The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Shabbos, Nov 16 2024 ■ ט"ו חשון תשפ"ה
סימן ש"ס סעיף ב'-ג'

Overview

Siman 360 Seif 2:

If there were three people and they enclosed all their needs and then one of them died, they are permitted to transport things for the entire Shabbos since they began Shabbos with permission. If there were two people and they enclosed more than two *bais seah* and then additional people joined them, it is prohibited since when Shabbos began they were prohibited.

- On another Shabbos it is prohibited. (M.B. 9)
- On another Shabbos it is permitted. (M.B. 10)

Siman 360 Seif 3:

If there were three people and each one enclosed an area for himself, one next to the other, and they made an *eruv* together, if the outer areas are wide and the middle area is narrow so that the middle area is open entirely to the outer areas and the outer areas have sections that extend beyond the width of the middle area, we give them all the area they need in the middle area, even if it is very large since we look at it as though they all dwell in the center and there are three people who settled there for Shabbos. We also grant them all the space they need in the outer areas because once the middle area is considered an area occupied by a caravan, the other areas are considered yards adjacent to that area. Some maintain that the outer areas are not permitted if larger than two *bais seah* and if one of them is larger even the middle area is prohibited since the middle is open entirely to it. If the outer areas are open entirely to the middle area and the middle area has sections of wall that extend beyond the width of the outer areas and one person settled in each area, each person is allotted only two *bais seah*. If one of the outer areas contains more than two *bais seah*, it is prohibited. If the middle area contains more than two *bais seah*, even the outer sections are prohibited since they are open entirely to a place that is prohibited. If one person is in each of the outer areas and two people settled in the middle area, or if two people are in each of the outer areas and one person settled in the middle, we allot all of the necessary space in the outer areas since we look at the people in the middle as though they settled in the outer areas. The above is true when the opening is not more than ten *amos* because otherwise it would constitute a breach and even the areas with sections of the wall remaining would be prohibited. This is true when the walls of the smaller area enter the space of the larger one and when the walls of the smaller area are three *tefachim* from the walls of the larger area so that the larger one prohibits the smaller one (See below *siman* 374:3) **because otherwise, it would constitute a circumstance in which the wall is visible from the outside but flush on the inside which is treated like a *lechi* and all of the areas would then have sections and none of the areas are breached to the other and we would not allot any one of them more than two *bais seah*.**

- Shulchan Aruch refers to where the area was enclosed with inferior partitions. (M.B. 11)
- *Halacha* follows the first opinion but *l'chatchila* it is not worthwhile to be lenient. (M.B. 15)
- The other outer area is permitted since it is not open entirely to the middle area. (M.B. 17)
- The middle area may not contain more than two *bais seah*. This is true according to the אומרים יש but according to the first opinion just as the outer areas are considered a yard adjacent to the middle area containing the caravan, so too in our case the middle area is a yard to the two outer, caravan areas. (M.B. 22)
- Shulchan Aruch refers to the case where the middle area is wider than the side areas and one of the side areas contains more than two *bais seah* and is teaching that if the opening is more than ten *amos* even the middle section is prohibited since that wall is no longer significant. (M.B. 23)
- The words דאז אוסרת until the words סעי' ג' are in parenthesis according to Olas Shabbos and this is correct since they have no meaning. (M.B. 27)
- When standing in the larger area, sections of the wall of the smaller area are visible. If there are not three *tefachim* between the walls, *lavud* indicates that the area is closed and the sections that remain are effective even for the smaller area. (M.B. 28)
- Even though standing in the narrow area one does not see these sections, they are effective since they are visible to one standing in the wider area. (M.B. 29)

Halacha Highlight

Adjacent areas in a field

Shulchan Aruch Siman 360 Seif 3
כשאינם פתוחים זה לזה יותר מעשר
When they are not open to one another more than ten *amos*

In this *seif* Shulchan Aruch elaborates on the *halachos* of three people who settle in a field for Shabbos and each one encloses himself in an inferior quality partition. The second case discussed is one in which the middle area is wider than the two outer areas such that each of the outer areas is open entirely to the middle area. In such a case, each area is separate and distinct and is allotted only two *bais seah*. In the event that one of the outer areas is larger than two *bais seah* that area is prohibited but the middle area as well as the other side area remains permitted. Shulchan Aruch then adds that if the opening between the side area and the middle area is more than ten *amos* wide the middle area also becomes prohibited. The reason is that if the opening is more than ten *amos* wide it loses its status as a partition and consequently it has only three valid partitions. Sha'ar HaTziyun (סק"י) adds that the outer area also becomes prohibited since it is breached entirely to an area that is prohibited.

Biur Halacha (ד"ה הוה ליה) cites Magen Avrohom who questions Shulchan Aruch's conclusion that once the partition separating the middle area from the side area is breached we adopt a stringent position and prohibit both areas. Seemingly, one could adopt a lenient approach to that circumstance and permit both areas. In other words, once the wall is breached more than ten *amos* it loses its status as a partition and it is treated as though all of the people have settled in one area and they are allotted whatever space is necessary. Biur Halacha, however, notes that Tosefes Shabbos disagrees with Magen Avrohom's position and supports Shulchan Aruch's stringent position. Chazon Ish (או"ח סי' קי"ו סק"ב) writes that one may follow Magen Avrohom's position because they are enclosed by a single partition and thus do not require an *eruv*.