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Eiruv Daf 23

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Daf Notes is currently being dedicated to the neshamot of

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Mav the studying of the Daf Notes be a zechus for their neshamot and mav their souls find peace in Gan Eden and be bound up in the Bond of life

[The Mishna will discuss here the rules of a *karpaf*: a large, enclosed area, which was not enclosed with intention to live in it. Although it is Biblically a private domain, the Sages limited to some extent how we may carry in it.] Rabbi Yehudah ben Bava further ruled: A garden or a *karpaf* whose area is seventy *amos* and a fraction by seventy *amos* and a fraction and which are surrounded by a wall ten *tefachim* high, one may carry in it, provided that there is in it a watchman’s hut or a dwelling place, or it is near to a town (in which the owner lives; being near to his residence, he would frequently use it, and consequently, it may be regarded as a dwelling place). Rabbi Yehudah said: Even if it contained only a water hole, a ditch, or a cave, it is permitted to carry objects within it. Rabbi Akiva said: Even if it contained none of these, it is permitted to carry objects within it, provided that its area is seventy *amos* and a fraction by seventy *amos* and a fraction (but not if it exceeds that). Rabbi Eliezer said: If its length exceeded its width - even by a single *amah*, it is not permitted to carry any objects within it. Rabbi Yosi said: Even if its length is twice its width, it is permitted to carry objects within it.

Rabbi Illa’i stated: I heard from Rabbi Elozar (Eliezer): Even if it is as large as a *beis kor* (which is thirty *se’ah*, it is permitted to carry in it – even if it was not enclosed for dwelling purposes). I likewise heard from him that if one of the residents of a courtyard forgot to join in the *eiruv* (and on the Shabbos he relinquished his share to the other residents, for otherwise, they would all be forbidden to carry in the courtyard, for it does not have a unified ownership), his house is forbidden to him for the taking in or the taking out of any objects (through the courtyard),

but it (his house) is permitted to them (for their utensils). I have likewise heard from him that people may fulfill their obligation (for eating *marror* – bitter herbs) on Pesach by eating *arkablin* (a creeping vine which grows around a palm tree). When, however, I went around among all his disciples seeking a colleague (who might corroborate the three statements that were made in the name of their teacher), I found none.

The Gemora asks: What did he (Rabbi Yehudah ben Bava) already teach that, in consequence, he used the expression of ‘further’? If you will say that it is because he taught one stringency (in the previous Mishna), and then he taught another (stringency in our Mishna), he therefore used the expression of ‘further’; surely (this cannot be the correct explanation, for) didn’t Rabbi Yehudah teach one stringency (in the previous Mishna), and then he taught another (stringency in our Mishna), and yet, he did not use the expression ‘further’?

The Gemora suggests an answer (why R’ Yehudah did not use the expression ‘further’): There (in the previous Mishna), the Rabbis interrupted him (R’ Yehudah, and therefore his rulings are not continuous), but here (R’ Yehudah ben Bava), the Rabbis did not interrupt him (and therefore his rulings are continuous, and the expression ‘further’ is applicable).

The Gemora questions the distinction: Is it true that wherever the Rabbis interrupted one’s statements, the expression of ‘further’ is not used? Surely, (this cannot be the correct explanation, for) Rabbi Eliezer, in the case of a



law about *sukkah*, was interrupted by the Rabbis, and the expression 'further' was nevertheless used?

The *Gemora* answers: There, they interrupted him within (*the same context of*) his own subject, but here they made the interruption with another subject. [*R' Yehudah spoke of the enclosures of wells and they spoke of a garden and a karpaf; after such an interruption, the expression of 'further' is obviously not applicable.*]

The *Mishna* had stated: Rabbi Akiva said: Even if it contained none of these, it is permitted to carry objects within it.

The *Gemora* asks: Isn't Rabbi Akiva's opinion the same ruling as the *Tanna Kamma*? [*The Rabbis, who maintained that it is permissible to move objects in a karpaf, which was not enclosed for dwelling purposes – provided that the area is not more than two beis se'ah i.e., about seventy and two-thirds amos square.*]

The *Gemora* answers: The difference between them is a small amount. [*The area of two beis se'ah – 5,000 square amos, exceeds that of seventy and two-thirds amos square – 4,994 square amos. According to the Tanna Kamma, the area may be as large as two beis se'ah, while according to Rabbi Akiva it must not exceed that of seventy and two-thirds amos square. The difference between them is thus a small amount – six square amos.*] For it was taught in a *braisa*: Rabbi Yehudah said: There is a very small amount which exceeds seventy *amos* and a fraction square (*where it would still be a permitted area to carry in*), but the Sages did not indicate its exact dimensions. And how much is (*the precise area of a karpaf*)? It is the size of two *beis se'ah* - one like that of the courtyard of the Tabernacle (*which was one hundred by fifty amos – 5,000 square amos*).

The *Gemora* asks: From where is this (*that the dimensions of the courtyard of the Tabernacle are to be squared to fix the area in connection with a karpaf*) derived?

Rav Yehudah said: It is from that which the verse states: *The length of the courtyard shall be one hundred amos, and the width fifty by fifty.* The Torah thus ordained: Take away fifty (*the excess of the length – one hundred amos, over the width - fifty amos*), and surround (*the remaining*) fifty (*to form a perfect square, which equals 5,000 square amos; this will have some significance for a different halachah, i.e., a karpaf on Shabbos*).

The *Gemora* asks: What, however, is the simple meaning of the verse?

Abaye replied: Erect the Tabernacle at the edge of fifty *amos* (*from the entrance of the courtyard*), so that there might be a space of fifty *amos* in front of it (*the Tabernacle*) and one of twenty *amos* on each side of it. [*The Tabernacle was thirty amos long and ten amos wide. Dividing the length of the courtyard – one hundred amos, in two sections and erect the Tabernacle in one of these, with its eastern front touching the dividing line. It emerges that there would be twenty amos of courtyard space on its southern, northern and western sides.*]

The *Mishna* had stated: Rabbi Eliezer said: If its length [*exceeded its width - even by a single amah, it is not permitted to carry any objects within it*].

The *Gemora* asks: Was it not taught in a *braisa*, however, that Rabbi Eliezer ruled: If its length was more than twice its width, even if only by one *amah*, it is forbidden to carry objects within it? [*R' Eliezer in the Mishna maintained that the karpaf must be square!?*]

Rav Bibi bar Abaye replied: What our *Mishna* learned [*taught was in respect of an enclosure whose length was more than twice its width*].

The *Gemora* asks: If so, isn't this ruling exactly the same as that of Rabbi Yosi (*who also maintains that the length of a karpaf may be up to twice its width*)?



The *Gemora* answers: The difference between them is the squared area which the Rabbis have squared. [*R' Eliezer maintains that there is no preference at all regarding the shape of the karpaf; while Rabbi Yosi holds that the preferred area, which would be permitted, is a square, although a rectangle is also permitted.*]

The *Mishna* had stated: Rabbi Yosi said: [*Even if its length is twice its width, it is permitted to carry objects within it.*]

It was stated: Rav Yosef said in the name of Rav Yehudah, who said from in the name of Shmuel: The *halachah* is in agreement with Rabbi Yosi; and Rav Bibi said in the name of Rav Yehudah, who said in the name of Shmuel: The *halachah* is in agreement with Rabbi Akiva. The *Gemora* notes: And both[of these rulings are on the side of leniency (*that a karpaf can be permitted even if there is no dwelling place – like R' Akiva, and it is not necessary to be in a square shape – like R' Yosi*); and both (*rulings*) were required, for if we had only been informed that the *halachah* is in agreement with Rabbi Yosi, it might have been assumed that the permissibility was dependent upon the existence of a watchman's hut or a dwelling place, therefore we were informed that the *halachah* is in agreement with Rabbi Akiva. And if we had been informed that the *halachah* is in agreement with Rabbi Akiva, it might have been assumed that an enclosed area that was long and narrow is not permitted (*for it is not square*); therefore, we were also informed that the *halachah* is in agreement with R' Josebbi Yosi.

The *Gemora* cites a *braisa*: If a *karpaf* of more than two *beis se'ah* was surrounded (*by a wall*) for the purpose of living inside of it (*which permits carrying inside of it on Shabbos*), planting most of that area with vegetables gives it a law of a garden. It therefore becomes forbidden to carry inside of it (*for one does not dwell in a vegetable garden*). If, however, it was mostly planted with trees, it has the law of a courtyard, and is permitted (*for people take strolls in a wooded area*). (23a – 23b)

INSIGHTS TO THE DAF

Construction Sites and Flower Gardens in the Eiruv

In this week's Daf Yomi we are introduced to the concept of *karpaf*. A *karpaf* is an area larger than two *sa'ah* (approximately 40 square meters, according to the Chazon Ish) surrounded by kosher barriers, and is a total *reshus hayachid* according to Torah law. Nevertheless, if the walls were not originally constructed for the sake of living within them, our Sages saw fit to restrict carrying therein. In the time of the Gemara areas outside the city were partitioned off, to store firewood for the winter. Since these areas are so large, and do not serve residential needs, our Sages feared that people might confuse them with a *reshus harabim*. If we were to permit carrying in a *karpaf*, they might also come to carry in a *reshus harabim* (see Rashi 67b, s.v. *L'olam* and s.v. *Heim*; Mishna Berura 358 s.k. 5).

The Gemara presents a lengthy discussion to define what is considered "residential needs," for which the prohibition of *karpaf* would not apply. The Gemara concludes that an area originally partitioned off for residential needs, and later sown with seeds, loses its status as a residential area, and becomes a *karpaf*. On the other hand, if trees are planted in a residential area, it does not lose its status. The difference between the two is that when a field is sown, people can no longer make use of the area, since they would destroy the crops by walking over them. However, when trees are planted, people can still walk among them, and enjoy their pleasant shade.

Non-residential areas in cities and villages: Gardens and small fields were once found even in cities, and are still found today in many smaller towns and villages. If a field larger than 40 square meters were to be found in the middle of a Jewish community, it would prevent the eiruv from functioning, since a *karpaf* which opens into a *reshus hayachid* extends its prohibitions into the *reshus hayachid*. If so, how is it that eiruvim are built for farming communities and moshavim?



Although fields are uncommon in larger cities, other areas that do not serve residential needs also fall into the category of *karpaf*. For example, construction sites where people do not walk, or flower gardens where people are not allowed to walk, for fear of damaging the plants, are also considered *karpaf*. These areas should render the entire eiruv invalid. In truth, construction sites are usually fenced off from all sides. Since they are separated from the *reshus hayachid*, they do not extend their prohibition to the rest of the area in the eiruv. However, the question still remains in regard to flower gardens, which might not be fenced off.

Flower gardens are an aesthetic need for a city: The Poskim answer this question based on the Meiri, who differentiates between wheat fields and flower gardens. In both areas, people are prohibited from walking, for fear of damaging the plants. However, flower gardens serve a residential purpose, by beautifying the city. One need not enter the garden to enjoy its presence. Therefore, it is considered a residential area, which does not invalidate the eiruv. Only wheat fields and the like, which serve no residential purpose, are considered a *karpaf* (see Nesivos Shabbos, 13:13).

The question therefore remains only in regard to wheat fields that are found in moshavim. How can an eiruv that includes such fields function? The Poskim (Dvar Shmuel; Chocham Tzvi, 59) answer by offering the following distinction, which may be relied upon only in cases of necessity.

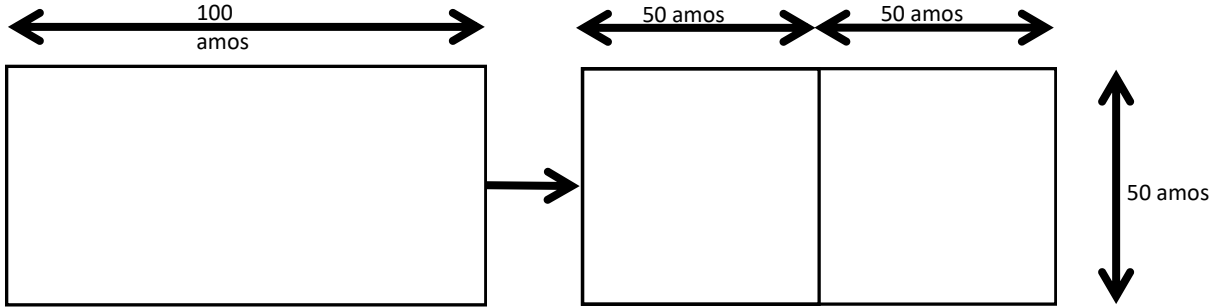
A *karpaf* is a large area, which was originally enclosed strictly for non-residential purposes. Therefore, according to Rabbinic law, the barriers lose their efficacy, and it is forbidden to carry therein. However, when an area was originally enclosed for residential purposes, and a portion of that area was later appropriated for farming, this is considered a *chatzeir* (yard) and not a *karpaf*. The barriers

enclose both residential and non-residential areas. Even if the field inside the *chatzeir* is larger than two sa'ah, it is still permitted to carry therein.

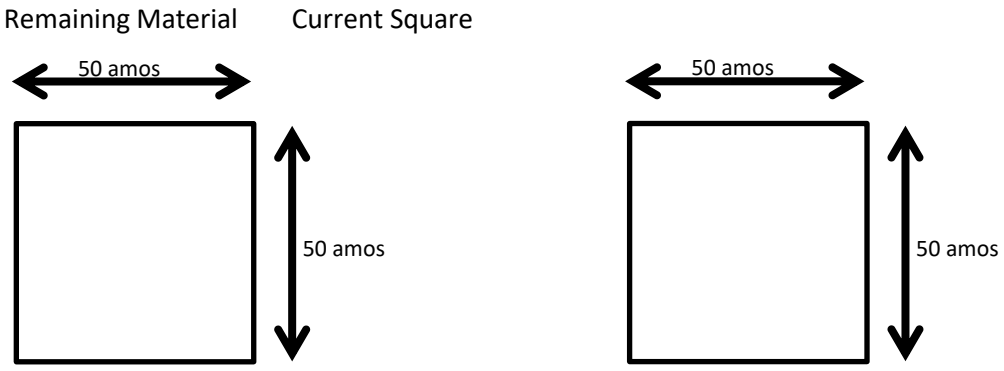
The Chocham Tzvi himself concedes that this leniency is questionable, and the Mishna Berura hesitates to rely on it (358:9, Biur Halacha s.v. *Aval*). This is yet another reason why many refrain from carrying within the neighborhood eiruv. They are concerned that the eiruv may include areas larger than two sa'ah that do not serve residential needs (see Chazon Ish 89:7; 156, extended commentary to Shulchan Aruch 358).

Calculating the sides of the square in Eiruvin daf 23b
by Dr. Gary Laroff, a member of the Daf Shiur of Portland Kollel, Portland, Oregon

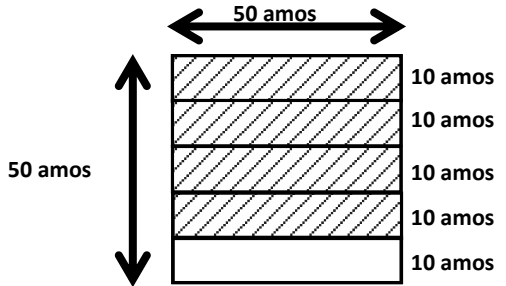
We are told to make a square out of the material in a rectangle. As a start, Rashi took the largest square he could from the rectangle. Starting with the 100 x 50 amos rectangle, first split it in to two 50 x 50 amos squares.



One square is pulled aside to the right and will become the bigger final square area. The remaining material is shown on the left.



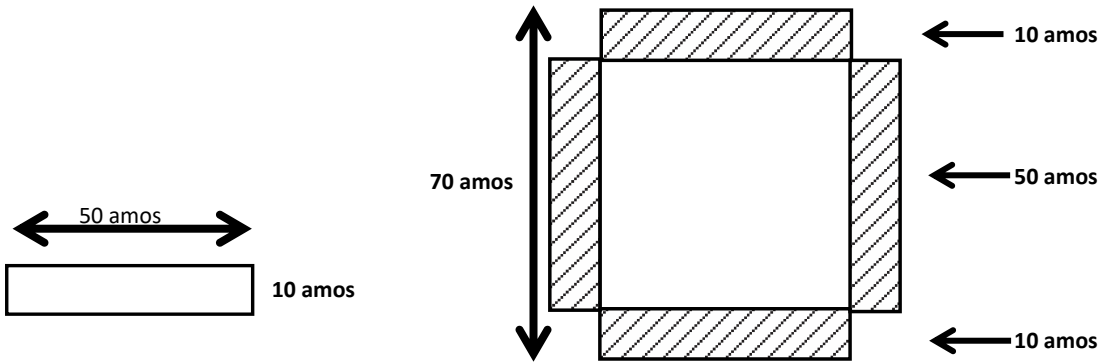
The next step is to break the remaining 50 x 50 amos square into five 10 x 50 amos strips (diagonal striped):



and move four of them to around the sides of the square. One 10 x 50 amos strip remains. The new "square" has the 10 x 10 amos corners empty.

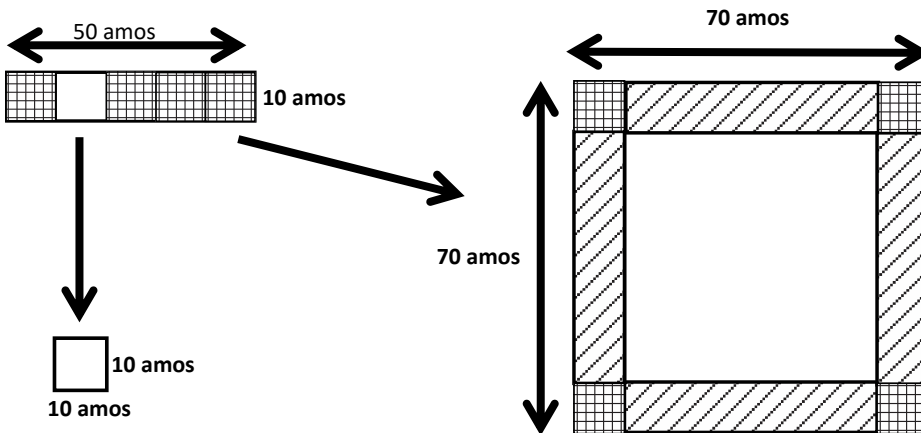
Remaining Material

Current Square



One 10 x 50 amos strip remains on the left. The new “square” on the right is essentially 70 x 70 amos but has the 10 x 10 amos corners empty. We will now split up the 10 x 50 amos strip to fill the empty corners.

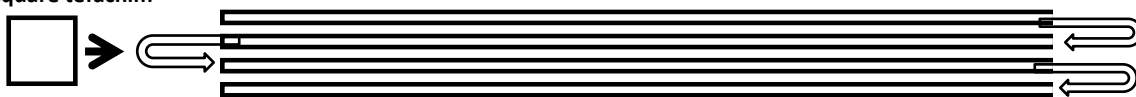
The remaining 10 x 50 amos strip is broken into five 10 x 10 amos squares (cross hatched). Four of those squares are moved down to the corners making a complete 70 x 70 amos square on the right. One 10 x 10 amos square remains on the left to be distributed around the large square.



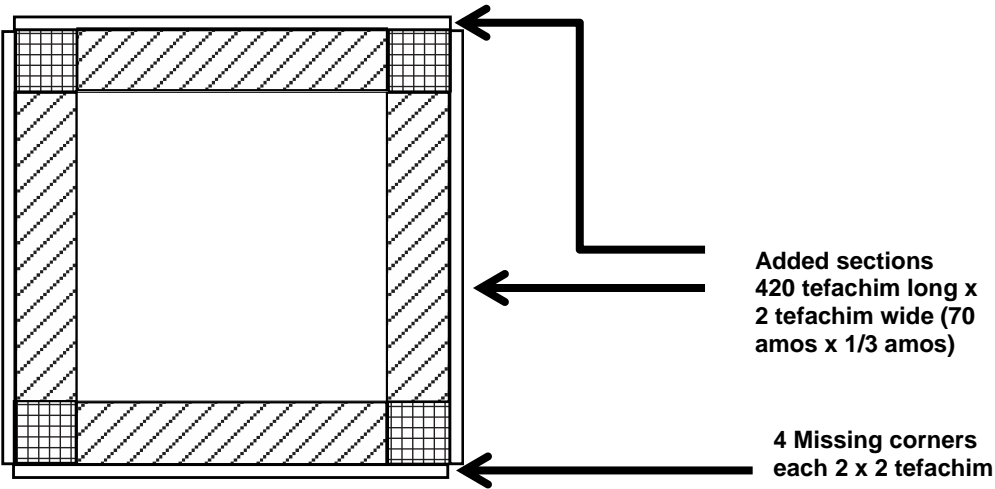
One 10 x 10 amos square remains to be placed. 1 amos = 6 tefachim, so this square is 60 x 60 or 3,600 square tefachim. Cut this into 30 strips 2 tefachim wide and put them together to be a long strip 1,800 tefachim long by 2 tefachim wide.

$$\begin{aligned}
 10 \times 10 \text{ amos} &= 60 \times 60 \text{ tefachim} \\
 &= 3,600 \text{ square tefachim}
 \end{aligned}$$

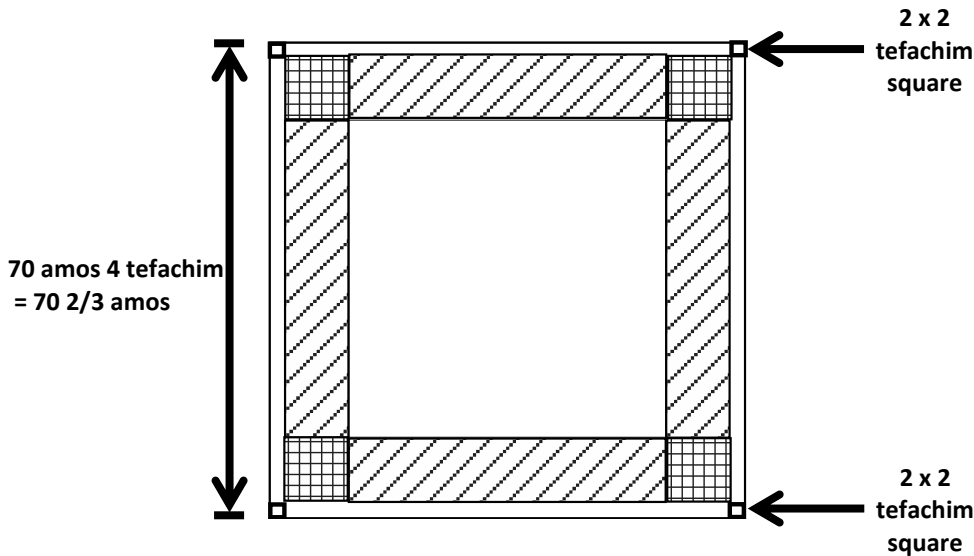
3,600 square tefachim square becomes one long strip 1,800 tefachim long x 2 tefachim wide



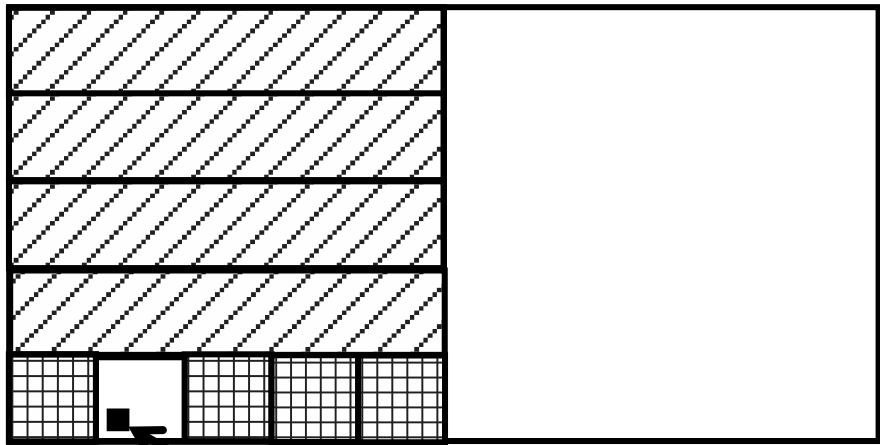
Cut four 420 tefachim long strips off the 1,800 long tefachim strip and attach them to the sides of the square making it wider and higher but with four corners missing. Four times 420 tefachim is 1,680 tefachim so 120 tefachim remains of the 2 tefachim wide strip.



Take four 2 x 2 tefachim blocks from the remaining material and attach them to the corners of the big square filling in the corners. This makes a large square that is 70 amos 4 tefachim on a side and leaves a remaining strip of 112 tefachim long by 2 tefachim wide = 224 square tefachim (6.22 square amos).



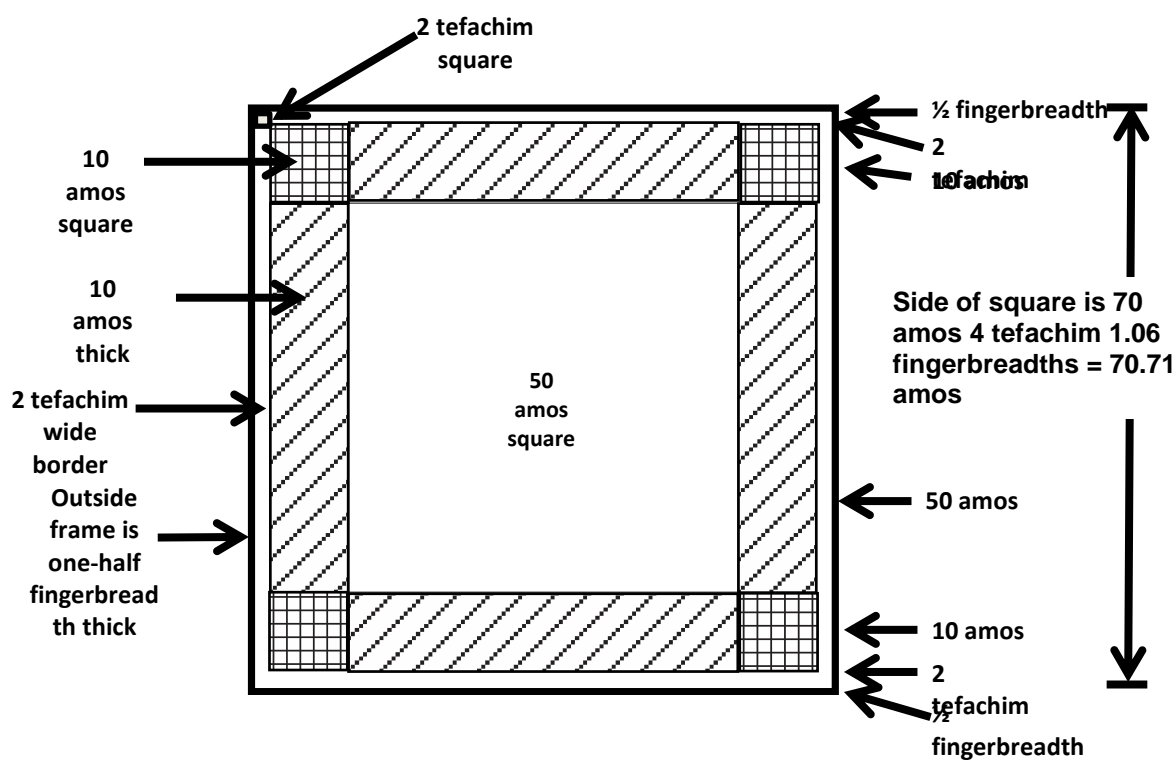
One tefach = 4 fingerbreadths. One square tefach = 16 square fingerbreadths. The left over strip from the last step is 224 square tefachim, so the remaining material is 224 times 16 = 3,584 square fingerbreadths. .



Remaining material to distribute
= 6 square amos = 224 square tefachim
= 3,584 square fingerbreadths.

The large square we have constructed is 70 amos 4 tefachim on a side and calculates to having a perimeter of 1,696 tefachim or 6,784 fingerbreadths. The remaining material can go neatly around this perimeter if we make it into a border that is a bit over one-half fingerbreadth, or exactly 0.53 fingerbreadths.

We do this initially the same way we added to the square above, by adding strips to the sides and then filling in the corners. The final square is pictured below. The thick black outer outline is meant to show the 1/2 fingerbreadth border that is placed last around the 2 tefachim addition.



This square has an area of 4,999.44 square amos, which is essentially the 5,000 square amos that Rashi claims.