

## Q&A from the Bais HaVaad Halacha Hotline

Domain Names

November 10, 2022

**Q** Last Shabbos, my toddler walked out of the house with my silver *becher* and dropped it in the street. Given that there is no eiruv in our area, is there a way I could have moved it to the curb so it wouldn't be run over?



**A** One of the 39 *melachos* is *hotza'ah*, carrying an item between *reshus hayachid* and *reshus harabim*, a *toldah* (derivative) of which is *ma'avir arba amos*, moving an item four *amos* in *reshus harabim* (Shabbos 96b). The Ba'al Hamaor (35b in Rif) explains the comparison to *hotza'ah*: A person is considered to occupy his surrounding four *amos*, so when he moves something from that place, it is like removing it from his domain. Chazal extended the *melacha*, applying it to a *karmelis* as well. Almost any area (except a surface smaller than 4×4 *tfachim*) that doesn't qualify as a *reshus hayachid* or *reshus harabim* is classified as a *karmelis*. Therefore, even on a quiet side street, one may not move an object four *amos*. The *issur* of *ma'avir* is only violated when the full distance is covered in a single movement. If one moves an item three *amos*, stops, and then moves it another three *amos*, he hasn't transgressed *mide'Oreisa*. But Chazal forbade moving an item any distance in *reshus harabim*. This precludes the option of moving the *becher* to the curb in several small movements. Still, the *poskim* debate whether this decree applies in a *karmelis* or only in *reshus harabim*. The Shulchan Aruch (O.C. 349:5) states clearly that it includes a *karmelis*, but the Biur Halacha discusses this at length and concludes that one may possibly be lenient for mitzvah purposes. But protecting a *becher* is not a *tzorech* mitzvah. There is a simple solution described in the Mishnah (Eiruvin 95b): R' Yehudah says a person may give a barrel to his friend, and his friend to his friend, etc. Since each person is moving the barrel less than four *amos*, it is permitted. Where multiple people are involved, Chazal didn't forbid transporting the item under four *amos*, because it is not likely that one of

them will mistakenly carry it too far.

Although some *poskim* rule in accordance with the Chachamim, who forbid this (Shulchan Aruch *ibid.* 3 cites two opinions), the Mishnah Brurah (*ibid.* 13) rules leniently, but he says it is commendable to be stringent in this. Some *poskim* (Pri Megadim) permit two people to continuously pass the object to one another, comparing it to a chain of multiple people. But the Biur Halacha disagrees.