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Daf Notes is currently being dedicated to the neshamah of

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May the studying of the Daf Notes be a zechus for his neshamah and may his soul find peace in Gan Eden and be bound up in the Bond of life

- 1. All of the rules stated in the Gemora above (46b) regarding ruling like one Tanna over another, are only applicable when nobody specifies that the law is otherwise.**

The Gemora earlier quoted many rules regarding how to know what the law is when there is an argument among Tannaim. For example, when there is an argument between Rabbi Yehudah and Rabbi Shimon, the law follows Rabbi Yehudah. However, our Gemora makes it clear that these laws are not absolute. Whenever we find an Amora ruling explicitly otherwise, it means that in that specific case the law follows the other Tanna. The “ruling rules” are only meant to be used as an indication how to rule when no other ruling has been handed down regarding this argument.

- 2. If one of the homeowners in a chatzer (courtyard) leaves the city for Shabbos, there is an argument regarding how this affects the people of the courtyard.**

If person left the city for Shabbos and did not join in the eiruv chatzeiros, there is an argument regarding how this affects the eiruv of the other people in the courtyard. Rabbi Meir holds that nobody is allowed to carry from the house to the yard (or the opposite way), as his domain forbids them to carry (there is not one joint domain). Rabbi Yehudah says that they are permitted to carry, as he is not in the city (it is as if his

domain is not here regarding eiruv chatzeiros, a Rabbinic institution). Rabbi Yosi says that if he is a gentile he causes their eiruv to be invalid, as he might come back on Shabbos. If he is a Jew, the eiruv is valid. Rabbi Shimon says that the eiruv is valid even if he did not leave the city, and just went to stay by his daughter’s house for Shabbos in the same city.

- 3. Some say that we rule like Rabbi Meir when he makes decrees.**

The Gemora earlier (46b) stated a few rules indicating that the law is like other Tannaim when they (even one of them) argue on Rabbi Meir. However, Rav Nachman says in the name of Shmuel that whenever Rabbi Meir made a decree, we rule like him against other Tannaim who argued on this decree. Our Gemora indicates that Rabbi Yochanan argues on Rav Nachman’s rule (though it is unclear if this remains true according to the Gemora’s conclusion).

- 4. Rav does not hold of any of the aforementioned rules in the Gemora.**

The Gemora (bottom of 46b until top of 47b) tries to understand why Rav Mesharshiya states that he does not hold of these rules. Along the way, the Gemora mentioned that Rav does not hold of these rules. The Gemora concludes that indeed, when Rav Mesharshiya mentioned that he does not hold of these rules, he meant that Rav does not hold of these rules. [However,



it should be noted that they are widely quoted throughout Shas, and used to determine Torah law by Rishonim and Acharonim (see INSIGHT below).]

5. There is an argument in the Gemora whether objects of Nochrin are subject to the laws of techum Shabbos.

We know that one's items are limited to the techum Shabbos of their owner. Just as their owner cannot go out of his techum on Shabbos, so too the objects may not be brought out of the owner's techum on Shabbos. What about the objects of a gentile who comes from outside the city on Shabbos? Can they be carried freely within the techum (assuming there is no problem of forbidden carrying on Shabbos)? Shmuel says they can be carried freely, while Rabbi Yochanan argues that they are limited to the gentile's techum as if he would be a Jew. This is a decree, lest people be lenient by the objects of Jews as well. (47a – 47b)

INSIGHTS TO THE DAF

The Gemora (47a) tried to bring many proofs regarding why Rav Mesharshiya held that the "ruling rules" (see #1 above) are incorrect. The attempted proofs were all similar in that they were statements of Rav that ruled in various cases against the way the "ruling rules" would rule. The Gemora brushed aside these proofs by saying that the rules are only meant to be general rules when no other ruling was specifically issued. In the end, the Gemora concludes that only Rav does not hold of the "ruling rules."

The Rashba and Ritva raise an interesting possibility. It would seem that the Gemora's way of brushing aside these proofs, that the rules are only meant to be general rules when no other ruling was specifically issued, is not necessarily correct according to the

conclusion of the Gemora. After all, the Gemora concludes that Rav does not hold of the "ruling rules." It is therefore possible that Rabbi Yochanan, who holds of the "ruling rules," would hold that they are always valid, while Rav simply holds they are never valid. This would explain why Rav argued on them!

However, the Rashba and Ritva conclude that this is incorrect. We hold like Rabbi Yochanan, who holds these rules are correct. [This is because of the rule that whenever there is an argument between Rav and Rabbi Yochanan, the law follows Rabbi Yochanan.] However, being that we have no other indication to say that Rabbi Yochanan argues on the cases where Rav codified that the law does not follow the ruling rules, we can say that Rabbi Yochanan agrees the law does not follow the ruling rules in those specific cases. Accordingly, the Rashba and Ritva codify that even Rabbi Yochanan holds that the rules are only meant to be general rules when no other ruling was specifically issued