The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן שע"ב סעיף ח'

Overview

Siman 372 Seif 8:

If the partition between two yards is ten *tefachim* tall but one placed a four *tefach* wide ladder on each side, even if the ladders are not directly opposite one another but are at least within three *tefachim* of one another, it is considered an entrance. If they are more than three *tefachim* apart but the wall is four *tefachim* wide it is still considered an entrance but if the wall is not four *tefachim* wide it is not considered an entrance. The above is true if the ladder has four rungs but not if it contains less than four rungs unless the arms and rungs are heavy so that its weight makes it permanent. If the partition is only ten *tefachim* tall and one stands next to the partition a ladder that is slightly taller than seven *tefachim* and at least four *tefachim* wide, it permits use of the top of the wall as well as allows for a joint *eruv* since there is less than three *tefachim* to the top of the wall. If one removed a portion of the top of the wall to shorten its height, if the shortened area is at least four *tefachim* it forms an entrance that allows them to make a joint *eruv* or use the entire top of the wall. If it is not four *tefachim* wide it is not considered an entrance to permit making a joint *eruv* or use the entire top of the wall and one may only use the shortened space.

- If they want they may make a joint *eruv*. (M.B. 63)
- The same is true if they are more than three *tefachim* apart. (M.B. 64)
- If the ladder is attached with nails, even though it does not contain four rungs it is considered permanent. (M.B. 67)
- Even though it is difficult to climb a vertical ladder it is nevertheless effective. (M.B. 69)
- The ladder must reach within three *tefachim* of the top of the partition. (M.B. 70)
- The ladder must be at least four *tefachim* wide. The side posts of the ladder that hold the rungs are included in the width of the ladder. (M.B. 72)
- Ma'amar Mordechai notes that the height of slightly more than seven *tefachim* is limited to where the ladder stands vertical but if it is angled it would have to be longer. The main issue is that it should be within three *tefachim* of the top of the partition. (M.B. 73)
- It may be used even for household objects. (M.B. 74)
- Shulchan Aruch refers to household items. He also refers to where the wall is four *tefachim* thick since if it is less than that it is always permitted to use the top of the wall. (M.B. 77)
- In that area there is ease of use from the ground. (M.B. 78)

Halacha Highlight

Heavy objects

Shulchan Aruch Siman 372 Seif 8
שאז כבדו קובעו
So that its weight establishes it

Shulchan Aruch discusses the effect that a ladder has on a partition that is ten *tefachim* tall so that it effectively divides between two yards. He writes that given specific prerequisites a ladder can serve as an entrance between the two yards and thus permit making a joint *eruv*. One prerequisite is that the wall requires a ladder on each side and the ladders must be within three *tefachim* of one another. When they are that close to one another it is possible to climb up on one side and climb down on the other. If the ladders are more than three *tefachim* apart but the wall is four *tefachim* thick so that a person could move from one ladder to the other on top of the wall, the two yards retain the option to make a joint *eruv*. Regarding the ladder itself, Shulchan Aruch writes that it must contain at least four rungs but if it contains less than four rungs it will not constitute an entrance. The significance of four rungs is that a ladder with that many rungs will be heavy and thus considered permanent. Consequently, Shulchan Aruch writes that if the ladder anyways is heavy it is considered permanent even without four rungs. Mishnah Berurah (ס"ק ס"ז) adds that it is clear that if the ladder is nailed to the partition it is considered an entrance even if it does not have four rungs.

Concerning the necessary weight for a ladder to be considered permanent, Sefer Tosefes Shabbos (ס"ק ל"א) contends that it must be heavy enough that it is not transported with one hand. As precedent for this he cites the Gemara in Shabbos (45b) that states that a lamp that is transported with one hand may be moved on Shabbos but if it takes two hands to transport the lamp it is prohibited to move it on Shabbos since it is assumed that the owner set a place for it to remain for Shabbos. He added that objects that are generally transported by two people are considered heavy objects.