

This month's Daf Digest is dedicated  
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L'iluy Nishmas שרגא פייוול דוד בן קמואל  
By the Abramowitz family

## OVERVIEW of the Daf

### 1) The use of well-boards (cont.)

A Baraisa rules: A person may not rely upon the leniency of well boards. Rather, he must climb into the well to drink.

The Baraisa just cited is quoted at length and the Gemara revisits a discussion already recorded on כ:.

R' Yirmiyah bar Abba rules: The halachah that huts extend a city's limits does not apply in Bavel, and the leniency of well boards does not apply outside of Eretz Yisroel or Bavel. The Gemara provides a reason for these two halachos.

An alternate version of the ruling is presented: The halachos of huts and well boards apply only in Eretz Yisroel. The Gemara provides a reason for these two halachos. An incident is cited that relates to the previous ruling.

### 2) Two teachings from R' Chisda in the name of Mari bar Mar

The size of the Torah was left undefined by Dovid HaMelech, Iyov, and Yechezkel. Zechariyah ben Ido came and defined it. The final calculation is that the Torah is 3200 times greater than the entire universe.

Two pesukim are explained to be references to righteous and wicked people.

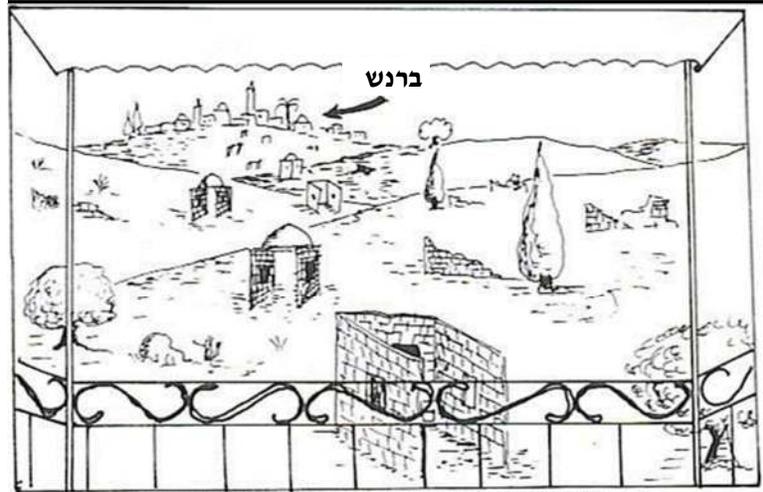
Rava further expounds upon the pasuk just cited and makes reference to the Jewish People's declaration that they have successfully accepted many additional safeguards to protect the Torah.

### 3) The value of Rabbinic enactments and the accomplishments of Shlomo HaMelech

The Gemara proceeds to discuss the importance of Rabbinical Law. An incident involving R' Akiva is cited that illustrates this point.

R' Yehudah in the name of Shmuel tells about the joy in the heavens when Shlomo HaMelech enacted the halachos of washing the hands before touching

## Daf DIAGRAM



נפק ואחוי ליה הנהו מתווא דמבלען בשבעים  
אמה ושיריים, ופרש"י בד"ה מתווא, עירות  
חריבות ונשאר שם מחיצות מן הבתים.

Mari went outside and showed Rav Chisda that there were ruins and abandoned broken buildings within 70 amos and a fraction within the city limits of Barnash. Therefore, the city of Barnash is viewed as extending to include these buildings. ■

## REVIEW and Remember

1. When is it permitted for a person to rely upon well boards to draw water for his own use?  
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2. How large are the heavens?  
\_\_\_\_\_
3. Why is it necessary to be careful with Rabbinical enactments?  
\_\_\_\_\_
4. What two Rabbinical enactments are attributed to Shlomo HaMelech?  
\_\_\_\_\_

# HALACHAH Highlight

## The importance of constructing an eruv

בשעה שתיקן שלמה עירובין

When Shlomo enacted eruvin

Chasam Sofer<sup>1</sup> was once asked to provide proof from Chazal that it is appropriate for every community to construct an eruv to prevent people from carrying items in violation of Shabbos. Chasam Sofer responded that such a matter does not even require proof since it is a simple and logical conclusion to draw. He then proceeded to cite a number of reasons why it is obligatory for one to construct an eruv. One reason is that we are instructed to assure that children do not become accustomed to violating Shabbos. In fact, it is prohibited to accustom children to violate Shabbos even if the violation is only Rabbinic. Accordingly, every thinking person will arrive at the conclusion that it is impossible to prevent a child from carrying on Shabbos and the only option to deal with this potential hazard is to construct an eruv so that when the children carry items outside it will not be in violation of Shabbos.

Chasam Sofer also cited our Gemara that relates that when Shlomo HaMelech instituted the laws of eruvin and washing one's hands a bas kol declared the wisdom

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kodshim and eruvin.

Two pesukim from Shir HaShirim are expounded. Additional accomplishments of Shlomo HaMelech's teachings are presented.

Another pasuk from Shir HaShirim is explained to refer to those who reach the highest levels of learning and the trait that facilitates reaching that level. ■

of Shlomo HaMelech. He explains that the joy of that bas kol was not for the enactment that prohibited carrying in the absence of an eruv; rather it was the joy that Shlomo HaMelech found a way to permit carrying outside on Shabbos and Yom Tov. Furthermore, the berachah that is recited does not address the prohibition against carrying; it addresses the tremendous enactment that prevents people from violating Shabbos.

Teshuvos Avnei Nezer<sup>2</sup> also wrote strongly in favor of the construction of eruvin. Regarding those people who opposed the construction of an eruv he wrote that they are causing people to sin and will eventually be judged for their improper behavior. He concluded by reporting that his heart is glad to hear that those who opposed the eruv did not actually prevent the eruv from being constructed. ■

1. שו"ת חתם סופר או"ח סי' צ"ט.

2. שו"ת אבני נזר או"ח סי' רס"ו אות ד'. ■

## Gemara GEM

### Who Issues the Decrees?

אמרה כנסת ישראל לפני הקדוש ברוך הוא הרבה גזירות גזרתי על עצמי...

The Jewish nation said to the Holy One, blessed be He, "I have decreed many decrees upon myself."

R' Yosef Engel (Gilyonei HaShas) finds this assertion of the Gemara difficult. It would seem that Rabbinic decrees are not issued by Knesses Yisrael — the Jewish people — upon themselves, but it is rather their leaders, the Sages, who enact these decrees for them.

Initially R' Yosef Engel suggests that perhaps Knesses Yisrael refers to the Sages themselves, not to the general population. As evidence he cites Rashbam to Pesachim 118b (d.h. Amrah Knesses Yisrael) who indicates this to be the case.

Alternatively, he suggests that the Sages are the representative legislative body of the general population, and hence any decree they enact is as if it is enacted by the totality of Knesses Yisrael.

However, ultimately R' Yosef Engel concludes that the Gemara's assertion here is best understood in light of the principle that the Sages cannot enforce a decree that they

issue unless the majority of the general population tolerates the decree [אין בית דין גוזרין גזירה על הציבור אלא] (see Yerushalmi, Avodah Zarah 2:8). This is the reason why the attempt made by the Sages to ban oil pressed by a non-Jew failed (see Igros Moshe, Orach Chaim 2:100, that this is also a reason why it may no longer be forbidden to clap and dance on Shabbos). Thus, the effectiveness of any decree is primarily determined by the popular sentiment and by popular acceptance. Accordingly, it is indeed Knesses Yisrael that establishes decrees upon itself. ■