The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שס"ג סעיף ל"ב-ל"ג

Overview

Siman 363 Seif 32:

Not only may a *lechi* be placed in the middle of the *mavoi* but even a beam may be placed in the middle of the *mavoi*. This assumes that the inner part of the *mavoi* has the characteristics of a *mavoi*, i.e., its length may not be less than four *amos*, it may not be longer than wide and it must have houses and yards open to it. If it is missing one of these characteristics, it must have a board on each side of minimal length or a board of four *tefachim* on a single side.

- Absent these characteristics it is categorized as a yard. Shulchan Aruch does not refer to where they affixed a *lechi* for the outer area and made a joint *eruv* since in such a case it would not be necessary for just the inner area to have the characteristics of a *mavoi* and we would also take into account the outer area. (M.B. 132)

Siman 363 Seif 33:

If a *mavoi* is twenty *amos* wide, one places a board that is four *tefachim* wide in the middle of the *mavoi* and place a beam over the top. One must make sure that the beam rests on the board or is at least within three *tefachim* of the board. Each side of the board must have the characteristics of a *mavoi*, e.g., houses and yards that open to it. The area between the board and the back wall is categorized as a crooked *mavoi* since the two *mavo'os* bend in the middle and the two ends open to the public domain. Some maintain that it is not considered a crooked *mavoi* unless there is a distance of more than ten *amos* from the board to the back wall.

- Shulchan Aruch refers to where one does not wish to construct a *tzuras hapesach*. (M.B. 133)
- The board may not be less than four *amos* since the space on each side would nullify it but at four *amos* or larger it is a wall which cannot be nullified. The four *amos* of the board is aligned with the length of the *mavoi*. (M.B. 134)
- One may also place *lechaya'yim* or *lechaya'yim* and a beam. (M.B. 136)
- The board may not be small because the board transforms the area into two *mavo'os* and the beam must rest on the walls of the *mavoi*. (M.B. 137)
- In addition to the rectification at the entrance of the *mavoi* a rectification is also necessary between the board and the back wall even if the distance is less than ten amos. (M.B. 140)
- A *tzuras hapesach* must be constructed between the board and the back wall. (M.B. 142)
- The board divides the area into two *mavo'os* and although the board does not reach the back wall as long as that distance is less than ten *amos* it is seen as an entrance but once it is more than ten *amos* it cannot be seen as an entrance and the area is categorized as a crooked *mavoi*. Halacha follows the first opinion. (M.B. 143)

Halacha Highlight

Rectifying a wide *mavoi*

Shulchan Aruch Siman 363 Seif 33

ומה שמן הפס עד כתל האמצעי

The space between the board and the back wall

Shulchan Aruch (סעי' ל"ג) discusses a *mavoi* whose entrance is twenty *amos* wide. He writes that one can take a board that is four *amos* long and place it in the middle of the entrance aligned with the length of the *mavoi*'s walls. After placing a beam that extends from one *mavoi* wall to the other and resting on the board in the middle, or at least within three *tefachim* of the board in the middle one has effectively, divided the *mavoi* into two parts. Mishnah Berurah (ס"ק קל"ג) explains that Shulchan Aruch addresses a circumstance in which one did not want to construct a *tzuras hapesach* to the entrance and thus needed an alternative method of rectifying the fourth side.

Shulchan Aruch then notes that the area between the end of the four *amah* board and the back wall also requires a rectification since that area is categorized as a crooked *mavoi* which requires a *tzuras hapesach* (סי' שס"ד סעי' ג'). Rema cites an opinion that contends that the area behind the board is not categorized as a crooked *mavoi* unless the distance between the board and the back wall is more than ten *amos* but if it is less than ten *amos* it is not necessary to add a *tzuras hapesach*. Mishnah Berurah (ס"ק קמ"ג) explains that when the distance is less than ten *amos* the open space could be categorized as an entrance rather than a breach but once the distance is greater than ten *amos* it cannot be considered an entrance and requires a rectification. Mishnah Berurah then relates that authorities subscribe to the first opinion that requires a *tzuras hapesach* even if the distance is less than ten *amos*. Biur Halacha (ד"ה יותר מעשר) writes that according to Rav Akiva Eiger the opinion of Rashba who never requires a rectification in the *mavoi* discussed in our *seif* is not rejected altogether and thus it can be combined with the opinion cited by Rema and thus there is no reason to be more stringent than the opinion cited by Rema.