

Personal and Communal Space in Masechet Eruvin

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"Jewish places are, in our understanding, sites that are geographically located, bound to a specific location... Jewish spaces are understood as spatial environments in which Jewish things happen, where Jewish activities are performed, and which in turn are shaped and defined by those Jewish activities, such as a sukkah..."

- Anna Liphardt, Julia Baruch, Alexandra Nocke

The eruv¹ troubles this dichotomy between "place" and "space." The eruv is certainly geographically located, but it also allows for Jewish life to be enacted within its boundaries.

Based on the above understanding of "place" and "space," do you understand the eruv more as a "place" or a "space"? Do different eruvs function more as places than as spaces, or vice versa? What do these differing concepts of "place" and "space" allow the eruv to do in terms of generating communal life and/or personal life?

משנה עירובין ו'א,ג'

(א) הָדָר עִם הַנִּכְרִי בְחֵצֵר, אוֹ עִם מִי שֶׁאִינוֹ מוֹדֶה בְּעֵרֻב, הָרִי זֶה אוֹסֵר עָלָיו, דְּבָרֵי רַבִּי מֵאִיר. רַבִּי אֱלִיעֶזֶר בֶּן יַעֲקֹב אוֹמֵר, לְעוֹלָם אִינוֹ אוֹסֵר עַד שֶׁיְהוּ שְׁנֵי יִשְׂרָאֵלִים אוֹסְרִין זֶה עַל זֶה:

Mishnah Eruvin 6:1,3

(1) Someone who dwells [together] in a courtyard with a gentile, or with someone who does not acknowledge [the validity of] an *eruv*, behold [the residence there of] such [an individual] forbids him [from carrying there] - so says Rabbi Meir. Rabbi Eliezer ben Yaacov says, "[Truly such an individual's residence] does not forbid him, until there are [also] two Israelites [the residence of which] forbid each other."

¹ The most common definition for an eruv is a boundary built, usually using a series of wires, that allows Shabbat observant Jews to carry within that boundary. Carrying would otherwise be prohibited on Shabbat.

For an interesting piece on the Eruv from the Geography/Architecture podcast "99% Invisible" see: <https://99percentinvisible.org/article/inside-lines-eruv-wires-symbolically-extend-homes-encompass-cities/>

The debate between Rabbi Meir and Rabbi Eliezer ben Yaacov rests on whether or not the residence of someone in the eruv boundary, who does not abide by the eruv, nullifies the functioning of the eruv for those who reside in the boundary and wish to abide by it.

What does Rabbi Meir's stringent position say about the communal character of the eruv, or, about the character of the community within the eruv? What does Rabbi Eliezer ben Yaacov's more lenient reading say about the role of the individual in the eruv system? What might a midpoint between these two readings look like in practice?

(ב) אָמַר רַבֵּן גַּמְלִיאֵל, מַעֲשֶׂה בְּצִדּוּקִי אֶחָד, שֶׁהָיָה דֶּרַע עִמָּנוּ בְּמִבּוֹי בִּירוּשָׁלַיִם, וְאָמַר לָנוּ אָבָא, מַהֲרוּ וְהוֹצִיאוּ אֶת כָּל הַכֵּלִים לַמִּבּוֹי, עַד שֶׁלֹּא יוֹצִיא וְיֵאָסֵר עֲלֵיכֶם. רַבִּי יְהוּדָה אוֹמֵר בְּלִשׁוֹן אֲחֵר, מַהֲרוּ וַעֲשׂוּ צְרִיכֶם בְּמִבּוֹי עַד שֶׁלֹּא יוֹצִיא וְיֵאָסֵר עֲלֵיכֶם:

(ג) אֲנִשֵּׁי חֵצֵר שֶׁשָּׁכַח אֶחָד מֵהֶן וְלֹא יָעִיר, בֵּיתוֹ אֲסוּר מִלְּהַכְנִיס וּמִלְּהוֹצִיא, לוֹ וְלָהֶם, וְשִׁלְהֶם מִתְּרִין, לוֹ וְלָהֶם. נִתְּנוּ לוֹ רְשׁוּתָן, הוּא מִתֵּר וְהֵן אֲסוּרִין. הֵיוּ שְׁנַיִם, אוֹסְרִין זֶה עַל זֶה, שֶׁאֶחָד נֹתֵן רְשׁוּת וְנוֹטֵל רְשׁוּת, שְׁנַיִם נֹתְנִים רְשׁוּת וְאֵין נֹטֵלִין רְשׁוּת:

(3) If one of the householders of a courtyard forgets, and doesn't join in the *eruv*, it is forbidden for him and for them [the other residents of the courtyard] to carry into or out of his home; but their [homes] are permissible for him and for them [to carry into and out of]; if they [the other residents] gave him their [rights to the courtyard], he is permitted [to carry in and out of it], but they are forbidden [to do so]. If there were two [householders who have neglected to join in the *eruv*], they [by so doing] forbid each other [from carrying to and from their homes], since one [individual] can give [his rights to the courtyard], and can acquire [the rights of others to the courtyard]; but two [though they can jointly] give [their rights], cannot [jointly] acquire [the rights of others to the use of the courtyard].

This concept of commuting the “rights” to the courtyard is perhaps one of the most fascinating socio-spatial practices in Masechet Eruvin. In short, an individual can allow someone, who for whatever reason, forgets to make the necessary provisions to take part in the eruv, still abide by the eruv by giving them their rights -- meaning the “giving” person can no longer carry in the eruv.

This capacity to give your rights to the eruv to another is a quite powerful transaction. What do you make of the transmutable nature of the eruv in this Mishna? What role do you see the residences take on in this Mishna -- are they really private or perhaps more public than even the courtyard? Does this rendering of the eruv make this boundary more of a "place" or a "space"?

Some concluding questions:

In light of our current moment of social distancing, online praying and learning, and general inability to gather in space, what does the Mishna in Masechet Eruvin say about the role of the individual in terms of larger communal practice?

How are communal spaces, even online ones, built up by the acts of individual community members?

What does a spatial community look like, to you, when we are again able to gather?