

Introduction to the Halachos of Techum Shabbos

מתני' כיצד מעברין את הערים וכו' (נב):

This past week we began the *perek* of *Keitzad Me'avrin*, which largely focuses on the *halachos* of *techum Shabbos*. *Be''H* this week we'll present a short introduction to these *halachos*; specifically, to the ones discussed in this *perek*. **Source of the Prohibition**

The **Torah** tells us (*Shemos 16:29*), *ומוקם שיא אציו לא ותחתת שיא ובש*, “Let every man remain in his place, no man shall leave his place on the seventh day (Shabbos).” The **Gemara (51a)** derives two *halachos* from this *pasuk*: 1) *וּמְקוּמָם שִׁיא אַצֵּי לֹא*, “in his place,” teaches that a person's immediate four *amos* are considered his resting place (*makom shevisah*) for Shabbos; 2) *וּמְקוּמָם שִׁיא אַצֵּי לֹא*, “No man shall leave his place,” teaches that one has may walk an additional 2,000 *amos* (outside of his immediate four *amos*), but he cannot walk past that point. [The *Acharonim* speculate about the mechanics of the *issur* of *techumin*. Perhaps the understanding is that one may not leave his *makom shevisah*, i.e., his *makom shevisah* is comprised of 2,000 *amos* around him, and as soon as he leaves them, he is considered to have left his *makom shevisah*. Or, alternatively, one's *makom shevisah* is only comprised of four *amos* around him, and the *issur* is to travel “extensively” out of them on Shabbos; traveling more than 2,000 *amos* is considered “extensive.” Understood this way, the prohibition is not “leaving one's *makom shevisah*” per sé; rather, it is “traveling extensively” that is forbidden. See *Divrei Yechezkel (7:1:3)*.] Earlier (35b), we learned that although R' Meir held that leaving one's *techum* is an *issur d'Oraysa*, the **Chachamim** maintain that the *issur* is only *mid'rabbanan* and the above *pasuk* is merely an *asmachta*. The *halachah* follows the **Chachamim** (*Shulchan Aruch 404:1*). [However, whether traveling twelve *mil* from one's place is *assur mid'Oraysa or mid'rabbanan* is subject to a *machlokes Rishonim*.]

Techum on Shabbos and Yom Tov

It is important to note that although the Torah says that one may not leave his place “on the seventh day,” the *issur* of *techumin* applies to Yom Kippur and Yom Tov as well. This is clear from the **Gemara (38a)** and is codified by the *Shulchan Aruch (416:1, 528:1)*.

Determining One's Immediate Four Amos

As we mentioned, before measuring one's *techum* of 2,000 *amos*, we first give each person his immediate four *amos*. This means that one gets four *amos* in each direction (and not a total of four *amos*, i.e., two *amos* in each direction) [see *Mishnah Berurah (396:1)*]. Therefore, in determining one's *techum*, we can start by

drawing a circle around him with a radius of four *amos*. However, the **Gemara (51a)** tells us that according to the **Chachamim**, all measurements of *techum Shabbos* get squared [see **Rashi** and **Rabbeinu Chananel**]. As a result, to determine one's *techum*, one must make an imaginary square (see Figure 1) around this circle [aligned with the directions of the world (see *Shulchan Aruch 398:3*)]. By doing so, one thus gains an extra 1% *amos* that he can now walk diagonally [see *Mishnah Berurah (396:6)*]. It is from this square that one then measures his *techum*.

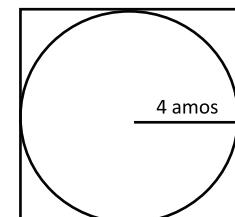


Figure 1

Squaring the Techum Shabbos

However, it doesn't stop there. As mentioned, according to the **Chachamim**, all measurements of the *techum* get squared. As a result, when we measure one's 2,000 *amos*, we draw an imaginary line in each direction from each side of the “box” around his four *amos* and then square that off [see *Shulchan Aruch (399:10)*]. Effectively, one will gain an additional 800 *amos* in each corner if he walks diagonally (see Figure 2).

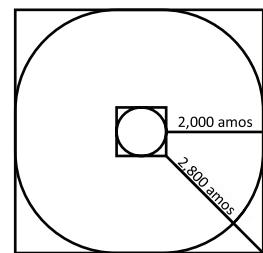


Figure 2

One Who Began Shabbos Indoors

The above *halachah* – that one's *makom shevisah* is his immediate four *amos* – is only true regarding one who was in a desert (i.e., outdoors, far from civilization) at the onset of Shabbos. However, one who was indoors at that time counts the entire house as his *makom shevisah*, and the *techum* is only measured from the outside of the house. This is true no matter how large the house is. Additionally, if one's house is surrounded by a fence, then the entire fenced-in area is considered his *makom shevisah* and the *techum* is only measured from the outside of the fence. Furthermore, if one's house or fenced-in areas are not squared, we first square off the area and only afterwards measure one's *techum* (see Figure 3).

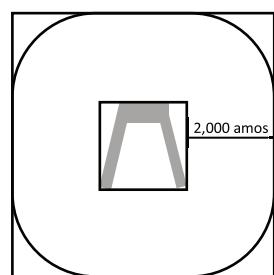


Figure 3

Starting off Shabbos in a City

The boundaries of one's *techum* are even more generous when he spends the onset of Shabbos in a city (see further), as the entire city counts as his *makom shevisah*, and the *techum* is only measured from outside of the city. Furthermore, if the city is not squared, we will first square off the city and only then measure the *techum* (*Shulchan Aruch* 398:4). As a result, many of the houses can gain a significant amount of "extra" *amos* to walk on Shabbos. Many of these *halachos* – regarding how we square off a city and under what circumstances it is done – will be discussed later in the *perek*.

Defining a "City"

We still need to explain what constitutes a "city." **Rabbi Ribiat** (*The 39 Melochos* p. 1387) points out that the parameters by which we measure *techumin* do not depend on municipal jurisdictions or official city names. So, how do we classify a "city" regarding these *halachos*? A few factors need to be determined, such as the number of houses necessary to form a city and the configuration and structural makeup of these houses.

A "City" in the Times of Chazal

The **Gemara** (55b) tells us that a city needs to have at least three *chatzeiros*, each of which is comprised of two houses, for a total of six houses. The *poskim* explain that these six houses need to be no more than 70% *amos* (the *shiyur* of a *karperf*) apart from each other in order to combine and form a city. There is no specific shape as to how these houses must line up, rather, as long as we can view one house as being "connected" to another without an empty space of more than a *shiyur karperf*, the houses combine. This is true even if there is more than a *shiyur karperf* from one house to a third house; the houses join as long as there is another house in between that is within a *shiyur karperf* from each of the outer houses.

A "City" Nowadays

We've mentioned in earlier articles that nowadays, we don't generally have halachic "*chatzeiros*," and certainly not *chatzeiros* that are shared by two houses. So, how do we define a city nowadays? Perhaps we don't have cities! Indeed, the **Maharsham** (*Daas Torah* 398:6) already dealt with this issue but his conclusion is unclear. However, **R' Shulem Noach Weiss** (*Tikkun Eruvin* vol. 2 p. 220) proves from a *Mishnah* later (59a) that even without *chatzeiros*, we can form a city if there are houses close together (as outlined above) comprised of at least fifty residents. Although the Gemara tells us that a city must be made up of three *chatzeiros* with two houses each, that was only to provide a more lenient definition of a city, but everyone would agree that even without *chatzeiros*, a city can be formed by fifty residents [see also **Nesivos Shabbos** (ch. 42 note 4) and **Kiryas Ariel** (ch. 2 note 27)].

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Practically Speaking

To put things into more practical terms, there are three differing opinions regarding the length of an *amah*. **Rav Chaim Naeh** (*Shiurei Torah* 3:25) maintains that an *amah* is 18.9 inches. [Sephardim customarily follow this view.] According to **Rav Moshe Feinstein**, an *amah* is 21.25 inches [see *Igros Moshe* (OC 1:136)], whereas the **Chazon Ish** (beginning of *sefer Shiurin Shel Torah*) holds that it is 24 inches. Practically speaking, this means that these *poskim* will disagree about the length of the *techum* as well as the maximum distance between houses to still be considered a city. Thus, according to Rav Chaim Naeh, the *techum Shabbos* is 3,150 feet, and the distance between houses is approximately 110 feet. According to Rav Moshe, the *techum* is slightly more than 3,500 feet, and the distance between houses can be approximately 125 feet. According to the *Chazon Ish*, the *techum* is 4,000 feet and the distance between houses to form a city is about 140 feet [see *The Laws of an Eruv* (p. 262)].

While in places such as Brooklyn and other densely populated areas it is fairly common to form and be part of a city, this doesn't always happen in less populated, rural communities, and one must therefore be cautious about these numbers. [This may pose a problem for one who was in a hospital at the onset of Shabbos and wishes to walk home on Shabbos, especially if a highway divides the city and needs to be crossed. If the distance between the houses on either side of the highway is greater than 141% *amos*, the two halves of the city may be halachically considered two cities, and one may not be allowed to walk more than 2,000 *amos* once he has left the hospital's "city."]

The Effects of a *Tzuras Hapesach*

The **Gemara** (15a) tells us that if one establishes his *makom shevisah* on a *tel hamislakeit* (a hilltop that is halachically considered a *reshus hayachid*), he begins measuring his 2,000 *amos* only outside of the *tel*. From here it seems that any time one's *makom shevisah* is in a *reshus hayachid* – including an area enclosed by even halachic "walls" – the *techum* is measured only from outside the *reshus hayachid*. Accordingly, any area that is surrounded by a *tzuras hapesach* can be considered one's *makom shevisah* (assuming he considers the *tzuras hapesach* to be valid) and his *techum Shabbos* will only be counted from outside the *tzuras hapesach* [see *Nesivos Shabbos* p. 501 note 1) and *Kiryas Ariel* (p. 19, 5)]. While the **Chazon Ish** (110:20) agreed with the above reasoning – that an area surrounded by a *tzuras hapesach* is considered one entity and that the *techum* gets measured from the walls of the city – he argued that the *karperf ha'ir* gets measured from the houses and not from the *tzuras hapesach* [see *Nesivos Shabbos* (ibid.) and *Kiryas Ariel* (p. 31)].