

reference to indoor carrying, similar to what is done for a *choson* at his wedding. The Talmud permits it under certain conditions. The main factor is *rabim tzrichin lo*, a person needed by the community, due to scholarship or the like. The issue, according to the commentaries, is *zilusa deyomtov*.

In ruling, some poskim cite the ruling in connection with *Yomtov* only, omitting it on *Shabbos*. Others include it in the laws of *Shabbos*. The later poskim debate the reason for this. There are three views. The most stringent assumes that the Talmud discusses *Yomtov*, when the issue of carrying does not apply. Those who include it in *hilchos Shabbos* refer to an *eruv* bounded area. Nonetheless, there is an issue of *zilusa* inside the *eruv*. *Rabim tzrichin lo* cancels the issue of *zilusa*. The middle view maintains that the entire issue only arises outside an *eruv*. On *Shabbos* there is no question that it is forbidden. On *Yomtov*, it is only permitted when there is a minor need. Since there is no *eruv*, it has the appearance of *uvdin dechol*, and is included in *zilusa*. However, inside an *eruv* or private domain there is no *zilzul* at all, on *Yomtov* or on *Shabbos*. The lenient view maintains that it refers to outside an *eruv*. Those who exclude it from the laws of *Shabbos* maintain that on *Yomtov* it is a Rabbinical *melacha* due to *zilusa*. This is relaxed where *rabim tzrichin lo*. On *Shabbos* it is forbidden Scripturally. Those who include it in *hilchos Shabbos* maintain that even on *Shabbos* it is only forbidden Rabbinically, either because it is in a *karmelis* or because the living carry themselves. These are relaxed due to *rabim tzrichin lo*. Nonetheless, others do not go so far. They forbid Rabbinical carrying that relates to *melacha*, due to *zilusa*, even if *rabim tzrichin lo*. Inside an *eruv* there is no issue at all.

Based on the lenient opinions some poskim permit riding a bicycle inside an *eruv*-bound area. [See Beitza 25b, poskim. Tur Sh Ar OC 301:17 522:2-3, commentaries. Shmiras Shabbos Kehilchasa 15:13note 25. Teshuvos Chasam Sofer VI:97, end. Rav Pealim OC 25. Tzitz Eliezer VII:30.]

In conclusion, this matter is debated by the poskim. The issue is mainly whether it is in the spirit of *Shabbos*. The prevailing custom seems to be to refrain from riding, except for emergency personnel. If they are able to get to the scene as quickly by bike as by car, it is preferable for them to ride, even outside the *eruv*.

**On the Parsha ...** ... Every place that the sole of your foot shall tread .. [11:24] That you conquer of the surrounding lands [See Sifra] Why is the term for conquering 'treading with the soles of one's feet'? Perhaps it is hinting that this conquest should be within the symbolic 'techumin' of Eretz Yisroel, nearby enough to feel the connection. Somewhere further away, that requires riding out to it, is considered, by nature, outside the *techum*. The Jewish people may conquer and settle other lands, but should not go too far from Eretz Yisroel. 'Outside the *techum* one may walk no more than four cubits'!

Sponsored by Murray and Elvira Pfeffer in memory of Rabbi Hugo Unger, R. Moshe Chaim ben

R. Yehuda Leib, zt"l, whose *yahrzeit* is on the 22<sup>nd</sup> of Av. ה

© Rabbi Shimon Silver, July 2010.

Subscriptions and Sponsorships available. (412) 421-0508. [halochoscope@hotmail.com](mailto:halochoscope@hotmail.com)

# HALOCHOSCOPE

This week's question:

May one ride a bicycle on *Shabbos* inside an *Eruv*, or on *Yomtov*?

The issues:

A) Is riding a bicycle considered *hotza'ah*, carrying?

B) *Shema yaavirenu*, *shema yesaken*, *shema yaitzai*, decrees to prevent *chilul Shabbos*

C) *Shaboson*; *uvdin dechol*; *zilusa*, non-*Shabbos* activity

A) *Hotza'ah*

On *Shabbos* it is forbidden to carry between domains, or in a public domain. A publicly frequented area sixteen cubits wide with no physical boundaries must be considered a possible *reshus harabim*. It must serve a reasonable amount of people as a thoroughfare. The Talmud debates this number, with many poskim ruling according to the view that it is six hundred thousand users daily. A *reshus hayachid* is one bounded by walls. Other domains are neither *reshus harabim* nor *reshus hayachid* Scripturally.

One may not 'carry' an item out of one *reshus* and into the other. This involves lifting it up in the first *reshus* and placing it down in the second *reshus*. It is also forbidden to do the same in a *reshus harabim* across four cubits. It is Rabbinically forbidden to do part of such activities. One may not pick the item up and pass it to someone in the other *reshus*, who will put it down there, or move it less than four cubits in *reshus harabim*.

Rabbinically, another *reshus* is added, known as a *karmelis*. This area is unbounded, but not used by a reasonable number of people frequently enough to be a *reshus harabim*, or is not wide enough. It also includes a bounded area that is very large and is not connected to a living area. Most open spaces are *karmelis*. Rabbinically, a *karmelis* is treated as both a *reshus harabim* and a *reshus hayachid*, with the stringencies of both. A space too small to be considered a *reshus* at all, or unusable as a domain for other reasons, is called a *mekom petur*, place where there is no liability at all for carrying.

Another Rabbinically imposed restriction applies to a *reshus hayachid* shared by two or more users. Such common areas could be confused with a *reshus harabim*. Therefore, the Rabbis treat them as *reshus harabim* relative to the adjoining single user *reshuyos*. In addition, according to many poskim, the Rabbis forbade carrying from one single user *reshus* to another. Thus, carrying directly from one house to another, through a shared door or window, would be forbidden rabbinically according to this view.

To rectify this, the Rabbis instituted the *eruv chatzeros*. The multiple private domains are combined into one. All those with rights of use symbolically surrender their rights to one dweller in the group. Since the combined area is bounded by walls, it becomes one single *reshus hayachid* again. The same may be accomplished by all those who live in a city or section thereof. First, all *reshuyos harabim* are turned into a *reshus hayachid*. For both a Scriptural *reshus harabim* and a *karmelis* this requires actually

building walls and, sometimes, gates. Once the area is bounded by such '*mechitzos*', an *eruv chatzeros* is made, to turn the entire enclosure into one private domain.

On *Yomtov*, there is no need for an *eruv*. Carrying is permitted to prepare food for *Yomtov*, or other needs of that day. Therefore, one may only carry items for which there is a small need. It is forbidden to carry something for no need on *Yomtov*. Since carrying only applies where there are separate *reshuyos*, an *eruv* helps on *Yomtov*. It permits carrying anything, as though one is carrying it inside his home.

Clothing or jewelry, when worn normally, is not considered a burden. Therefore, it is not considered carrying on *Shabbos* or *Yomtov*. For some people, an item might be considered clothing, while for others it would be considered carrying. Amputees wear a prosthetic foot as though it is a shoe. They might have a device like a crutch, somewhat attached to their hands, if they cannot walk without it. A cane can often be included in this category. For a healthy person, carrying a cane is a Scriptural violation. [There is some discussion about an ornamental cane 'worn' as an adornment.] Some amputees propelled themselves on their hands and strapped a seat to their bottoms as 'shoes'.

The Talmud discusses carrying a live person as opposed to a dead body. 'The living carry themselves.' Therefore, it is not forbidden Scripturally to carry a living person in a *reshus harabim*. [This does not apply to a baby unable to walk.] Rabbinically, it is forbidden, even in a *karmelis*. However, such a doubly Rabbinical restriction can be relaxed for the needs of the public or of a *mitzvah*. When carrying a person this way, the chair or bed on which he sits or lies is considered secondary to him. Therefore, whatever restrictions or relaxations apply to the person, are extended to the chair or bed.

Accordingly, one may not carry a person in a chair, whether or not it has wheels. If this is a baby in a carriage, it is forbidden Scripturally. If it is an older person who is able to walk, it is forbidden Rabbinically. What about a person propelling himself in a wheelchair or on a bicycle or tricycle? A living person may not intentionally carry himself unaided. It might be better to view it as though the rider is not carrying himself, but moving along. However, if he is able to get around without it, the vehicle would not count as an extension of his feet. He would then be considered carrying it.

Interesting observations are made. A bike is propelled by feet pushing pedals. This unusual way to carry might reduce the gravity of the *melacha* to a Rabbinical decree. Nonetheless, this is the normal way to 'carry' this item. A second interesting observation is that for certain *melachos* indirect action is permitted. Some actions are doubly indirect, and some are triply indirect. In the case of the pedals, the action by the foot is on a pedal, that in turn pushes a lever, that in turn rotates the wheel. This type of indirect action might also mitigate the *melacha* of carrying. However, many poskim maintain that riding a bike in a *reshus harabim* is a *melacha*, and forbidden Rabbinically in a *karmelis*, or on city streets with no *eruv*. Some raise the concern that on tough terrain one might get off and carry his bike. Our question is whether there is any issue on streets within an *eruv*, or for that matter, in any *reshus hayachid*. [See Shabbos 2a-6a-9a 66a 94a 96b 99b-101a Eruvin 6a 59a 97b-101a etc, Poskim. Tur Sh Ar OC 345-347 349:1 5, commentaries. Halochoscope XII:41. Rav Pe'alim OC 25. Tzitz Eliezer VII:30.]

#### **B) Shema yaavirenu; shema yesaken; shema yaitzai**

The Rabbis forbade certain activities due to concern that one might carry. The best

known are the restrictions on the *mitzvos* of *shofar* or *lulav* when the *Yomtov* falls on *Shabbos*. There is concern that if one is involved in the *mitzvah*, he might walk out into a *reshus harabim* with the item, or that he might walk four cubits in a *reshus harabim* with the item in his hands. Some suggest that the same decree could apply to other items that could lead to the same. Most items used indoors, or within an *eruv*, do not raise this concern. However, riding a bicycle is something done outdoors in the street. If one is permitted to ride it on a street inside the *eruv*, he might come to ride it out of the *eruv*.

It is forbidden to repair a broken utensil. This includes minor repairs that would not normally be considered real changes to the utensil. If the utensil is unusable before the repair, it is forbidden to repair it. For this reason, one may not play an instrument. Tuning it is a minor repair that the user might make, forgetting that it is *Shabbos*. Pumping air into a bike tire or tightening a screw or wheel is also forbidden. Therefore, some say that one should not be allowed to ride a bicycle, lest he is tempted to make these repairs. [Some baby strollers have air-filled tires. In the absence of poskim forbidding their use, it is assumed that they are permitted.]

On *Shabbos*, one may not venture outside the *techum*, boundary of two thousand cubits outside the built-up area, or from one's home if he lives in the country. If one did venture out, he may not move more than four cubits. Various activities are forbidden as a preventive measure to avoid going outside the *techum*. These include going to the edge of the *techum* for certain purposes, and riding in a wagon driven by gentiles. [That is forbidden for a variety of reasons, this being one of them.] Some suggest that riding a bicycle should be forbidden based on these considerations as well. [See Sukah 42b-43a, etc Poskim. OC 304:18 305 306 307 404:1, Kaf Hachaim 8. etc. refs to section A.]

#### **C) Shabboson; uvdin dechol; zilusa deshabbos**

Apart from the restrictions on *melacha*, *Shabbos* is also a day of rest from strenuous activity. Many poskim consider this a Scriptural requirement based on the word *shabbosson*, literally translated as cessation of activities. There is also a Prophetic reference to walking differently on *Shabbos*, taking smaller steps. Some say that being jolted around is a violation of *Shabboson*. Accordingly, they forbid riding a train, even if other issues are mitigated, because it causes one to be jolted around. Based on this, some say that one may not ride a bicycle, since the roads are likely to cause jolting.

Certain activities are totally permissible, but are forbidden by the Rabbis because they can cause one to forget that it is *Shabbos*. These are known as *uvdin dechol*, activities of weekdays. It is difficult to determine what is included in this. We rely on the particular instances cited by the poskim. Some poskim suggest that riding a bike could be included in this category. Some say that it is inconceivable that this should not be included in it. A possible reason to include it is that one usually rides a bike further distances than he walks. Therefore, it implies an activity associated with a workday.

*Zilusa deshabbos*, cheapening of *Shabbos*, is a group of restrictions connected to the *mitzvah* to honor *Shabbos*. This is a larger group of activities, and there is more leeway to include things that arise based on cultural changes. This is actually the basis of the debate about bike riding. The Talmud discusses the permissibility of carrying a Torah scholar or elderly person on a sedan chair or post-chaise, carried by two or more people. The Talmud's reference is to *Yomtov*. *Shabbos* is mentioned as well. However, that might be a