל distinct from קדושת אולם → v. 1 refers to היכל distinct from קדושת היכל: חכמים
 2. יהודה: all one קדושה → v. 1 refers to אולם → may be up to 40 אמות high
 3. Or: ר' יהודה agrees that each קדושה is distinct; but פסוקים hint to notion of "פתח אולם הבית" → valid פתח האולם → פתח אולם הבית – opening to the היכל
 - a. דבנן: if it alluded to the פתח האולם, that would be valid; it alludes to פתח אולם הבית – opening to the היכל
 - ii. Revisiting: premise::מקדש
 1. Support: ruled that שלמים slaughtered before היכל doors open are invalid, per v. 1
 - a. But: that verse is written about משכן; משכן::מקדש →
 - i. Note: v. 2 rejected as source as "מקדש" there is a reference to ארון
 - c. Challenge: why don't the infer from פתח החצר (vv. 5-7); it would be limited to 5 אמות
 - i. Answer1: it's modified by פתח החצר, not called פתח (unqualified)
 - ii. Answer2: height was 15 (vv. 6-7); height of 5 (v. 5) is from top of מזבח (which was 10 high)
 - d. Challenge: why doesn't ר' יהודה disagree about the width (more than 10)
 - i. Answer: he does (in a ברייתא and implicitly in the משנה)
 - e. challenge to יהודה: ר' יהודה in which ברייתא דב' ר' יהודה allows up to 40-50 אמות (and, per ב"ק, up to 100 אמה – but גוזמא)
 - i. answer (ר' חסדא): רב was misled by ברייתא that associated ר' ב' position with היכל; assumed ר' יהודה → פתח האולם
 - f. Challenge #1 to יהודה: ר' יהודה. They allow מבוּי w/o doors and צורת הפתח if its wider – all unlike היכל
 - i. Answer: רב reads (in our משנה) – צריך למעט – צורת הפתח, needs to be within measurements
 - g. Challenge #2 to יהודה: ר' יהודה. אמלתראות (either cedar boards or planks painted like nests) should not work
 - i. Answer1: רב could claim that his position is one side of a תנאים
 - ii. Answer2 (רנב"י): קורה משום היכר – rejection of רבא ברייתא mentioned the היכל as a סימן
 1. Note: if רנב"י holds like רבה re: סוכה (the eye doesn't catch sight of items over 20 אמות high), why have the parallel מחלוקת (יהודה) in עירובין and סוכה?
 2. Answer: סוכה is more likely to be seen (people sitting there) than מבוּי (walking by)