



Overview

Halacha Highlight

Siman 372 Seif 9:

If one constructs a platform on the ground next to the partition so that it should not be ten *tefachim* high, if it is four *tefachim* wide and extends four *tefachim* from the wall, it allows one to use the entire partition but it is not considered an entrance that permits making a joint *eruv* unless it reaches the top of the wall. If it does not contain four *tefachim* by four *tefachim*, it is not effective even to use the area opposite the platform.

- ❖ If it was not secured to the ground before Shabbos it is ineffective. (M.B. 79)
- ❖ The height of the platform is not important. (M.B. 80)
- ❖ If they constructed a platform on the other side as well, both yards have easy access of the wall and prohibit one another from using the wall. (M.B. 81)
- ❖ The same *halacha* is true if it reaches within three *tefachim* of the top of the wall. (M.B. 83)
- ❖ Since it does not generate easy use of the partition it is considered non-existent. (M.B. 84)

Siman 372 Seif 10:

If one overturned a bowl that is four *tefachim* by four *tefachim* with enough height to minimize the total height of the wall to less than ten *tefachim*, it is permitted to use the wall adjacent to the bowl provided that it is secured with plaster.

- ❖ It must be within three *tefachim* of the wall and the same is true concerning the platform. (M.B. 85)
- ❖ Later authorities concur that it should say that he may use even the part of the partition that is not adjacent to the bowl. (M.B. 86)
- ❖ It must be secured to the point that a shovel is required to move it and as such it may not be moved on Shabbos. (M.B. 87)

Siman 372 Seif 11:

If one built one platform above another and the lower one is four *tefachim* by four *tefachim* or if the upper one is four *tefachim* by four *tefachim* even though the lower one is not and there is not a space of three *tefachim* between the platforms, they are effective to permit use of the top of the partition but it is not considered an entrance to allow making a joint *eruv* with the adjacent yard.

- ❖ The lower one must be within three *tefachim* of the ground. (M.B. 89)
- ❖ They two platforms combine via *lavud* but if not, the upper one by itself does not serve to permit, even though it is four *tefachim* by four *tefachim* since it is in the air. (M.B. 90)
- ❖ It is ineffective even if they construct a platform on the other side. (M.B. 92)

Siman 372 Seif 12:

If a shelf four *tefachim* by four *tefachim* protrudes from the partition and one placed on it a ladder of any width, it permits use of the partition, provided that the lower rung is within three *tefachim* of the ground and there is not a space of three *tefachim* between the rungs. It is also imperative that the ladder is on the shelf but if it is adjacent to the shelf it is ineffective. If the partition is not twenty *tefachim* tall, one shelf in the middle of the partition will permit it since it is not ten *tefachim* until the shelf or from the shelf to the top of the partition. If the partition is twenty *tefachim*, two shelves are necessary, one within the lower ten *tefachim* and the other within ten *tefachim* of the top of the partition for if the shelf is higher than

Using a bowl to minimize the height of a wall

Shulchan Aruch Siman 372 Seif 10
כפה ספל שיש בו ארבעה על ארבעה

If one overturned a bowl that is four *tefachim* by four *tefachim*

Shulchan Aruch (סעי' י') continues to discuss different methods of minimizing the height of a partition so that one should be able to use the top of a wall. In this *seif* he discusses the use of an overturned bowl to minimize the height of a wall. He rules that a bowl that is four *tefachim* by four *tefachim* will minimize the height of a ten *tefachim* wall provided that the bowl has some height and that one secured it to the ground with plaster. When a bowl with these dimensions is secured in place it is permitted to not only use the part of the wall directly in front of the bowl but it is even permitted to use the entire top of the wall (מ"ב ס"ק פ"ו).

The purpose of using plaster to secure the bowl to the ground is so that it will require a shovel to move the bowl and when that is the case, it is considered permanent since one will not move it on Shabbos. Rashi (עירובין ע"ז. ד"ה דאית) explains that the Gemara refers to a bowl that has a rim so that if one were to lift it on Shabbos it would appear as though he is digging up dirt. Ritva (שם ד"ה ופרקיני) explains that since the plaster secures the bowl to the ground and requires a shovel to lift it, the prohibition against moving it is Biblical rather than Rabbinic. He then cites other authorities who contend that the digging of the dirt in this case is a *melacha she'aina tzricha l'gufah* and is only Rabbinically prohibited. Pri Megadim (א"ח ס"ק י"ח) expresses uncertainty whether a heavy utensil is sufficient and will minimize the height of the partition even if it is not secured with plaster. On the other hand, he writes that one who uses a bowl normally used for kneading dough will not minimize the height of the wall. Although such a bowl is a *kli she'melachto l'issur*, nevertheless, since it may be moved for itself or for its space it is not considered permanent.

ten *tefachim* a minimum size ladder would not be effective. The shelves may not be aligned vertically so that one should be able to stand a ladder from one shelf to the other.

- ❖ It is within ten *tefachim* of the ground. (M.B. 93)
- ❖ The top of the ladder rests on the shelf. (M.B. 94)
- ❖ The ladder is not four *tefachim* wide but is nevertheless effective since one could reach the shelf from it and thus they are considered a single object. (M.B. 95)
- ❖ It is not an entrance to permit making a joint *eruv* unless the shelf is within three *tefachim* of the top of the partition and there is a corresponding shelf on the other side. (M.B. 96)
- ❖ If the ladder is merely close to the shelf they are not considered a single object. (M.B. 99)
- ❖ It must also be within ten *tefachim* of the lower shelf and there must be two ladders, one from the ground to the first shelf and a second from the first shelf to the second shelf. (M.B. 100)
- ❖ If the shelf is more than ten *tefachim* higher than the ground it is necessary for the ladder to be at least four *tefachim* wide. (M.B. 101)
- ❖ There should be horizontal space between them so that one could place a ladder from one to the other. (M.B. 102)