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Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן ש"פ סעיף ד'

Overview

Siman 380 Seif 4:

If the residents of a yard that made an *eruv* nullify their domain to the one who did not contribute to the *eruv*, he is permitted to transport objects from his house to the yard but not from their homes (unless they explicitly nullified their homes as well) **and they are prohibited to transport objects from their homes to the yard. We do not assign them the status of guests since many do not become the guests of an individual. The same is true if there are only two people and one nullifies his domain to his friend in that the one who nullified is prohibited even from his friend's home and the recipient is permitted even to move from the nullifier's domain. It is also the same when a group did not make an *eruv* and they nullify their domain to another group who did make an *eruv* since an individual can be a guest of many but many cannot become guests of many nor can an individual become a guest of an individual. If two people forgot to contribute towards the *eruv* they may nullify their domain by each one of them nullifying his domain to the other residents of the yard, regardless of whether they are nullifying their domain to many residents who made an *eruv*, provided that each of them nullifies his domain to each of the other residents or whether they nullify their domain to one who did not make an *eruv*. They may not nullify their domain to two residents who did not make an *eruv*, regardless of whether many people are nullifying their domain who made an *eruv* or whether it is to an individual who did not make an *eruv*. The reason is that even after they nullify, there remain two people and one prohibits the other. Even if one declares, "I will nullify to you on condition that you nullify to me," it is ineffective.**

- Their yard and his house become a single entity. (M.B. 14)
- It is assumed that they only nullified their yard. (M.B. 15)
- Not only are they prohibited from transporting objects from their home to the yard but even to transport objects from the home of the one to whom they nullified their domain to the yard is prohibited since they cannot become his guests and when they transport objects they are retracting their nullification. Magen Avrohom and Elya Rabba disagree whether it is permitted to transport objects from the yard into the house. (M.B. 16)
- Even if they also nullified their homes they may not transport objects from any of the houses to the yard. (M.B. 17)
- Magen Avrohom writes that even if an individual took possession he cannot prevent many people from taking back their home and they are prohibited. (M.B. 18)
- Later authorities write that the word אף should be deleted and it is prohibited to transport something from his friend's house to the yard. (M.B. 19)
- One may nullify his portion but not the portion that his friend conveyed to him, even if that was stipulated. (M.B. 23)
- It seems logical that if the one who nullified his domain to the first person nullified his domain to the second person, it is effective. (M.B. 24)

Halacha Highlight

Does a group become guests?

Shulchan Aruch Siman 380 Seif 4
שאין רבים נעשים אורחים אצל יחיד

The many do not become guests to an individual

Shulchan Aruch discusses a yard in which one of the residents did not contribute to the *eruv* before Shabbos and the residents who did contribute to the *eruv* relinquish their ownership to the one who did not contribute to the *eruv*. The *halacha* in this case is that the recipient may transport objects from his house to the yard since he is now the sole owner of the yard (מ"ב ס"ק י"ד). However, he may not transport objects from the other's homes to the yard since it is assumed that the other residents only relinquished their rights in the yard but not their homes (מ"ב ס"ק ט"ו). Those who relinquished their ownership may certainly not transport objects from their homes to the yard since that would involve transporting from one person's domain to another when there is no *eruv*. Additionally, they may not even transport objects from the recipient's home to the yard, which is essentially his. The reason is that when someone who does not contribute to the *eruv* relinquishes his ownership to the others he becomes their guest and may transport objects wherever the host may transport objects. However, in this case since many people relinquished their rights to one person we do not perceive the group to be guests of the individual recipient.

Aruch HaShulchan (סע' ח') further explains that a group does not become guests of an individual since everyone knows that such an occurrence is uncommon and thus they will see through the ruse. However, when an individual relinquishes his rights to a group it is not discernable that he is not actually a guest since it is not uncommon for individuals to be guests of others. Kaf HaChaim (אות כ"ב) adds that although a large group of actual guests are considered guests even though they did not contribute to the *eruv*, that is because they are actually guests who have no ownership in the domain in which they are residing. In this instance where the group does own property and are merely relinquishing their rights to permit transporting objects we cannot consider them full-fledged guests and thus if they repossess their domain it will be prohibited.