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**"חוקי חיים"**

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שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochos compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

# Dinim of City Eiruv 4

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# ליקוטי ופסקי הלכות "חוקי היום"

ותלמד  
"חוקי היום"  
לעשות רצונך  
בלבב שלם



שע"י "חדר הוראה" שכונת מנחת יצחק פתח תקוה ירושלים תשס"א - בראשות הרב חיים אהרן בלייער שליט"א

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Halachos Regarding a City Eiruv – 4

Va'eira 5784

318

## Installing Doors in a Reshus HoRabim

### Doors

1. We previously mentioned (throughout the series on eiruvim) that in many cases, a big city has the status of a reshus horabim d'oraisa – or at least a possible reshus horabim d'oraisa – and it is impossible to make an eiruv there, as an eiruv cannot be made in a true reshus horabim with צורות הפתח alone unless doors are installed, as the Shulchan Aruch rules (סי' שס"ד ס"ב). Thus, we will now explain, בעזרה ש"ת, some halachic principles about these doors.

### Doors that Are Closed, or Able to Be Closed?

2. The Gemara in Eiruvim (דף ר' ע"ב) says that the way to make an eiruv in a reshus horabim is with doors. There is a machlokes Rishonim whether the doors must be closed, at least at night, to allow carrying inside, or if it is enough that they are able to be closed, but they do not need to actually be closed. We will explain.
3. **Closed at night.** Some hold the doors must be closed, at least at night (הר"ף, הרא"ש). When they are closed, the area certainly loses its status of a reshus horabim, as it is considered to have full walls on all four sides. One may also carry inside during the day, when the doors are open; closing the doors at night removes the status of a reshus horabim, as the area does not resemble the encampment in the Midbar, which was always open, even at night (מ"ב סי' שס"ד סק"ז).
4. **Able to be closed.** Others hold the doors do not actually need to be closed at night, but they must be able to be closed (רמב"ם פי"ז רמב"ם ה"י, טור סי' שס"ד, מ"מ שם שבת ה"י, טור סי' שס"ד, מ"מ שם).
5. **Usually impossible to close the doors.** The above machlokes is very relevant and has an impact on the use of doors in a reshus horabim today. Due to local authorities, the doors usually cannot be closed. Thus, we must rely on the opinions that it is enough if they are able to be closed. We will explain how we pasken on this matter.

### Opinions of the Mechaber and Rama

6. **Mechaber.** The Beis Yosef paskens the doors must be closed at night. In Shulchan Aruch, he mentions both opinions – first he says, without quoting anyone [סתם], they must be closed at night. Then he quotes a יש אומרים that it is enough if they are able to be closed. According to the rule in the words of the Mechaber that when there is a סתם and a יש אומרים, the halacha follows the סתם ועוד ועתה, the Mechaber holds the doors must be closed at night, and it is not enough for them to be able to be closed (מ"ב סק"ה). Some hold one can be meikel and rely on the יש אומרים in a situation of great necessity or substantial loss (מחזיק ברכה י"ד סי' ט' סק"ב, שו"ת האלהף לך שלמה סי' קפ"ה) or if there is an additional element of heter (מ"ב סי' י"מ"ב) סוף סי' י"מ"ב).
7. **Rama.** The Rama in Darkei Moshe paskens like the Rambam and Tur, that it is enough if they are able to be closed, and he writes one should not veer from their words. Then he cites the Mordechai, who holds they must actually be closed. However, in his notes on Shulchan Aruch, the Rama adds nothing to the words of the Mechaber (סי' שס"ד ס"ב). Elsewhere, he makes a note that follows the Mechaber's opinion (סי' שמ"ה ס"ז). The poskim infer that the Rama likely retracted what he wrote in Darkei Moshe (פמ"ג א"א) (סק"א, שער הציון סי' שס"ד סק"ט, מ"ב סי' שמ"ה סק"ב).

### "אנו רבים ומבטלי מהצתא"

8. We mentioned (Issue 317) the machlokes Tannoim and poskim whether a public path which crosses through walls which are recognized by halacha but not full walls removes their status of walls. We mentioned the machlokes regarding פסי ביראות (12), עומד מרובה על (18), and צורות הפתח (24). We will now discuss doors in a reshus horabim – when many people enter through the doors, does the machlokes whether people coming through nullify a wall apply?

9. Some Acharonim understand that this itself is the machlokes between the two opinions in Shulchan Aruch whether the doors need to close or they just need to be able to close (מגיד משנה, ביה"ל).
10. The first opinion in Shulchan Aruch paskens like R' Yehuda [that many people coming through nullify a wall] so it is not enough just to have צורות הפתח. There must be doors that actually close, at least at night, and when they are closed, it is not possible to walk through them. This removes any concern, as people are not coming and nullifying the walls. It even removes the concern while the doors are open since we view it as if they are always closed (מ"ר הגר"י בלויא בס' נתיבות שבת פכ"ג סוף הל' ג'). However, if they are never closed at all, the area has the status of a reshus horabim d'oraisa (ביה"ל ד"ה והוא וד"ה ואחר, בית מאיר).
11. The second opinion holds it is enough if they are able to close. This goes with the Rambam, who holds the halacha follows the Chachamim, that people coming through do not nullify a wall. Thus, mid'oraisa, צורות הפתח are enough to remove the reshus horabim status; just mid'rabanana, it is necessary to also have doors. For this, it is enough if they are just able to close (ש"ע הרב סי' שס"ד ס"ד).
12. **Doors closed at night.** Thus, if doors are installed in a city and they are open by day but closed by night (below, 41), the benefit is great, as according to this, even R' Yehuda [who is concerned about people coming through and nullifying a wall] would agree closed doors allow one to carry, even inside a true reshus horabim – and even in a city with 600,000 people.
13. **Doors able to be closed.** However, when using doors that are only able to be closed but are not actually closed at night, the benefit is reduced, as this must rely on the poskim who pasken like the Chachamim, that people coming through a wall do not nullify it, and the requirement to have doors is only d'rabanana. For this, doors that are able to be closed work. However, if we are concerned for the many poskim who pasken like R' Yehuda (317, par. 15-16, ביאה"ל שם), doors that are merely able to be closed do not help at all. Nevertheless, many poskim have written that the widespread minhag is to rely on the Chachamim for this (ביה"ל שם).

## Detailed Halachos of Doors

### How Many Doors?

14. **One side.** Some say two doors, one on each side, are not necessary; it is enough to have a door at one end of the length of the reshus horabim and a lechi or kora on the second side. This makes it that it is not a reshus horabim since it prevents people from crossing all the way through. It is like three full walls (רשב"א בעבוה"ק שער ב' אות ד').
15. **Two sides.** However, most poskim hold doors must be installed on two sides of the reshus horabim to allow carrying inside (רש"י עירובין). A door on one side does not make it like three full walls, as a door works even if it is closed by night (above, 3, 6) but open by day, in which case it is not like a wall. Thus, there must be doors at both sides, and the doors make it like a חצר של רבים (ד"ה חצר של רבים). This is the psak of the Shulchan Aruch (סי' שס"ד ס"ב).

### Closed at Night – Which Night?

16. **Shabbos night.** Within the opinions that it is not enough that the doors are able to be closed, but they must actually be closed at night (3, 6), some poskim say it is enough for them to be closed only on Shabbos night, as the area only needs to be a reshus hayachid for Shabbos, not during the week (סי' גלי ים סוף סק"ב). This reasoning makes sense.
17. However, some imply the doors must be closed every night (רש"י עירובין דף ר' ע"ב ד"ה ירושלים וד"ה חייבין, או"ח ח"ב סי' קכ"ט, ב"ח ד"ה מש"כ רשות הרבים, ערוך השלחן סי' א"א).

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18. **All or part of the night?** The doors likely do not need to be closed all night; it suffices if they are closed for just part of the night. It also suffices if they are closed for some of the daytime hours, just the doors were usually closed by night, not by day (מור"ד הגר"י בלוי"א) (בס' נתיבות שבת פכ"ג הע"ט ט).

**Closed or Locked?**

19. The consensus of the poskim is that the doors do not need to be closed with lock and key; it is enough if they are just closed (נתיבות) (שבת פכ"ג הע"ט ט). According to the opinion that they only need to be able to be closed, they certainly do not need to be able to be locked with a key. They must merely be able to be closed.

**Doors with the הפתח צורות**

20. The poskim argue whether doors installed to make an eiruv in a reshush horabim need to also have צורות הפתח or whether doors without צורות הפתח suffice.

21. Some say doors are enough even without צורות הפתח (ש"ת הת"ס סי' פח בסופו, ש"ת תשובה מאהבה ח"ב סי' רמה, ש"ת ברית אברהם סי' ח"י, ש"ת אבני"ז).

22. However, some poskim hold a door only helps if it is together with a ש"ת בנין ציון סי' כ"ו, ש"ת חסד לאברהם מהדו"ת או"ח סי' ל"ה, צורת הפתח (שפ"א עירובין דף ר' ע"ב, חזו"א סי' ע"ח סק"א).

**Gap Wider than Ten Amos**

23. Doors also rectify a gap wider than ten amos. However, they only work when the closed doors close off the entire gap, i.e., the entire width of the street including the two sidewalks, if there are sidewalks (הוט שני). If they do not span the whole width of the street, they do not work, even if they decrease the gap to a width of less than ten amos (ש"ת אבני נור סי' רפ"ג, מור"ד בנתיבות שבת פכ"ג אות ד) These conditions are also necessary for doors that are just able to be closed.

**Types of Doors**

**Height of the Doors**

24. **Ten tefachim.** The doors must be at least ten tefachim tall, the minimum height for a halachic wall.

25. **Barrier arm.** A barrier consisting of a horizontal arm across the air without anything underneath it is not a kosher door, as it does not have the required size.

26. **Within three tefachim of the ground.** Also, care must be taken to ensure the doors are within three tefachim of the ground, which prevents goats from coming through underneath. However, if, for the most part, there is not three tefachim of space under the doors, but there is three tefachim of space in a few spots, this does not make the doors posul (ש"ת אבני נור סי' רפ"ג, קונטרס דלתות שער העיר) posul.

27. **Sidewalk three tefachim high.** Thus, if a sidewalk is three tefachim high – using the machmir number of 24 cm [about 9.5 in.], according to Rav Chaim Naeh – and the same door is used to close off the area of the sidewalk and the street, this can create a space of more than three tefachim below the part of the door that is above the street, which can make the door posul. One must be careful about this.

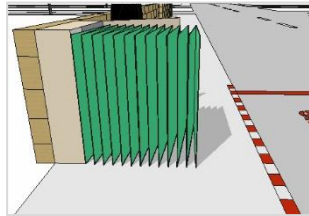
**Using Police Barricades as Doors**

28. One suggestion for making closeable doors at the ends of a reshush horabim is to take police barricades, chain one to the wall – because a door must be connected to something permanent – and chain the others together. They are able to be closed, as they are movable and can be dragged to the middle of the road. On streets in Eretz Yisroel where non-Jews drive, they can also be closed on Shabbos. Having these doors is of great help in minimizing the potential for the issuer of carrying (91 שבת עמ' 91) (הגר"ח קנייבסקי, גליון מים חיים בלקט הל' שבת עמ' 91).

29. **Entrance to Yerushalayim.** Askanim and rabbanim involved with eiruvim installed police barriers at the entrance to Yerushalayim attached to the wall as a halachic advantage according to some opinions.

**Folding Walls**

30. In most places – even in Eretz Yisroel, and certainly in chutz l'aretz – the authorities do not allow the installation of doors on the streets. However, the poskim propose that one can install doors made of multiple segments connected to each other with hinges or the like that do not take up much space when folded (ש"ת). (מהר"ם שיק או"ח סי' קע"ד closet located next to a wall or sidewalk gate at the edge of the reshush horabim so that they are not seen at all (רפ"ב) סי' רפ"ב).



31. When opened, they must be able to stand on their own without moving about in the wind, and they must cross the entire width of the street and the two sidewalks.

32. **Clear that it's a door.** Some poskim say part of the basis of the heter of closeable doors is that it is clearer an entryway to fence in an area when there is a door. Thus, they discuss the need for there to be at least some indication on the doors that they are doors. When they are hidden in a closet and no one knows what is



inside, some question the kashrus of the doors (ע"י ש"ת אבירי ישר סי' ק"ל). Therefore, it would be worthwhile to write "עירוב" / "EIRUV" on the closet so that there is some indication it is an eiruv door and not just an electrical closet.

33. **In another domain.** The doors used for an eiruv in a reshush horabim must be within the reshush horabim, not another domain. Thus, if the doors are inside a closet, the interior of the closet must not be wider than four tefachim – 32 cm [12.6 in.] according to Rav Chaim Naeh. Otherwise, it is its own domain and does not help (ש"ת אבני נור סי' רפ"ב).

**Able to Be Closed**

34. **Door stuck in dirt.** According to the poskim who hold it is enough for the doors to be able to be closed, they must, in fact, be truly able to be closed. Thus, if they are sunken and stuck in dirt and cannot be closed in that state, they are posul. The dirt must be cleared away and they must be fixed so they are able to be closed (ש"ת סי' שס"ד) (סי"ב). The poskim discuss various other scenarios.

35. **Permission from the authorities to close them.** The poskim discuss the halacha about doors that are technically able to be closed but the authorities do not allow them to be closed – are they considered unable to be closed? The consensus of the poskim is that they are valid (ש"ת אבני"ז רע"ג, רסו, ש"ת מהרש"ם ח"ג צ"ד, ערוה"ש, ש"ת זכר יהוסף ק"ג).

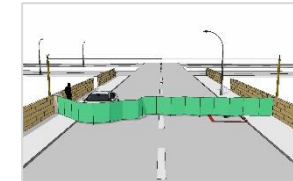
36. **Closed with a key.** Even if the doors stand at the side and are closed up with a key that is needed to extend the doors onto the street, and not everyone has access to the key, that does not negate the fact that the doors can be closed, as the issue is not intrinsic (ש"ת מהר"ם שיק סי' קע"ד).

37. **Car parked by the door.** Some Rabbanim point out an issue with the kashrus of folding doors: if a non-Jew parks his car in front of the door on Shabbos, the door will not be able to be closed, causing the eiruv to become posul.



38. However, first of all, these doors are usually shortly before a street corner, an area where one may not park his car according to traffic laws. But besides that, it is possible to petition the authorities to put a No Parking sign directly in front of the closet. Then, it is considered that the door is able to be closed.

39. Even if a car parks there illegally, segments can be added to the folding door to elongate it so that it can go around the car, continue all the way until the end of the street, and reconnect on the other side to the צורת הפתח. Again, this is considered able to be closed.

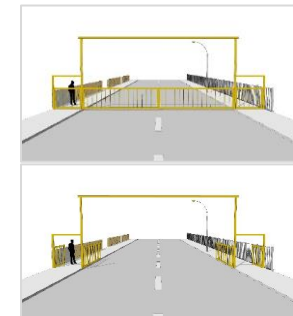


**Frequency of Closing the Doors**

40. According to the opinions that it is enough to be closeable, the doors do not actually have to be closed at all since the heter is based on their ability to close alone. Nevertheless, the poskim recommend closing the doors at least once so that they get the status of doors that close (ש"ת) (אבני"ז סי' רס"ח סק"ה). If possible, it is best to close them once a month for them to have the status of doors (ש"ת אבני"ז סי' רפ"ב). If a city has multiple doors, they do not all need to be closed at the same time (שם).

**Mattersdorf Eiruv**

41. In the Mattersdorf neighborhood of Yerushalayim, there is a high-level eiruv with full doors and צורת הפתח (22) that are closed for a few hours (18) on Shabbos night (16). Hence, they are doors according to all opinions (12). [Rav C.P. Scheinberg once stated that if one does not carry in this eiruv, he may not carry in his house either!] The eiruv in Ramot Polin in Yerushalayim is also this way.



**Golders Green, London Eiruv**

42. The consensus of most poskim is that London is a reshush horabim d'oraisa, as more than 600,000 people live there (ש"ת בית אפרים סי' כ"ו, ש"ת מנח"י ח"ב סי' קי"ד אות ט, בעל חשב האפור, הגר"א היילפרין). Accordingly, most poskim hold one may not rely on an eiruv of צורות הפתח alone if the eiruv is not upgraded. As we mentioned (Issue 316, par. 34), they did this in Tottenham, London by setting up an eiruv within three walls.

43. **Doors.** As of late, some Rabbanim have been involved in setting up a new eiruv in Golders Green that will be based on צורות הפתח (22) and will not include North Circular Road, the main road traversing London, which is almost certainly a reshush horabim d'oraisa. In addition, they plan to put up folding doors kept in a permanent closet (above, 30) on both sides (15) of the main roads; these will have the status of closeable doors. As we mentioned (13), this is at least helpful according to the poskim who pasken like the Chachamim. According to R' Yehuda and the Mechaber, who require doors that are actually closed at night, this does not help. Hence, there is obviously always room to be machmir. Nevertheless, in this aspect, it is much better than a simple eiruv based on צורות הפתח alone. Every person should follow the opinion of his Rebbeim and certainly not object to those who are meikel (Issue 315, par. 11).