Do Large Parks and Gardens Invalidate an Eruv for Shabbos?
Adapted from a shiur by Rav Yitzchak
Grossman on *Parshas*
Terumah

אורך החצר מאה באמה ורחב חמישים בחמישים וקמה חמש אמות שש משזר ואדניהם)
נחשת (שמות כז:יח

The Gemara (*Eruvin*
23a) sees this *pasuk*
concerning the measurements of the *Mishkan* as an *asmachta* (allusion)
to the rabbinic halacha of a *karpef*: An area 5000 square amos that is *lo
hukaf*
l'dirah (not walled for people to live) may not be included as part
of an *eruv*
to allow carrying on Shabbos.
It is based on the
following points:

- A *karpef* is similar to a *reshus harabim* (public domain where
  carrying is forbidden) in that it is open and not used for housing (Rashi).
- It is derived from the Mishkan like other
  halachos of Shabbos (*Levush*).
- Chazal only forbade a *karpef* larger
  than the *Mishkan's*
  dimensions (*Shulchan
  Aruch HaRav*).
  The Gemara states
  that gardens with seeds (*zeraim*) planted in them are considered a *karpef.* If
  so, how can municipal *eruvin* include parks and gardens? Many reasons for
  leniency have been suggested:
- Parks planted for recreation are
  considered essential for living and are different than the Gemara's case
  (Meiri, Maharsham, *Nezirus
  Shimshon*).
- *Karpef* is only when the wall (or *eruv*) was constructed first and then the
  seeds were
  planted (*Divrei
  Malkiel, Sefer Poras Yosef*).
- Seeds that grew by themselves (weeds) are
  permitted.
- *Zeraim* planted by non-Jews are permitted and cannot invalidate our *eruv*,
  plus it is no worse than if they grew by themselves (R.Shlomo Kluger, *Divrei
  Malkiel*).
- Does not apply to a city where the
  majority is urban and a small part has planted seeds (*Dvar Shmuel,
  Chacham Tzvi*). Moreover, it is part of the city planning and
  enhances it, so it wouldn't be *mevatel* the *dira* aspect (*Dvar Shmuel*).
  These leniencies are
  all subject to dispute, but over time the custom in many cities has been to

be
lenient based on some/all of them when better options (e.g., enclosing the
area) are unavailable.