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Digest
Mishna Berura
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סימן שע"ד סעיף א'

Halacha Highlight

An opening that becomes blocked

Shulchan Aruch Siman 374 Seif 1
ונסתם בשבת
And it became blocked on Shabbos

Shulchan Aruch discusses two yards that made a joint *eruv* because they shared a window or entrance and on Shabbos the window or entrance became blocked, for example, a building collapsed in front of the opening (מ"ב סק"א). The *halacha* is that they may continue to use the top of the wall and the holes in the wall to transport objects from one yard to the other and they are certainly permitted to transport objects from their respective homes into the their respective yards. The rationale behind this ruling is that since it was permitted at the outset of Shabbos since the entrance was open, it remains permitted for the duration of Shabbos even if the opening becomes blocked (מ"ב סק"ג). Furthermore, even if one had intended for the *eruv* to be in force for a year and one week it became blocked, if on Shabbos it is reopened, the *eruv* is restored as if the opening was never blocked.

Biur Halacha (ד"ה ונסתם) explains that Shulchan Aruch's initial comment was specific when he wrote that the window became blocked on Shabbos because if it became blocked before Shabbos, even if it subsequently became cleared on Shabbos, they may not rely on the *eruv*. The reason is that in this case the *eruv* never took effect since during *bein hashemashos* the opening was blocked. Maharsham (ח"ו סי' ט"ו) points to another ruling in Shulchan Aruch as proof to this *halacha*. Shulchan Aruch (סי' שס"ח סע' ד') writes that if the food used for the *eruv* becomes diminished once the first Shabbos began, they may continue to rely upon it for the remainder of the year. However, if it became diminished before its first Shabbos of use, it is invalid. Rav Issur Zalman Meltzer (הגהות מהרש"ם) rejects this proof. Leftovers from an *eruv* remain valid specifically because they were once a valid *eruv*. If the *eruv* never took effect, since the quantity of food was diminished before it was ever utilized, its leftovers have no value. In contrast, even if the opening became blocked before Shabbos, once it opens up on Shabbos, there is an opening between the two yards and there is no reason the *eruv* should not take effect.

Overview

Siman 374 Seif 1:

If they made an *eruv* due to a window or entrance that connected them and it became blocked on Shabbos, it is permitted to use the top of the wall or its holes. Even if they made an *eruv* for the year and the entrance became blocked during the week and then opened on Shabbos (even if intentionally blocked) **they revert back to a valid *eruv*. According to Rambam they may only transport objects within their own yards but may not transport items from one yard to the other.**

- They may transport objects from one to the other and certainly within one's yard, even the one that does not contain the *eruv*. (M.B. 2)
- Once it was permitted at the outset of Shabbos it is permitted for the remainder of Shabbos. (M.B. 3)
- Since the *eruv* was originally made with the intent to use it for many Shabbosos and at that time there was an entrance between the two yards, it remains reliable even on a Shabbos when the entrance is closed at the outset of Shabbos if it opens on Shabbos. (M.B. 4)
- Magen Avrohom and others prohibit using it on Shabbos if one closed it intentionally since it is as if he nullified the *eruv* being that he indicated that he did not want the *eruv*. It would only be permitted if it opened before Shabbos since at the outset of Shabbos when the *eruv* takes effect there was an entrance that allows them to merge. Biur Halacha writes that one should follow this opinion. If when one closed the entrance his intent was for the closure to be temporary, it is logical that it should be permitted even if it opens on Shabbos. (M.B. 5)
- According to Rambam each yard is permitted and the novelty is that it is permitted even for the yard that does not have the *eruv* in it. However, they may not transport objects to the other yard. The first opinion should be followed. (M.B. 6)