



Volume 2. Issue 15.

Eiruv Chatzeirot

Over the last week we have been learning about *eiruv chatzeirot*. The *Rambam* (*Eiruv* 1:1-5) explains the source of this decree:

(1) A courtyard that has many residents, each with their own house – biblically, everyone can carry objects throughout the courtyard, from their houses to the courtyard and from house to house... (2) However, *mi'divrei sofrim*, it is prohibited for the residents to carry in this private domain in which multiple resident have a share until they perform an *eiruv* from *erev Shabbat*... This is the decree of *Shlomo* and his *beit din*....

(4) Why did *Shlomo* institute this decree? So that people would not err and say, just like one can carry from courtyards to the streets of a city and back, so too one can carry from the city to the field... and it will appear to them that *hotza'ah* is not a *melacha* and it is permissible to carry from a private domain to a public domain. (5) Therefore, he decreed that any private domain which is divided amongst multiple residents with each having their own area while a remaining area belongs to all equally, the area in which each have equal rights would be considered like a public domain, and each area belonging to an individual would be considered a private domain. Consequently it would be prohibited to carry from a private area to a shared area just like it is prohibited to carry from a private domain to the public domain... until they make an *eiruv*.

In brief, biblically there is no prohibition of carrying from one's house to the *chatzer*. The biblical prohibition (as mentioned previously) is carrying from a private domain to a public domain or the reverse. Nevertheless, out of concern of the potential confusion that may result, *Shlomo HaMelech* required an *eiruv chatzeirot* before one can carry from a house to a *chatzer* or between houses through the *chatzer* (see *Eiruv* 21b). It appears that this concern is focused on people potentially confusing a shared private domain with the public domain.

One may ask, can one carry directly between two adjoining houses (not through a *chatzer*). The *Tosfot Yom Tov* explains such a scenario does not seem to be covered by *Shlomo HaMelech's* decree as described by the *Rambam*.

This is because the object is not being transferred through an area in which multiple residents have equal rights. Nevertheless, a matter discussed this week makes it clear that even this case would require an *eiruv chatzeirot*.

The *Mishnah* (7:1) describes a case where two *chatzeirot* were divided by a wall with a "window" cut out from it. The *Mishnah* explains that if the window is four by four *t'fachim* and no more than ten *t'fachim* from the ground then residents of both *chatzeirot* may join together and make a single *eiruv chatzeirot*. *Rashi* (*Eiruv* 76a) explains that a hole of these dimensions constitutes a *petach* (door way) enabling the residents of both *chatzeirot* to join together. The *Gemara* elaborates and explains that this requirement only applies in the case of a wall dividing two *chatzeirot*. However a window in a wall dividing two houses may be higher than ten *t'fachim* and still enable the two residents to join together in an *eiruv chatzeirot*. The *Rambam* also bring this law in the *Mishnah Torah* (*Eiruv* 3:5). Consequently, an *eiruv chatzeirot* is required even in the case of two adjoining houses.

The *Tosfot Yom Tov* explains that indeed this case was not covered by *Sholomo Hamelech's* decree and was in fact a later decree instituted by the *Chachamim*.

Rashi (*Eiruv* 21b) on the other hand seems to suggest that even this case was included in the *Shlomo HaMelech's* decree:

Shlomo instituted *eruvei chatzeirot* and decreed that one cannot carry from one private domain to another, in order to create a fence and a distancing from the *Torah* prohibition so that people would not permit [carrying] from the public domain to the private domain. This is like it is written (*Kohellet* 12:9) "[And besides being wise, *Kohellet* also imparted knowledge to the people;] he listened (*i'zen*), and sought out; and arranged many proverbs." Therefore he made handles (*ozna'im*) for the *Torah* like handles for a utensil that enables one to grasp it.

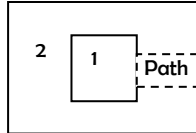
Unlike previously, this description of *Shlomo Ha'Melech's* decree does not focus on a particular point of confusion, but rather on the broader premise of creating "*ozna'im la'Torah*" and creating extra barriers in front of the *Torah* prohibition, thereby including this case as well.

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Revision Questions

עירובין ח - ז - י"א

- What is the law regarding a multiple courtyards that are open to a *mavoi* where: (ח: י)
 - Each *chatzer* performed an *eiruv chatzeirot* but they did not perform a *shituf mavoi*?
 - They performed a *shituf mavoi* but not an *eiruv chatzeirot*?
 - They performed both, but one resident of a *chatzer* forgot to join the *eiruv*?
 - They performed both, but one resident forgot to join in the *shituf mavoi*?
- For two *chatzeirot* formed in the following manner, what is the law regarding a case where: (ט: י)



- The residents of the internal *chatzer* made an *eiruv chatzeirot* while the other did not? (ט: י)
- The residents of the outer *chatzer* made an *eiruv chatzeirot* while the other did not? (ט: י)
- Both independently made their own *eiruv chatzeirot*? (ט: י)
- One of the internal residents forgot to join the *eiruv chatzeirot*? (י: י)
- One of the outer residents forgot to join the *eiruv chatzeirot*? (י: י)
- All residents of both *chatzeirot* joined together and a resident from the outer *chatzer* forgot to join in? (י: י)
- What are the dimensions of a window in the wall dividing two *chatzeirot* that enables both resident to join together in one *eiruv chatzeirot*? (א: ז)
- What are the dimensions of a wall that divides two *chatzeirot*? (ב: ז)
- How large must a break in a wall dividing two *chatzeirot* be in order that both residents can join in an *eiruv chatzeirot*? (ב: ז)
- What is the depth of a ditch that divides two *chatzeirot*? (ג: ז)
- Can such a ditch be filled with straw and still divide the two *chatzeirot*? (ג: ז)
- What can one do to a ditch if they wish to join both *chatzeirot* in an *eiruv chatzeirot*? (ד: ז)
- What are the dimensions of a stack of produce that divides two *chatzeirot*? (ה: ז)
- Explain how a *shituf mavoi* is performed. (ו: ז)
- What is the process when the food used for the *shituf mavoi* begins to run out? (ז: ז)
- How much food is required to create a *shituf mavoi* (include both measures)? (ח: ז)
- What does *R' Yosi* amend to the above requirement? (ט: ז)
- What is the debate regarding what may be used to form an *eiruv*? (י: ז)
- Can one perform an *eiruv chatzeirot* for another without their knowledge? (יא: ז)
- Can one perform an *eiruv techum* for another without their knowledge? (יב: ז)

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
11 th December י"א כסלו	12 th December י"ב כסלו	13 th December י"ג כסלו	14 th December י"ד כסלו	15 th December ט"ו כסלו	16 th December ט"ז כסלו	17 th December ט"ח כסלו
Eiruvin 8:1-2	Eiruvin 8:3-4	Eiruvin 8:5-6	Eiruvin 8:7-8	Eiruvin 8:9-10	Eiruvin 8:11-9:1	Eiruvin 9:2-3

