

**THE RULING OF THE ROSH
IN THE TIMES OF THE SANHEDRIN
THEY WOULD HAVE PUT TO DEATH
THOSE WHO OPPOSE THE ERUV**

**TO ALL THOSE WHO STAND AGAINST
THE ESTABLISHMENT OF THE ERUV
WE WILL BRING HERE WORDS FROM
THE HOLY RABENNU ASHER Z'L [THE
ROSH] (SHEELOT U TSHUVOT HA
ROSH KLAL 21-22) WHO WAS THE
POSEK OF ALL THE ASHKENAZIM AND
HIS RULINGS WERE ACCEPTED BY ALL
ISRAEL AND IS ONE OF THE THREE
PILLARS ON WHICH THE SHULCHAN
ARUCH IS BASED.**

In the Sheelot u Teshuvot ha Rosh (Klal 21- 8,9) it is brought down that a Rabbi in Spain was against the establishing of an Eruv in his City and so angry and upset was the Rosh over this to the point where the Rosh issued a Cherem against this Rabbi. Here are some excerpts:

"You Rabbi Yaakov son of Rabbi Moshe of Valencia I already wrote to you regarding the Eruv that all the exiles of Israel have used to permit carrying within their cities and you have forbidden it in your city and you wrote to me your reasoning and I let you know that your thoughts have no logic nor substance. And I am warning you to go back on your stance and let the people carry through fixing the alleys (With the shape of the opening) according to the usage and custom of the Gedolim in you cities. And I have heard that you cause the many to sin regarding the desecration of the Shabbat, therefore I decree upon you that after a few weeks that you receive this letter with the appropriate witnesses you shall have established the Eruv in your city. And if you don't make the Eruv as I have written I will put you in Niddui. And had this occurred in the days of the Sanhedrin, they would have put you to death because you come and oppose the Talmud that Rabbi Ashi arranged and you dispute against all the great Rabbanim that lived up until this day, those who already died Z'L and those who still live. Therefore return from your mistake and don't forsake the Torah of Moshe Rabbenu Peace be upon him. Signs, Asher Ben Rav Yechiel ZTK'L

**HE WHO OPPOSES THE ERUV SHOULD
BE SEGREGATED, PLACED IN NIDDUI**

Rabbenu Asher further writes: "The letter that I sent to that one lacking brains, you and another one should force him and if he doesn't go back I compel you and

all the community to treat that crazy one Rav Yaakov ben Moshe in Niddui and you should put him apart and away from the congregation of Israel. All this needs great strength so that no fool lacking intelligence will come and annul the Torah of Moshe Rabbenu Peace be upon him...Because we are obliged to give up our very lives to uphold the Torah of Hashem and to destroy from within us he who does evil...

Signs, Asher Ben Rav Yechiel ZTK'L

Sheelot u Teshuvot ha Rosh (Klal 21- 8,9)

**ANYONE WHO PREVENTS MANY PEOPLE FROM
DOING A MITZVAH NEEDS TO BE BANNED
[NIDDUI] TALMUD YERUSHALMI TAANIT 87 10
THE ONE WHO OPPOSES THE ERUV
IS ONE WHO BRINGS MANY TO SIN**

The one who opposes and interferes with the establishment of Eruvim is one who brings many to sin [MECHATE ET HA RABBIM] and will in the future have to stand in judgment for this... (Sheelot u Tshuvot Avne Nezer, Orach Chayim Siman 266)

**THE BAALE BATTIM SHOULD
STRENGTHEN THEMSELVES TO
ESTABLISH ERUVIM**

And on those cities where there are no Eruvim yet, The Baale Batim will strengthen themselves in order that they have for themselves Euvim that will be Kosher....And this letter should be sent from the large cities to the small cities...

Rav Shlomo Zalman from Warsaw ZTK'L Rav Ytzchak mi Varki ZTK'L

**THE CHATAM SOFER ZTK'L:
THE SINS OF THE PEOPLE ARE THE
RESPONSIBILITY OF THE RABBIS
AND THE TALMIDE CHACHAMIM**

Anyone with knowledge will judge with his own logic that it is impossible in any way for Jewish men to guard over all the members of his household, kids and women, to guard them every Shabbat Kodesh from taking out anything from the door of their house, small things and children with the bread in their hands and how much agony the adults suffer in order to watch over them. Then common sense dictates, that it is proper and an obligation to arrange the courtyards and the alleys in order to establish Eruvim that will permit carrying." And it is incumbent on the Rav the Talmid Chacham of the city to arrange the alleys, and if not the stumbling of the people is on his neck... The Chatam Sofer Orach Chayim Siman 99