



## 2. The Prohibition of Carrying from One Domain to Another

### אִסּוּר הַכְּנָסָה וְהוֹצָאָה מִרְשׁוּת לְרְשׁוּת

1. In a *reshut harabim* or in a *karmelit* you may not move, carry, throw, or hand over any object a distance of four *amot* (approximately seven feet). You are also prohibited from moving it in stages of less than four *amot* at a time.<sup>1</sup>

2. You may not carry, throw, or hand over any object from a *reshut hayachid* to a *reshut harabim* or to a *karmelit*, from a *reshut harabim* or a *karmelit* to a *reshut hayachid*, from a *reshut harabim* to a *karmelit*, or from a *karmelit* to a *reshut harabim*. But you may carry from a *mekom petur*<sup>2</sup> to

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1. **Carrying Less Than Four Amot** In an emergency this restriction may be relaxed. For example, if you find yourself on the road as Shabbat is about to begin, and your wallet and keys are with you, you may carry them in stages for short distances, each less than four *amot*. (This procedure, while suggested in the *Shulchan Aruch*, is quite impractical when walking for significant distances. You would be better advised to lock your valuables in the car.) For the procedure to follow in this situation, see Part II, *Melachah* 36, note 1 and *Melachah* 39, note 3. There is no restriction for moving an object once for a distance of less than four *amot*.
  2. **Carrying by Way of a Mekom Petur** While you are allowed to carry to and from and within a *mekom petur*, you may not, while standing in a *reshut hayachid*, remove, retrieve, throw or hand over an object into a *reshut harabim* by way of a *mekom petur*



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a *reshut hayachid* or *reshut harabim* or to a *karmelit*, and from the latter domains to a *mekom petur*, provided the article is not moved four *amot* in the *reshut harabim* or in the *karmelit*. As there are many particulars, in addition to those cited above, to be considered in determining what constitutes a *reshut harabim*, a *karmelit*, or a *reshut hayachid*, you would be well advised to refrain from carrying anything on Shabbat from one place to another, in a city that has no *eruv*, unless it is in a place where you are certain that it is permissible to carry.

3. Lifting an article from the place where it lies is called *akirah*, and putting it down is called *hanachah*. According to Biblical law, the *Melachah* of Carrying is not transgressed unless both the *akirah* and the *hanachah* are performed. It is nonetheless rabbinically prohibited to lift the article even without setting it down, or to set it down even without having lifted it. For example, if a Jew lifts an article in a house, carries it to *reshut harabim* and sets it down, he has transgressed the *Melachah* of Carrying *min haTorah*. However, if, instead of setting it down, he held it in the palm of his hand and someone else took it from there, he has transgressed the *Melachah* of Carrying *miderabanan*. Furthermore, a Jew may not hand an article to a non-Jew for him to carry it out from a private domain to a public domain or to a *karmelit* because the Jew is doing the *akirah*. The non-Jew must take the article himself. Likewise, when a non-Jew brings an article the Jew should not take it from his hand because he will then be doing the *hanachah*. The non-Jew must deposit the article himself. For example, if a baby is to be carried<sup>3</sup> by a

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or vice versa. Neither may you stand in a *mekom petur* and receive or take an object from a public domain and hand it over or deposit it in a private domain, or vice versa. The reason for this is that since the object passed through the *mekom petur* in a fluid motion, never coming to rest there, the *mekom petur* is rendered insignificant in the overall action. For example, if you carry an object from *reshut harabim* to *reshut hayachid* by walking without stopping over a guardrail, you have transgressed the *Melachah* of Carrying on the Torah level. If you stopped on the guardrail, and then proceeded directly to *reshut hayachid*, a rabbinic violation has been transgressed; see paragraph 3.

3. **Wheeling a Child in a Carriage** You are not allowed to carry or wheel a baby in a carriage where there is no *eruv*. You may, however, have a non-Jew carry the child or wheel the carriage. Even if you do not carry where there is an *eruv*, because of a self-imposed stringency, you may carry a child or wheel the carriage with

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non-Jew to synagogue on Shabbat for his *berit*,<sup>4</sup> the non-Jew should lift the infant and carry him from the house, and upon reaching the courtyard of the synagogue, should put the infant down.

4. In the event that there is a breach in the partition of a courtyard, then if there remains a part of the partition on one side measuring four *tefachim* in width and ten *tefachim* in height from the ground, or if there remains a part of the partition measuring one *tefach* in width and ten *tefachim* in height on each side, the partition need not be repaired, provided the breach is no wider than ten *amot*, because the breach can simply be reclassified as an entrance and not a breach.

If the breach is more than ten *amot*, or there does not remain a part of the partition on one side measuring four *tefachim*, or one *tefach* on each side,<sup>5</sup> (and certainly if the breach extends the full length so that there is no partition on one side of the courtyard), then even if the breach is only three *tefachim* it is forbidden to carry in the courtyard until the partition is repaired.<sup>6</sup> The best way to repair it is to do it in the form of a doorway (*tzurat hapetach*, צורת הפתח).

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its usual accessories, such as a blanket, etc., within the area of a properly instituted *eruv*. It should be noted that this is an exception to general practice. Consistency is critical to meaningful Jewish life, and someone who takes on a stringency should not apply it sporadically. Nonetheless, stringency in the area of *eruv* imposes hardships upon other people, i.e., your spouse and children. Therefore, leniencies should be relied upon in this case so that one Jew's personal piety does not impact negatively on others.

4. **Carrying an Infant to the Synagogue for His *Berit*** Some *poskim* do not permit having a non-Jew carry an infant to the synagogue to be circumcised on Shabbat. The *Magen Avraham* and *Mishnah Berurah* are of the opinion that, where there is no *eruv* and it is not permissible to carry, the *berit* should take place at home.
5. **A Breach at a Corner of the Partition** A breach at one of the corners, where the partitions on two sides meet, is not considered as an entrance, even if the opening is less than ten *amot* wide, and it needs to be repaired in the form of a *tzurat hapetach* to permit carrying in the courtyard.
6. **Repairing a Breached Partition** While Torah law allows carrying in an area that is enclosed by partitions on three sides, *Chazal* prohibited it until the fourth side is partitioned off as well, so that it should not have the open appearance of a *reshut harabim*. In the event of a breach that requires repair of the partition enclosing a courtyard, you can do so by replacing the partition on one side for one that does not enclose the entire side as long as it is at least four *tefachim*. Alternatively, you can

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If there are two or more tenants or homeowners sharing the courtyard they also need to make an *eruv chatzerot*, as will be explained later (Part IV, Chapter 10).

5. The above-stated rule that if the breach is no wider than ten *amot* it is considered an entrance and the partition need not be repaired applies if there is only one breach. But if there are two or more breaches, then what remains standing of the partition must be at least equal to what has been breached. But if what has been breached is greater than what remains standing of the partition, then wherever the breach is more than three *tefachim* it must be repaired by closing the breach or by forming a doorway, a *tzurat hapetach*. For example, if a partition is forty *amot* long and has a breach nine *amot* wide, it does not need repair, for two reasons: the breach is not ten *amot*, and part of the partition which is standing (31 *amot*) is greater than the breach (nine *amot*.) If that partition has two breaches of nine *amot* each, it still needs no repair; the breaches are less than ten *amot*, and the part of the wall which is standing (22 *amot*) is greater than the total of the breaches (eighteen *amot*). However, if that wall has three breaches, of seven *amot* each, all breaches would need repair even though they are less than ten *amot* wide, since the space of the breaches of the wall (21 *amot*) is greater than what is left standing (nineteen *amot*).

6. How do you create a *tzurat hapetach*? You put up posts no less than ten *tefachim* high at each end of the opening,<sup>7</sup> and place a stick or a cord on top, reaching from one post to the other.<sup>8</sup> The stick or the

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put up a board of at least one *tefach* on each side of the breach. In this case, no string needs to be placed on top of the posts (see paragraph 6). For the laws regarding repair of an *eruv* that becomes inoperative on Shabbat, and the procedure to be followed in the event it cannot be repaired, see Part IV, Chapter 10, note 20.

7. **Use of an Archway for a Tzurat Hapetach** An archway qualifies as a doorway, provided the side posts or side walls reach a height of ten *tefachim* before they begin to arch.
8. **Use of Wires and Telephone Cables for the Eruv** While the partitions or the posts must be able to stand against an ordinary wind, the cord or wire strung on top of the posts to form a doorway may sway in the wind, although they must be firmly attached so that they are not torn or blown away. Some *poskim*, however, require the cord or wire to be tightly drawn so that it does not sag or sway in the wind. Telephone and

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cord must be on top of the posts and not by their sides. If you drive nails into the top of the posts and tie a cord to them, reaching from one post to the other, it is also valid. The posts must be within three *tefachim* from the partition, and within three *tefachim* of the ground. If it is not possible to form the *tzurat hapetach* except by placing the posts three or more *tefachim* from the partition, you may be lenient with regard to this requirement.

7. The doorway of a courtyard or a house that opens onto the street,<sup>9</sup> with the door opening inwards, and the doorposts, lintel and doorstep facing towards the street, is at times considered a *reshut haya-chid* and at times a *karmelit*. Since not everyone is well versed in the law, *halachah* applies the strictures of both a private domain and a *karmelit* in this instance. Therefore, you may not carry from the doorway into the street, which is either a *reshut harabim* or a *karmelit*, or from the street into the doorway, as it may have the status of a *reshut hayachid*. As well, you may not carry from the house or the courtyard into the doorway or from the doorway into the house or courtyard, as the doorway may have the status of a *karmelit*. Therefore, if the door is locked and it has to be unlocked, you should be careful to have the non-Jew put the key into the lock, and after unlocking it the non-Jew should remove the key before you open the door. For if you should open the door while the key is in the lock, you will have brought the key from a *karmelit* into a *reshut hayachid*.<sup>10</sup>

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electricity wires and cables strung on posts may, likewise, serve as a *tzurat hapetach* for an *eruv* if they conform to the *halachic* requirements. You may need to attach smaller poles to the telephone poles so that the wires run over the poles, as required.

9. **Taking In a Newspaper** If the door to the house opens directly into a *reshut harabim* or *karmelit*, you may not take the newspaper or anything else which is outside into the house. If the door opens onto a porch which is elevated at least ten *tefachim*, it is considered a *reshut hayachid* and things left on the porch may be taken inside. If more than one family shares the porch, an *eruv chatzerot* must be made. If the newspaper is brought from an area outside of an *eruv*, most *poskim* prohibit reading it on account of the *melachah* performed by the deliverer specifically for your benefit. See Part 1V, Chapter 6, note 5.
10. **Opening the Door with a Key Attached to a Belt** You may open the door yourself by using a key that serves as an integral part of a belt worn on Shabbat. Where the keyhole penetrates into the house, as is usually the case, the key should be

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8. In many places there are houses where the roof extends beyond the wall of the house into the street, where it is supported by pillars. You may not carry from the house into the space beneath the projection, or from there into the house. You are also not allowed to carry anything a distance of four *amot* in the area itself, since it is considered as the street, in which case it may have the status of a *reshut harabim* or *karmelit*. Although that part of the roof rests on pillars, giving it the form of a doorway, which the *halachah* generally regards as a partition, it is not regarded here as a partition, as there are no partitions on either side. It is therefore necessary to put up a post on one side, adjacent to the wall of the house and opposite the pillar supporting the roof, and another post on the other side, forming a *tzurat hapetach* on both sides. If there are several adjoining houses whose roofs project in the same manner, it suffices to put up the posts at the end of the last house on either side of the row of houses. They must also make an *eruv chatzerot*.

9. You may give food to a non-Jew in the courtyard or in the house, even though you know that the non-Jew will carry it outside—so long as you do not place it directly in his hands, which would then mean you had done the *akirah*.<sup>11</sup> This is permissible provided the non-Jew is allowed to eat it there if he should wish to do so. But if he is not allowed to eat it there, or if the food is in so great an amount that he could not eat it all there, or if you want to give him some other article which it is evident that he will carry outside, you are not permitted to

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inserted while it is attached to the belt. If the door opens inward, you should remove the key from the lock and refasten the belt before opening the door and entering the house. If the doorway, consisting of the doorposts and lintel, covers an area that extends outward four *tefachim* or more from the door, you may not remove the key which you are wearing in order to insert it into the lock until you are standing in the doorway. After unlocking the door, you should remove the key from the lock and refasten it in the belt before opening the door into the house and entering the house.

11. **Extending Food to a Non-Jew** According to some *poskim*, when you invite a non-Jew to a Shabbat meal, you may put food in his hand, provided the non-Jew is standing with you in the house or courtyard and it is not for the express purpose of carrying it outside. All authorities permit it if the non-Jew takes the food from the Jew's hand in order to eat it in the house.

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give it to him, as it appears that you are giving it to him for the express purpose of carrying it outside.

10. You may lead a child even in the *reshut harabim*, provided you do not pull the child along. You should lead the child in a way that he or she will lift up one foot at a time, while the other foot is on the ground, so that he or she will always be supporting himself or herself on one foot. But if you drag the child along while both feet are on the ground, it is as though you are carrying the child, and is forbidden even in a *karmelit*.

Carrying a child,<sup>12</sup> even if the child is old enough to walk alone, is forbidden on Shabbat even in a *karmelit*. The rule “a living person carries himself” (חַי נוֹשֵׂא אֶת עַצְמוֹ) applies only to lower the level of transgression from a Torah violation to a rabbinic one. In a *karmelit* it involves transgressing a rabbinic prohibition in an area where the whole idea of Carrying is rabbinic (שְׁבוּת דְּשְׁבוּת), a *shevut deshevut*.<sup>13</sup>

11. You may not draw water from a stream or a canal that runs through a courtyard.<sup>14</sup>

12. **Carrying a Sick Child** A child who is able to walk by himself may be carried in a *karmelit* if he cries and wants to be carried, or if he is otherwise distressed or in pain. You may carry any ill child, even an infant who cannot walk, in a *karmelit*. You may carry a sick child who knows how to walk by himself in a *reshut harabim* to be taken to the doctor. If there is a possible danger to life you may, of course, carry any child under all circumstances. When you are allowed to carry a child, you are also allowed to take him in a carriage with its usual accessories, such as a sheet and blanket. In such instances, you should take care that the child does not have an object in his hand or in his clothes. However, if the child is hurt or fearful, he or she can carry a doll or a toy and the like to calm his fears.

13. **Carrying a Child in the Street** You may help a child walk, but you may not carry a child in your arms or on your shoulders. Those people who carry a small child in the street where there is no *eruv* because they think it is permissible if the child is capable of walking are in error and violate a rabbinic prohibition. Nevertheless, the *Mishnah Berurah* advises that you refrain from telling them that they are transgressing a rabbinic prohibition, because of the principle of “*mutav yehu shogegin*,” better that they transgress unwittingly than with full knowledge of their transgression. If you do not usually carry on Shabbat even where there is an *eruv*, because of a self-imposed restriction, you may nonetheless carry a child or an infant in order to relieve the child or parent from distress.

14. **Drawing Water from a Stream or a Reservoir in a Courtyard** A stream or water canal, measuring ten *tefachim* deep and four *tefachim* wide, that flows into and out

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12. While standing in one domain, whether it is *reshut harabim*, *reshut hayachid* or a *karmelit*, you may not pass water or spit into another domain.

13. You are permitted to pour out waste water in a courtyard which measures four *amot* square, even if it runs off into the *reshut harabim*.<sup>15</sup>

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of a courtyard is considered an independent *reshut*, having the status of a *karmelit*. Therefore, you are forbidden to draw water from it because you would be transferring the water from a *karmelit* to a *reshut hayachid*. The water can be made accessible by cutting it off from the flow of water outside the courtyard and rendering it a part of the *reshut hayachid*. This can be done, even if only nominally, by setting partitions ten *tefachim* high at the points of entry and exit. If the partition is placed above ground, one *tefach* should be below the water line, and if the partition is submerged, one *tefach* should be above the water. If the stream or water canal does not have the above dimensions, or if it does not run through the courtyard but flows into a pool and remains within the premises, it need not be partitioned off. It is considered a part of the courtyard and within the *reshut hayachid*, and you are permitted to draw water from it on Shabbat.

15. **Pouring Waste Water into the Courtyard** While you are not permitted to pour from a private domain into a public domain or a *karmelit*, you are allowed to pour the water into the courtyard in this case, because it is estimated that the amount of water that a person normally uses for his personal needs daily, when poured out as waste water, can be absorbed in the ground in an area four *amot* square. Moreover, people are not particular that the water flow out into the street, because it will not soil the ground if it remains on the premises. Therefore, you may pour out the waste water even if it does flow off into the street, since that was not your intention. However, you should be careful to pour it at a distance from the street, so that if it flows out it will not be a direct result of your pouring. Of course, you should be careful not to pour water on grass irrespective of *reshut harabim* and *yachid*.