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In memory of their parents Dr. Irving & Mrs. Bernice Mehler & Mr. Gedalja & Mrs. Miriam Zupnik

לעילוי נשמת ר' יצחק מאיר בן אליהו ובריינא בת אברהם ע"ה ור' גדליה בן אברהם מנחם הכהן ומרים בת ישראל ע"ה

## *Eruv Tavshilin*

Rabbi Chaim Yeshia Freeman

*What is the source of the requirement to make an eruv tavshilin?*

*What does an eruv tavshilin permit one to do on Yom Tov?*

**Preparing food on Yom Tov for Shabbos:** The Torah states in numerous places that all *melacha* is prohibited on Yom Tov (similar to Shabbos) with the exception of *ocheil nefesh*, food preparation<sup>1</sup>. One may only prepare food that is needed for Yom Tov. This poses a problem when Yom Tov occurs on Friday and is followed by Shabbos, as one would normally prepare the Shabbos food on Friday.

The Gemara in Pesachim (46b) cites two opinions which both agree that preparing for Shabbos on Yom Tov is permitted on a Torah level. The first opinion is that of Rabbah, who says that *midioraysoh* (on a Torah level), one may perform *ocheil nefesh*-type *melacha*, even if it is intended for post-Yom Tov use, as long as there is a possibility that the food will be eaten on Yom Tov. Rabbah bases this on a concept called *ho'il* (lit., since), which states that since there is a possibility of guests showing up to eat the food, it is permitted to prepare such food, even if it is intended for post-Yom Tov use.

The second opinion is given by Rav Chisda, who does not subscribe to the concept of *ho'il*. In his opinion, it is forbidden to cook on Yom Tov for a weekday. However, Rav Chisda says that one may cook on Yom Tov for Shabbos use; since the Torah refers to Yom Tov as a "*shabbason*," a Shabbos-type time, Shabbos is included in the permission of *melacha* for *ocheil nefesh*.

The practical difference between these two opinions is whether one may prepare food late Friday afternoon such that even if guests were to arrive, the food would not be ready for them on Yom Tov. According to Rabbah, this would be forbidden, since the concept of *ho'il* is not applicable. According to Rav Chisda, however, it would be permitted, as cooking for Shabbos is included in *ocheil nefesh*.

The Mishna Berura (527:3) rules that preferably, one should not prepare food on Friday if it will not be ready to eat before the day ends. The Mishna Berura adds that due to this concern, there is a custom to *daven maariv* early on Friday, thus accepting Shabbos while it is still day, to ensure that all cooking preparations are finished prior to late afternoon, mitigating the concern that there will be inedible food before the day ends. However, he writes that on the second day of Yom Tov, which is Rabbinic, one can be lenient to cook late Friday afternoon under extenuating

circumstances. He concludes that even on the first day of Yom Tov, which is *midiorayso*, there are grounds to be lenient under extenuating circumstances.

**Origins of *eruv tavshilin*:** The entire discussion until this point has focused on preparing food on Yom Tov for Shabbos on a *diOrayso* level. However, the Mishna (Beitzah 15b) teaches that there is a Rabbinic decree not to cook on Yom Tov for Shabbos. The Mishna also teaches that Chazal instituted a mechanism to permit cooking on Yom Tov for Shabbos which is called *eruv tavshilin*, preparing a cooked item prior to Yom Tov.

The Gemara (Beitzah 15b) cites two explanations behind the Rabbinic decree not to cook on Yom Tov for Shabbos. The first reason, given by Rava, is that Chazal were concerned that a person will use all the choice food for Yom Tov without ensuring that there is proper and sufficient food set aside for Shabbos. The food used for the *eruv tavshilin* is regarded as the beginning of the food preparation specifically for Shabbos, ensuring that a proper meal will be set aside for Shabbos. The institution of *eruv tavshilin* is thus meant to preserve the honor of Shabbos.

Rav Ashi gives a different reason, explaining that Chazal sought to ensure that a person would remember that *melacha* done in preparation for any day other than Shabbos is prohibited. An *eruv tavshilin*, which is essentially the beginning of food preparation for Shabbos, means that all subsequent food preparation is viewed as completing what was already begun prior to Yom Tov. This will remind people that if one may not begin, for the first time, to prepare food for Shabbos without having begun beforehand through the *eruv tavshilin*, then one may certainly not begin preparing food on Yom Tov for a weekday. According to Rav Ashi, then, *eruv tavshilin* protects the sanctity of Yom Tov, not Shabbos.

**Making the *eruv tavshilin*:** How is an *eruv tavshilin* made? One prepares a cooked food and a baked food (Shulchan Aruch Orach Chaim 527:2), holds them in the right hand (as is the case for all *brachos* [see Shulchan Aruch Orach Chaim 206:4]) and recites a special blessing for the creation of an *eruv*. After reciting the *bracha*, one says the following text: *With this eruv, let it be permitted for us to bake, cook, insulate, light candles, make preparations, and do all of our needs on Yom Tov for Shabbos.* (Most *siddurim* contain both the *bracha* and the subsequent text.)

<sup>1</sup> There are numerous details as to what areas of *melacha* are permitted for food preparation, and this is not the focus of this article.

The requirement to have a cooked and baked item is meant to permit both cooking and baking. However, the Shulchan Aruch (Orach Chaim 527:2) rules that if only a cooked item was used, the *eruv* is nevertheless valid, and all types of Shabbos preparations can be done, including baking. The cooked item should preferably be a nice portion of cooked food, but the minimal requirement is to have any type of cooked food the size of a *kezayis* (literally, olive's-volume, approximately 1 fl. oz.) (Shulchan Aruch, Orach Chaim 527:3). For the baked item, as well, it is preferable to use a whole bread or matzah, but the minimal requirement is a *kebeitzah* (egg's-volume) (Rema Orach Chaim 527:3).

There is a requirement for any person intending to do any type of Shabbos preparation on Yom Tov to make an *eruv* (Shulchan Aruch Orach Chaim 527:7). However, not every person in the house is required to make a personal *eruv*. One person in the household - customarily the head of the house - makes an *eruv* on behalf of their entire household (Aishel Avraham Mebutchatch 527 s.v. *nikrah*). In absence of an *eruv tavshilin*, one may not prepare for Shabbos. In addition, others who made an *eruv tavshilin* may not prepare on behalf of those who failed to make an *eruv tavshilin* (Shulchan Aruch Orach Chaim 527:20). This is true regardless of whether one forgot or neglected to prepare an *eruv*, or he prepared one but it was eaten or lost before the Shabbos preparations were concluded (Shulchan Aruch Orach Chaim 527:15). However, if most of the *eruv tavshilin* was lost or eaten, but there is a minute amount of the cooked item remaining, one may still prepare (Shulchan Aruch Orach Chaim 527:15).

In addition to the mitzvah incumbent upon every household to make an *eruv*, there is also a mitzvah for the rav of a community to establish an *eruv* on behalf of his community (Shulchan Aruch, Orach Chaim 527:7). This was instituted in order to permit those who forgot or were unable to make their own *eruv*. One may only rely on the rav's *eruv* if he forgot or was unable to make an *eruv*. However, one who was simply lazy or negligent is not included in the rav's *eruv* (Shulchan Aruch Orach Chaim 527:7).

**What does *eruv tavshilin* permit?:** Certain *melachos* that are not directly related to food preparation are permitted on Yom Tov when required for Certain Yom Tov needs<sup>2</sup>. While activities that are food-preparation needs such as lighting candles in the dining room or washing dishes are clearly permitted with an *eruv tavshilin*, would non-food related needs normally permitted on Yom Tov be permitted on Friday for Shabbos needs? For example, would one be permitted to carry a *siddur* needed for Shabbos to shul on Friday?

There is a dispute among the Rishonim (medieval commentators)

<sup>2</sup> Once again, a full discussion of the parameters of this subject is beyond the scope of this article.

regarding this issue. The Ran (Beitzah dapei haRif 9a s.v. *tanu rabanam*) states that an *eruv tavshilin* would not permit a person to make an *eruv chatzeiros* (which permits carrying items on Shabbos from a private domain owned by one person to another private domain owned by another person [or multiple people]), since an *eruv tavshilin* only permits food-related activities. However, the Darchei Moshe (Orach Chaim 528:1) cites the Ohr Zarua (2:343[9]) who argues with the Ran and permits one to make an *eruv chatzeiros*. While making an *eruv chatzeiros* does not entail *melacha*, it does entail *hachana*, preparing on Yom Tov for a post-Yom Tov need, which is normally forbidden, yet the *eruv tavshilin* permits its creation on Yom Tov for a Shabbos need.

There are two opinions in the *poskim* regarding the practical ruling on this issue. The Rema (Orach Chaim 528:2) rules in accordance with the Ran that the *eruv tavshilin* does not permit one to make an *eruv chatzeiros*.

The Magen Avraham (ibid.:2) cites the Ran's reasoning that the *eruv tavshilin* only permits food-related activities. Elsewhere, however, the Magen Avraham (667:3) cites the Maharil (Laws of Yom Tov Prayers), who forbids rolling the Torah on Shabbos to the Yom Tov Torah reading. Rav Akiva Eiger (Orach Chaim 667:3) writes that this implies that one may roll the Torah scroll on Yom Tov to the Shabbos Torah reading. Apparently, the Magen Avraham (according to Rav Akiva Eiger's inference) rules that an *eruv tavshilin* permits non-food-related Shabbos preparation.

Rav Akiva Eiger (Orach Chaim 528:2) resolves the apparent contradiction in the Magen Avraham. He explains that only preparations that provide a potential benefit on Yom Tov are permitted. Rolling a Torah scroll has a potential benefit on Yom Tov, as one can then use the Torah scroll to prepare the Torah portion for Shabbos. Making an *eruv chatzeiros*, however, has no potential use on Yom Tov, and so an *eruv tavshilin* would not permit its creation on Yom Tov. It should be noted that the logic offered by Rav Akiva Eiger follows the opinion of Rabbah, who taught the concept of *ho'il* and thus permitted preparations for Shabbos only when they could potentially be utilized on Yom Tov.

It is important to note that an *eruv tavshilin* only permits preparing for Shabbos on Yom Tov that is on Friday. If Yom Tov occurs on Thursday-Friday, followed by Shabbos, one may not prepare for Shabbos on Thursday (Shulchan Aruch Orach Chaim 527:13).

Ensuring that one has proper and ample food for Shabbos is important, but one must make sure to do so in accordance with the dictates of halacha. Knowing and understanding the laws of *eruv tavshilin* is vital to ensure that a person is not violating Yom Tov for the sake of Shabbos.

## **Points to Ponder:**

***May a minor make eruv tavshilin for a household?***

***Is it possible to make an eruv tavshilin once Yom Tov has begun?***

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