

The four domains regarding שבת are

ארבע רשויות לשבת –

OVERVIEW

The ברייתא mentions that there are four לשבת. Among these four there are two מקום פטור, which are a רה"ר and a רה"י; and anything else is a מקום פטור. The חכמים were גוזר that certain types of מקום פטור (generally, if they are more than כרמלית (ד' על ד') are a כרמלית. Our ברייתא counts a כרמלית as a separate רשות; even though מן it is a מקום פטור, but since its הלכות are different (מדברנן), we consider it a separate רשות. קרפף יותר מבית סאתיים שלא asks that the same should apply to a קרפף לדירה (this refers to a large enclosed park like area, etc., which was not fenced in for residential use), since it too has דינים distinct from all the other four רשויות.

תוספות asks:

קשה לרבינו שמשון בן אברהם ליתני ה' רשויות –

The רשב"א has a difficulty; the ברייתא should have taught that there are five domains regarding the laws of שבת -

דהא קרפף יותר מבית סאתיים שלא הוקף לדירה –

For there is a קרפף¹ larger² than the size of two סאה³ which was not encircled for residential use, in which case -

הזורק מרשות הרבים לתוכה או איפכא חייב ואין מטלטלין בה אלא בד' אמות –

If one throws from a רה"ר into this קרפף, or the opposite, that he throws from the קרפף to the רה"ר, the דין is that he is חייב מדאורייתא, which makes the קרפף similar to a רה"י. On the other hand however, we are not permitted to carry there more than ד' אמות, which makes it similar to a כרמלית (or a רה"ר). We have therefore a fifth רשות, which is part רה"י and part (או רה"ר) כרמלית.

תוספות answers:

ויש לומר דההיא רשות היחיד גמור –

And one can say; that in reality this קרפף is a total רה"י⁴, which explains why by transferring an object between a קרפף and a רה"ר, there is a מדאורייתא -

¹ A קרפף is a large fenced in area, similar to a garden or park nowadays.

² In a קרפף that is בית סאתיים or less, one is permitted to carry more than ד' אמות, even if it was לדירה, לא הוקף לדירה.

³ A בית סאה is an area that measures 50 by 50 אמות, or 2500 square אמות. A בית סאתיים is twice that size; 100 by 50 אמות, or 5000 square אמות, which is the size of the entire המשכן.

⁴ Therefore it cannot be counted; in contrast to a כרמלית which is neither a רה"י nor a רה"ר, we can say that it is a רשות that the חכמים created. A קרפף is דאורייתא, with rabbinic restrictions. See תוס' הרא"ש.

אלא לענין דאין מטלטלין בו אלא בד' אמות עשאוה ככרמלית –

However, concerning the prohibition of carrying in it more than ד"א the חכמים gave it the status of a כרמלית -

והרי כבר שנה רשות היחיד וכרמלית⁵ -

But the תנא has already taught us concerning a כרמלית, so there is no need to repeat it and mention the קרפף since it is already included in the כרמלית⁶.

ולכא נמי לא תני חצר שלא עירבו:

And therefore for this very same reason the ברייתא also did not teach regarding a חצר for which עירוב חצרות was made. This type of חצר has the same דין as a חצר; if one throws from the חצר into a רה"ר (or the opposite) there is a חצר (for it is a מדאורייתא); however one may not carry in it more than ד' (קרפף or כרמלית like a אמות).

SUMMARY

A רה"ר is already included in a כרמלית.

THINKING IT OVER

1. What did תוספות assume differently in his question as opposed to his answer?
2. רשות קרפף a separate רשות. Once initially asks why the ברייתא does not count קרפף a separate רשות. Once תוספות explained why קרפף is not mentioned, he adds that this will also explain why he does not mention עירבו חצר. Why did not תוספות ask initially (only) about חצר שלא עירבו and give the same answer, and then conclude that this will also explain why the ברייתא does not mention קרפף?⁷

⁵ The קרפף is similar to a רה"ר in that there is an איסור מדאורייתא to transfer to (and from) a רה"ר. It is similar to a כרמלית in that it is forbidden to be מדרבנן ד"א מעביר ד"א. (See following footnote # 6.)

⁶ However regarding a כרמלית one cannot say that he already mentioned a רה"ר (regarding the איסור of ד"א מעביר ד"א) and a מקום פטור (regarding that there is no חוב for transferring from [or to] a כרמלית from either a רה"ר or רה"ר). For a כרמלית is different from a רה"ר in that there is no איסור מדאורייתא to be מעביר ד"א in a כרמלית (as opposed to a רה"ר) and it is also different from a מקום פטור, in that there is an איסור מדרבנן to transfer from (or to) a כרמלית to a רה"ר (as opposed to a מקום פטור where it is לכתחילה).

⁷ See חכמת מנוח.