The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Shabbos, Dec 14 2024 ■ י"ג כסלו תשפ"ה
סימן שס"ו סעיף ב'

Overview

Siman 366 Seif 2:

Those dwelling in tents, *sukkos* or in a camp that was enclosed with a partition may not transport objects from one tent to another unless they make an *eruv*. Members of a caravan who were enclosed with a partition do not require an *eruv* since they are all combined and do not have permanent tents. Houses on a boat require an *eruv* even though the boat has partitions. If the boat does not have partitions it is prohibited to transport objects more than four *amos*, see below the end of *siman* 382 and *siman* 405:7.

- This is the place where armies encamp in a field. (M.B. 6)
- The same is true concerning transporting objects from a tent to the open area within the partition. (M.B. 8)
- People who travel together through the wilderness. (M.B. 10)
- The tents are used only when they stop to rest and thus it is not considered a separate residence and it is as if they all stayed in the same house. Gra references authorities who disagree and contend that if members of a caravan have separate tents an *eruv* is necessary but in a camp an *eruv* is not necessary. However, a caravan is less than ten people and once there are more than ten people it is considered a camp. (M.B. 12)
- According to some authorities this is true when there are many houses on the boat but if there is one house and everyone sleeps in the open on the boat, an *eruv* is not necessary to transport items from the house to the deck. (M.B. 13)
- It is permitted to transport objects throughout the boat similar to a yard. (M.B. 14)
- The partitions must be ten *tefachim* so that it is categorized as a private domain. (M.B. 15)
- It is measured from the bottom of the boat even though a number of *tefachim* are under water. (M.B. 16)
- In this circumstance it is permitted to transport objects from the water to the boat and vice versa since they are both a *karmelis*. Magen Avrohom writes that when there are houses on the boat but no surrounding partition it is prohibited to transport objects from the houses to the boat since that involves transporting objects from a private domain to a *karmelis*. (M.B. 17)

Halacha Highlight

Temporary dwellings

Rema Siman 366 Seif 2
בתים שבספינה
Houses on a boat

Shulchan Aruch extends the idea mentioned in *seif* 1 regarding Chazal's enactment to make an *eruv* when a group of people share a common area to permit transporting items from their private houses to the common area. In this *seif* he rules that Chazal's enactment does not only include people who live in permanent houses and share a yard; even people who have settled somewhere temporarily are subject to the same rules. Therefore, if people who dwell in tents surround their area with a partition they may not transport objects from their private tents to the common area unless they made an *eruv*. Rema adds that the same principle applies to a boat that contains many houses. Meaning, if a boat has a partition around the end of the boat, even if part of that partition is under water (מ"ב ס"ק ט"ז), an *eruv* is necessary for the passengers to be permitted to transport objects from their houses on the boat to the deck which is common area shared by them all.

Concerning the question of whether one is obligated to affix a *mezuzah* to a house on a boat Shulchan Aruch (יו"ד סי' רפ"ו סע' י"א) rules that it is exempt from *mezuzah*. The reason is that a house on a boat is only a temporary dwelling and as such it does not require a *mezuzah* (הגהות רעק"א כאן). This seems at odds with Rema's ruling that when there are houses on a boat it is necessary to make an *eruv* since in this regard the houses on the boat are considered permanent. The difference between the cases is that the *halacha* of *mezuzah* requires a permanent home and a house on a boat does not meet that criterion of permanent. In contrast, when it comes to making an *eruv*, as long as the structure has the characteristics of a home an *eruv* is required even if the people dwell there only for Shabbos. For that reason when there are houses on a boat an *eruv* is necessary (שו"ת בית יצחק או"ח סי' מ"ט סק"א).