

3. Enclosure of an Area for Dwelling Purposes

הֵיקָף לְדִירָה

1. Enclosing an area with partitions will only permit carrying if the enclosure is for dwelling purposes. What is considered an enclosure for dwelling purposes? If you built a house to dwell in, or if you opened up a doorway from your house and fenced the area around it with partitions, in the way a courtyard is made around the house, then no matter how large the enclosure it is in every respect a *reshut hayachid*. But if the enclosure is not for dwelling purposes, as in the case of vegetable gardens and orchards which are fenced in for the purpose of guarding their contents, it depends on the size of the area.

If the area measures two *beit se'ah*¹ or less, you may carry in it;² but if it is a larger area it is considered a *karmelit*, and you are not

1. **Beit Se'ah** *Beit se'ah* is a unit of measuring land mass spoken of in the Gemara. It is calculated in the following manner: first, you have to measure a *se'ah* of seed. A *se'ah* is a Biblical measure of volume, equal to about 8 liters according to Rav Avraham Chaim Naeh, or 14 liters according to the *Chazon Ish*. Once you have the *se'ah* of seed, see how much land can be sown by that amount. Simply put, a *beit se'ah* is the area of land that could be sown by a *se'ah* full of seeds. See following note.
2. **Dimensions of an Area Enclosed for Dwelling** An area, whatever its shape, of such size that is no more than two *beit se'ah* is the equivalent of the court of the Tabernacle,

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permitted to carry in it. In Talmudic language, this area is called a *karpef* (קַרְפֵּף).³

2. An enclosure that is not for dwelling purposes but smaller than two *beit se'ah* adjacent to a courtyard is considered one domain with that courtyard, and you may carry utensils that are in either place from one to the other during Shabbat. However, it is not considered to be one domain with the house, so that utensils that are in the enclosure on Shabbat may not be carried into the house, and utensils that are in the house may not be carried into the enclosure.

3. An enclosure that was not made initially for dwelling purposes; that is, the area was first enclosed with partitions and then a house was built, or a doorway was opened from the house leading into it, can be converted into an enclosure for dwelling purposes by making a breach in the partitions more than ten *amot* wide (an opening of ten *amot* is considered a doorway, while a larger opening is a breach). A breach this wide invalidates the partitions. After that, you should repair the

where it was permissible to carry, which measured one hundred *amot* in length and fifty *amot* in width (*Shemot* 27:18). Since one *se'ah* of seed is estimated to cover an area 50 *amot* by 50 *amot*, or 2500 square cubits, two *se'ah* would cover an area of 5,000 square *amot*. In a quadrangle, we take it to be an area approximately 70 *amot* and four *tefachim* by 70 *amot* and four *tefachim*. The area in question is variously estimated to be approximately 15,000-17,000 square feet (an area of about 125-130 by 125-130 feet). An area of greater size, even if enclosed by walls or partitions ten handbreadths high, which does not serve as a courtyard or garden adjacent to a dwelling is accorded the status of a *karmelit*, and *Chazal* prohibited carrying a distance of more than four *amot* therein as a precautionary measure; although according to Torah law an area of any size, no matter how large, enclosed by partitions ten *tefachim* high, is considered a private domain.

3. **Other Examples of a *Karpef*** Other areas which are considered a *karpef* are bodies of water such as a pond in which no one swims, a large corn field, or a cemetery. If a large citywide *eruv* is constructed around these types of *karpef*, there must be a smaller "eruv" cordoning off the *karpef* or the city *eruv* is invalid. Almost all city *eruvim* encompass a cemetery. This is usually not a problem since most cemeteries are walled off. Following this logic, it should be noted that you may not carry within the walls of a cemetery on Shabbat, even if the city has an *eruv*. Those involved with constructing a city *eruv* must be aware of all potential *karpef* areas when marking the *eruv's* boundaries. A park would not be considered a *karpef*.

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breach. Once the breach is repaired, the new wall will be considered an enclosure for dwelling purposes.⁴

4. If you planted trees in an enclosed courtyard comprising an area greater than two *beit se'ah*, even if you planted them over the greater part of the courtyard, it does not invalidate it as an enclosure for dwelling purposes, because people usually take shelter in the shade of trees. But if you planted vegetables over the majority of the courtyard, even if not in one place but scattered throughout the courtyard, it invalidates it as an enclosure for dwelling purposes, and the entire courtyard is considered a vegetable garden. If you planted the vegetables in the lesser part of the courtyard, and the planted area is less than two *beit se'ah*, it is subordinate to the courtyard, and the entire area is considered as a courtyard. However if the vegetables cover an area of more than two *beit se'ah* (in any one place), the sown area is considered a *karmelit*, and the rest of the courtyard is regarded as being completely breached to the prohibited area, and it is forbidden to carry a distance of four *amot* in the entire courtyard.

5. A courtyard comprising an area less than two *beit se'ah* is subject to the following considerations in the event that one planted a part of it with vegetables. If the vegetables are planted over the greater part of the courtyard, while you may carry in the courtyard because it is less than two *beit se'ah*, you may not carry from the house into that courtyard on Shabbat. You should therefore erect a partition in front of the vegetable garden to allow you to carry from the house into the courtyard.

4. **Converting an Enclosure for Dwelling Purposes** You need not take apart all of the partition to its full height to convert the enclosure for dwelling purposes. It is sufficient if you breach a part of it, so that it is no longer ten *tefachim* high. You can also breach the partition and repair it one *amah* at a time. If there is already a breach in the partition, you can extend it somewhat beyond the ten *amot*. You can also repair the breach by forming a *tzurat hapetach*.