

## 39. Carrying

### הַמוֹצִיא מִרְשׁוֹת לְרְשׁוֹת

1. The *Av Melachah* of Carrying<sup>1</sup> comprises the transfer of an object from a private domain to a public domain, or vice versa; and moving an object a distance of four *amot* (4 cubits, approximately seven feet) in the public domain. Whether a domain is considered private or public in this regard is not a question of ownership, but is determined by certain physical features and *halachic* requirements.

2. There are four kinds of domain with respect to carrying on Shabbat: a private domain (*reshut hayachid*, רְשׁוֹת הַיְחִיד), a public domain

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1. **Biblical Sources for the Prohibition of Carrying** Carrying was one of the Thirty-Nine *Melachot* performed in constructing the *Mishkan*. *Chazal* note that the term *melachah* is used with reference to it in the verse, “And Moses commanded, and they caused it to be proclaimed throughout the camp, saying: Let neither man nor woman make any more work (*melachah*) for the Sanctuary. So the people were restrained from bringing” (*Shemot* 36:6). This is presumed to have occurred on Shabbat. The prohibition of carrying is indicated in the verse, “Let no man go out of his place on the seventh day” (*Shemot* 16:29). *Chazal* understand this to have been a directive to the people not to go out on Shabbat with a vessel in hand in the expectation of gathering the manna. The severity of the *melachah* is underscored by the fact that the rabbis of the Talmud voided two *mitzvot* of the Torah in order to avoid carrying on Shabbat. The *shofar* is not blown on Rosh Hashanah and the *lulav* is not taken on Sukkot, when the festivals occur on Shabbat, for fear that someone might carry them in the public domain.

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(*reshut harabim*, רִשׁוּת הַרְבִּיּים), a semi-public domain (*karmelit*, כַּרְמְלִית), and a free place (*mekom petur*, מְקוֹם פֶּטוּר).

3. A private domain, “*reshut hayachid*,” is an enclosed area.

(a) Its minimum dimensions are four *tefachim* (four handbreadths, approximately fifteen inches) square.

(b) The enclosure is a wall, a fence, or other partition no less than ten *tefachim* (ten handbreadths, approximately three feet) high.

Therefore, an apartment, a house, an enclosed garden or yard is a *reshut hayachid* irrespective of whether it is under private or public ownership.

A *reshut hayachid* can be found in other forms as well. For example, an object, whether movable or immovable, such as a box, a wagon, or a car, or a depression in the ground such as a pit or a ditch, or an elevation such as a mound of earth or of stones, which meets the minimum size of four *tefachim* square and ten *tefachim* high or deep, is considered a private domain (even if it is located in the middle of a public domain).

The airspace above a *reshut hayachid* is, to an unlimited height, considered a private domain. It is permitted to carry and to move permissible objects to any distance within a *reshut hayachid*.

4. A public domain, “*reshut harabim*,” is an area frequented by the public, such as a street, road or public square.

(a) It is unroofed and open at both ends.

(b) Its width is not less than sixteen *amot* (sixteen cubits, approximately twenty-eight feet).

Any elevation or object in *reshut harabim* that is less than three *tefachim* (three handbreadths, approximately eleven inches) in height, or a depression in *reshut harabim* less than three *tefachim* deep, is considered to be part of *reshut harabim*. The airspace above *reshut harabim* to a height of ten *tefachim* is considered public domain.<sup>2</sup>

2. **Carrying Above a Public Domain** The airspace over a *reshut harabim* is limited to a height of ten *tefachim*; above that is considered a *mekom petur*. Therefore, it is permitted to carry from one private domain to another over a plank or a walkway that is suspended over a *reshut harabim* at least ten *tefachim* (ten handbreadths, approximately three feet) above ground.

It is a Torah violation of the *melachah* to carry from a *reshut hayachid* to a *reshut harabim*, or from a *reshut harabim* to a *reshut hayachid*, or to carry a distance of four *amot* (four cubits, approximately seven feet) in a *reshut harabim*.

A public area may be made to conform to the requirements of a *reshut hayachid* in order to permit carrying on Shabbat by enclosing it with partitions (מְהַיְצוֹת). For a discussion of the relevant conditions and regulations, see Part III, Chapters 2, 3.

5. A third type of domain designated by Chazal is a *karmelit*. A *karmelit* is a semi-public domain, which does not conform to the above specifications of *reshut harabim* and therefore cannot be classified as such, but rather, is like a rabbinic *reshut harabim*.

Among such areas are a side street less than sixteen *amot* wide, an alley-way closed off at one end, an open field, open country, seas and rivers. The airspace above a *karmelit* to a height of ten *tefachim* is subject to the rules of a *karmelit*. It is rabbinically forbidden to carry from a *reshut hayachid* or *reshut harabim* into a *karmelit*, or from a *karmelit* to a *reshut hayachid* or *reshut harabim*, or a distance of four *amot* (four cubits, approximately seven feet) in a *karmelit*.

6. A fourth type of domain, termed a *mekom petur* (literally: a free place), is an area in the public domain measuring less than four *tefachim* (four handbreadths, approximately fifteen inches) square that is enclosed by partitions three or more *tefachim* in height; and an elevation or an object in the *reshut harabim* that is more than three *tefachim* (three handbreadths, approximately eleven inches) above ground, measuring less than four *tefachim* square; or a ditch in the public domain that is more than three *tefachim* deep, but less than four *tefachim* square.

The above constitute a *mekom petur* only if situated in a *reshut harabim* but not in a *karmelit*. The airspace ten or more *tefachim* above a public domain or a *karmelit* is considered to be a *mekom petur*. There is no prohibition of carrying to or from a *mekom petur* and the other three domains, or within a *mekom petur*.

7. Where carrying on the Sabbath is forbidden, whether as a Biblical or as a rabbinic prohibition, you may not move, throw, extend,

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transfer, or carry<sup>3</sup> any object<sup>4</sup> by any means, whether by hand, over the arm or shoulder, or even in your pockets.<sup>5</sup> For example, you are forbidden to carry any food<sup>6</sup> or drink, any article of whatever size or

3. **Carrying Money and Valuables Home When Shabbat Arrives** If you are still on the way home when Shabbat begins, and you have something of value in your pocket, your hand, or on your person, and cannot entrust it to a non-Jew, or leave it somewhere on the way, you should do as follows: if you are with someone, you should each take turns carrying it a distance of less than four *amot* and then handing it to the other, until you approach the house. If you are alone, you should carry it in stages for a distance of less than four *amot* at a time, stopping each time and if possible depositing it on the ground. Upon reaching the house you should throw it into the house or the courtyard in a backhanded manner. If this is not possible, you should proceed in the following manner: You should run home quickly without stopping, and upon arriving you should throw it into the house or courtyard in a backhanded manner. If you are walking on Shabbat and find that you are carrying something, you should drop the object. If it is of value and you cannot abandon it, you should proceed as above.
4. **Carrying Medication in Case of Emergency** According to some *poskim*, a person who may need medications to take in case of emergency, such as nitroglycerin tablets, an EpiPen, insulin, etc., may carry them (or even several, as required), on Shabbat. They should be carried in a manner different from the usual, if, especially in the case of nitroglycerin tablets, it will not affect their stability and potency. This is permitted when going to the synagogue to pray or to learn Torah, or for the sake of a *mitzvah*. Some permit it, as well, when going out for a stroll, if health conditions require it. If you must take the medication while on the way, you should if possible enter a private building or courtyard, and leave after having swallowed it.
5. **Carrying Identification and Information in Case of Emergency** If someone has a medical condition requiring special treatment, he or she may wear a bracelet around his or her wrist, or a tag on a chain around the neck, etc., bearing blood type and instructions as to medication and medical treatment in case of an emergency.
6. **Carrying Candy or Gum in the Mouth** Where there is no *eruv*, you may not go out into the street on Shabbat with candy or chewing gum in your mouth.

weight, even a key, a handkerchief, a *tallit*, or a *Siddur*,<sup>7</sup> or any article<sup>8</sup> of clothing.<sup>9</sup>

You are permitted, however, to go outdoors while wearing an article of clothing or an ornament, if it is worn<sup>10</sup> in a normal manner. A more detailed treatment of these *halachot* can be found in Part III, Chapters 2, 4.

8. In the view of many authorities an area is not deemed a *reshut harabim* unless it is frequented daily by six hundred thousand people. Accordingly, since our cities and streets do not, for the most part, meet this condition, as well as other pertinent *halachic* requirements, they do not constitute a *reshut harabim* where carrying would be Biblically forbidden, but are rather considered to be a *karmelit* where carrying is only rabbinically prohibited. Rabbis throughout the generations have, consequently, sanctioned the establishment of what is commonly known as an *eruv* in a designated community or in a city, thereby transforming it into a *reshut hayachid* where carrying is permissible.<sup>11</sup> This is done by

7. **Having a Child Carry a *Siddur*** You are not allowed to accustom a child to violate Shabbat or Yom Tov. Therefore, you may not give the child a key to carry on Shabbat, where there is no *eruv*, unless it is for a *mitzvah*. You may give the child a *Siddur* and *Chumash* to carry for the child's own use, which you may share upon arrival. You may allow a young child who has not reached the age of instruction in the observance of *mitzvot* (less than 6-7 years of age) to carry something for his or her own use, such as a snack which he or she will eat later.
8. **Wearing a Necktie and Tie Clip Outdoors** You may wear an article of clothing and whatever is normally attached to the clothing or is worn to service it. For example, you are permitted to wear a necktie and a tie clip outdoors on Shabbat.
9. **Going Out with a Label Sewn on a Garment** You may go out on Shabbat wearing a garment with an identification label sewn inside the garment, such as a manufacturer's label, or a label indicating that the garment was tested for *sha'atnez*.
10. **Carrying a Purse or Handbag** While it is customary to go out wearing jewelry and ornaments, you may not carry any of these articles in your hand, even if that is the way in which they are normally used. A woman is, therefore, not permitted to carry a purse, handbag, or evening bag where there is no *eruv*, even if its use is only ornamental.
11. **Institution of the *Eruv*** The requirement that six hundred thousand people frequent the area for it to be considered a public domain is predicated on the presumption that a *reshut harabim* is defined by the characteristics of the original *reshut harabim*,

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encompassing the entire area with a fence, or other partitions, either actual or nominal, including certain natural boundaries, such as a steep hill or a river embankment, in accordance with prescribed regulations.<sup>12</sup> Inasmuch as complex *halachic* rules are involved, the *eruv* should be instituted under the guidance and supervision of a rabbinic authority. For further particulars, see Part III, Chapter 1.

9. While carrying is permissible in a *reshut hayachid* such as a house or an apartment, carrying and the transfer of an object between adjacent apartments or dwellings of two or more tenants or homeowners in the same building<sup>13</sup> or courtyard, and in the areas used by them in common, such as the hallway and the courtyard, is rabbinically

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the *Machaneh Yisrael*, the Jewish encampment in the Sinai desert. The number of adult male Israelites of military age in the camp is set at this figure in the Torah. This requisite condition for a *reshut harabim* has been generally accepted as the basis for establishing an *eruv* made of string (צורת הפתח) to permit carrying on Shabbat. Rabbinic authorities have in the past been instrumental in instituting *eruvim* in many historic Jewish communities, and have advocated the establishment of an *eruv* wherever it is *halachically* feasible. Following historical precedent, the *eruv* has in recent times become more prevalent in growing Jewish communities, as well as in some already established, in a concerted effort to provide greater convenience in engaging in personal and religious activities on Shabbat, to prevent desecration of Shabbat, and to preserve the vitality of Jewish communities. For further discussion of the *eruv*, see Part III, Chapter 1, end of paragraph 3 and notes; Part IV, Chapter 10, paragraph 24 and notes.

12. **Natural Boundaries Qualifying for the Eruv** A body of water such as a river or a lake qualifies as a wall provided the height of the embankment at the shore line or the river bank is ten *tefachim* or more in an incline of less than four *amot*. A trench with the above dimensions qualifies as well. However, other factors, such as whether the place has a bridge span on top of it, or is a dock for boats navigating the coast line, or if the water freezes over in winter, come under *halachic* consideration, and in some instances the place may require a צורת הפתח, as the natural boundaries are insufficient.
13. **Bringing in Mail from the Mail Box** You may not bring in mail from the mail box that is situated outside the house, unless it is permissible to carry there. Similarly, you may not bring the mail into your apartment from the mail box in the entrance hall in an apartment building unless there is an *eruv chatzerot* on the premises and it is permissible to carry. It should be noted that some mail, such as bills and financial statements are *muktzeh* and should not be handled even within an *eruv*.

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prohibited on Shabbat as a precautionary measure to prevent carrying between domains. This restriction, however, may be removed and carrying and the transfer of objects in these areas can be made permissible by establishing an *Eruv* of Courtyards, known as *Eruvei Chatzerot* (עִירוּבֵי חֲצֵרוֹת). This is done by placing a loaf of bread or a *matzah* in one of the homes, which is thus designated as the joint property of all the Jewish tenants or homeowners.

If there are non-Jewish tenants or homeowners, it is necessary to obtain from them the right of way (שְׂכִירַת רְשׁוּת) on the premises. By this means of *Eruvei Chatzerot*, the individual families combine and share their rights of possession so that their separate dwellings are considered to be common property and accessible to all. The regulations regarding *Eruvei Chatzerot* are discussed in Part IV, Chapter 10.