

## Do Large Parks and Gardens Invalidate an Eruv for Shabbos?

Adapted from a shiur by Rav Yitzchak

Grossman on *Parshas*

*Terumah*

אורך החצר מאה באמה ורחב חמישים בחמישים וקמה חמש אמות שש משזר ואדניהם  
נחשת (שמות כז:יח)

The Gemara (*Eruvin*

23a) sees this *pasuk*

concerning the measurements of the *Mishkan* as an *asmachta* (allusion) to the rabbinic halacha of a *karpef*: An area 5000 square amos that is *lo hukaf*

*l'dirah* (not walled for people to live) may not be included as part of an *eruv*

to allow carrying on Shabbos.

It is based on the

following points:

- A *karpef* is similar to a *reshus harabim* (public domain where carrying is forbidden) in that it is open and not used for housing (Rashi).
- It is derived from the *Mishkan* like other halachos of Shabbos (*Levush*).
- Chazal only forbade a *karpef* larger than the *Mishkan's* dimensions (*Shulchan Aruch HaRav*).

The Gemara states

that gardens with seeds (*zeraim*) planted in them are considered a *karpef*. If so, how can municipal *eruvim* include parks and gardens? Many reasons for leniency have been suggested:

- Parks planted for recreation are considered essential for living and are different than the Gemara's case (Meiri, Maharsham, *Nezirus Shimshon*).
- *Karpef* is only when the wall (or *eruv*) was constructed first and then the seeds were planted (*Divrei Malkiel, Sefer Poras Yosef*).
- Seeds that grew by themselves (weeds) are permitted.
- *Zeraim* planted by non-Jews are permitted and cannot invalidate our *eruv*, plus it is no worse than if they grew by themselves (R. Shlomo Kluger, *Divrei Malkiel*).
- Does not apply to a city where the majority is urban and a small part has planted seeds (*Dvar Shmuel, Chacham Tzvi*). Moreover, it is part of the city planning and enhances it, so it wouldn't be *mevatel* the *dira* aspect (*Dvar Shmuel*). These leniencies are all subject to dispute, but over time the custom in many cities has been to

be

lenient based on some/all of them when better options (e.g., enclosing the area) are unavailable.